

# Gig State Grant Guidelines





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The NSW Government has committed over \$400 million to the Regional Digital Connectivity program to ensure families and businesses across regional NSW have access to faster and more reliable digital networks.

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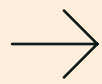
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# 01



## Introduction



## 01 Introduction

In 2018, the NSW Government established the \$4.2 billion Snow Hydro Legacy Fund (the Fund) to invest in transformational and economically productive infrastructure for regional NSW.

The Fund's investment is guided by the *20 Year Economic Vision for Regional NSW*. A key priority of the *20 Year Economic Vision for Regional NSW* is improving regional digital connectivity.




Over \$400 million from the Fund has been committed to the Regional Digital Connectivity program to ensure families and businesses across regional NSW have better access to faster and more reliable digital networks.

A key part of the Regional Digital Connectivity program is the Gig State project (the project) which aims to deliver metropolitan equivalent internet services in terms of price, quality and speed to underserved communities in rural and regional NSW.

### About the Gig State grant opportunity

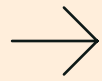
The Gig State grant opportunity (the grant opportunity) seeks to co-invest with the telecommunications sector to deliver internet services to locations with access to satellite internet services only, where there are no planned service upgrades or alternative internet options available.

**The objectives of the grant opportunity are to:**

-  provide metropolitan equivalent internet services (in terms of price, quality and speed)
-  address the digital divide through improved internet services in underserved areas of regional NSW
-  deliver sustainable and resilient infrastructure solutions that meet the current and future needs of regional NSW communities.

The grant opportunity is being administered by the Department of Regional NSW (the department). A list of commonly used terms has been provided at Appendix B.

# 02



Grant value  
and period



## 02 Grant value and period



### Available funding

A total of up to \$60 million (GST exclusive) is available under the grant opportunity for the delivery of internet connectivity solutions.

### Grant period

Funded internet connectivity solutions must be complete and Ready for Service (RFS) by 31 December 2025, or the date specified in the grantee's funding deed. Solutions will be considered RFS on the date the funded internet connectivity solution is fully constructed and ready to provide a service meeting the minimum eligibility requirements outlined in these guidelines.

In executing a funding deed with the department, the applicant must commit to operate and maintain, for the proposed minimum operational period in accordance with industry practice, regulatory obligations and codes of access. The minimum operational period proposed is 10 years from the date the proposed internet connectivity solution is confirmed RFS, unless otherwise agreed by the department.

### Grant amounts

Unless otherwise agreed by the department, there is no minimum or maximum grant amount for eligible solution expenditure. However, the total of all grants funded by NSW Government cannot exceed the amount of the available funds.

### Grant opportunity

# \$60 million

for delivery of internet  
and connectivity solutions

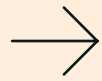
### Ready for Service

# 31.12.2025

internet services will be available for  
customers to connect



# 03



## Eligibility criteria



## 03 Eligibility Criteria

# Applications must meet the below eligibility criteria to be considered for grant funding.

Where satisfactory evidence is not provided in the application, the department reserves the right to set the application aside from further consideration at the assessment panel's absolute discretion.

### Who is eligible to apply for a grant?



#### To be eligible to apply for funding, applicants must:

- have an Australian Business Number (ABN) and be registered for Goods and Services Tax (GST)
- hold or commit to obtaining appropriate public liability insurance to the satisfaction of the department prior to executing a funding deed with the department
- have an Australian Carrier Licence under the *Telecommunications Act 1997* (Cth).

Applicants can submit a joint application, but a lead applicant with an Australian Carrier Licence will need to be nominated. If the application is successful, the lead applicant will enter the funding deed and be ultimately responsible for the project.

### Eligible solutions



#### Proposed internet connectivity solutions must provide:

- minimum services of 50 Megabits per second (Mbps) download and 10 Mbps upload capability at the customer premise via fixed services using Layer 2 infrastructure
- metropolitan equivalent prices and products for residential customers.

### Eligible locations



#### Eligible locations are areas of regional NSW, as defined at Appendix A, where:

- internet access is via satellite services only
- there are no current fixed services
- there are no alternative internet options available
- there are no committed or planned projects for fixed services in the area.

The department will release a list of preferred locations to applicants following receipt of an executed confidentiality deed. The preferred locations provide applicants with the types of communities that the department intends to deliver outcomes to as part of the Gig State project. Locations outside the preferred list are also eligible, provided they meet the grant opportunity's objectives and eligibility criteria.

Applicants can nominate multiple locations (discrete areas with defined network boundaries) as part of their submission. The assessment will be undertaken on a per location basis, meaning that some locations submitted by an applicant may be recommended for funding and other locations submitted by the same applicant may not be recommended for funding.

Applicants will be required to provide a signed Statutory Declaration warranting that none of the proposed internet connectivity solutions subject to the application were at any time part of their forward build network expansion or upgrade plans.

## 03 Eligibility Criteria

### Eligible expenditure →

#### **Grant funding is available for the following eligible costs for funded solutions:**

- pre-construction costs (e.g. design costs, planning approvals costs, site acquisition costs, direct project management costs)
- capital expenditure and other expenses directly related to the delivery of infrastructure (e.g. equipment, power, backhaul, new / strengthening towers)
- customer connection infrastructure costs.

### Ineligible solutions →

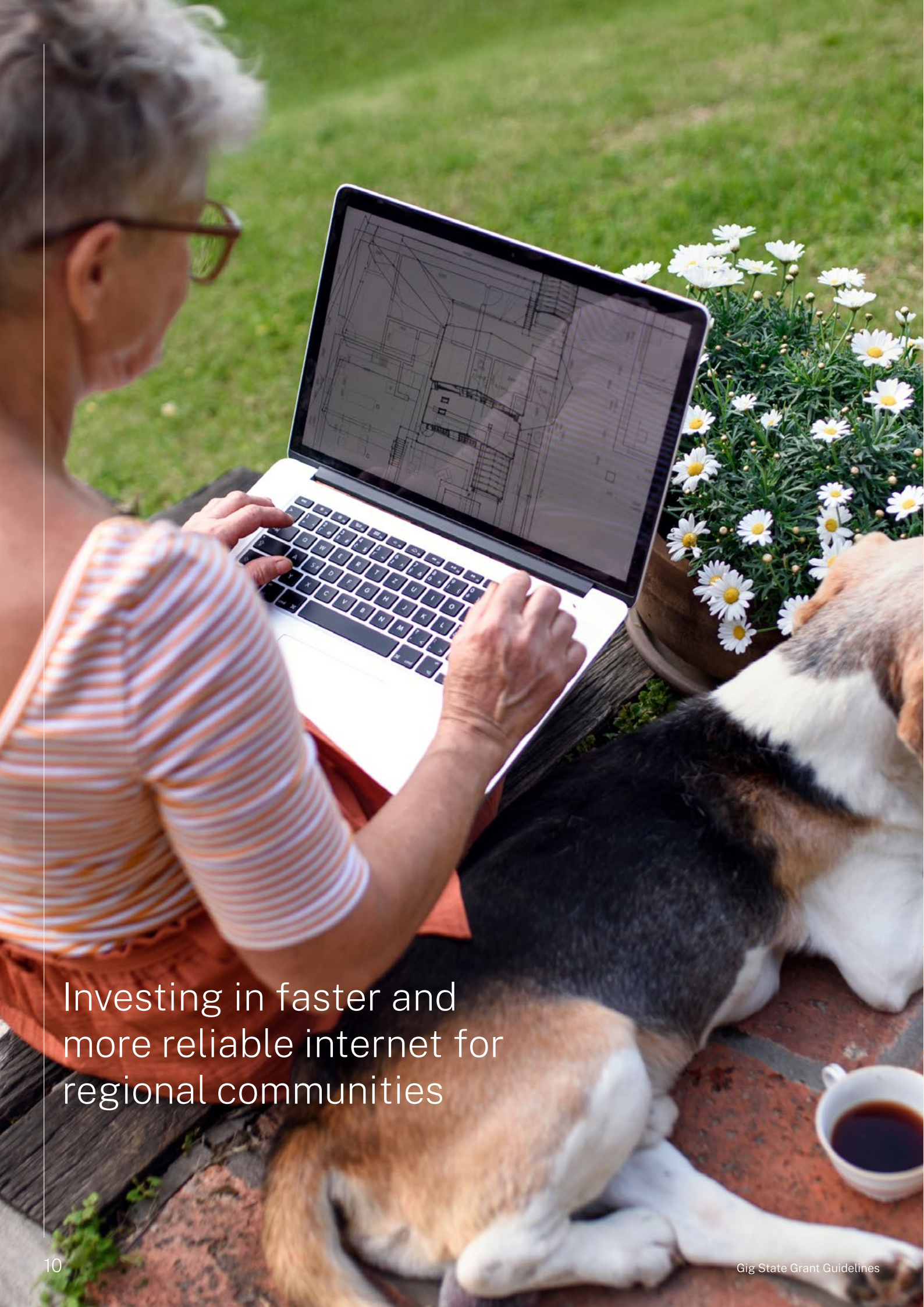
#### **The following are not eligible for funding, solutions that:**

- do not meet the eligibility criteria outlined in these guidelines
- require ongoing funding from the NSW Government
- would proceed and be delivered on a similar timeline without government financial assistance
- have already commenced for the scope requested in the application
- do not directly result in new internet service coverage to the community (e.g. backhaul only projects or data centres)
- provide upgrades to existing services (e.g. upgrades to existing fixed wireless equipment, upgrades from fixed wireless to a fixed line service)
- rely on satellite technology for the access network (NSW Government will consider internet connectivity solutions that incorporate some element of satellite backhaul, but not at the access network level)
- are not community orientated, for example, they provide connectivity to a limited number of specific premises only
- are fully or partly funded by other Commonwealth Government or NSW Government programs.

### Ineligible expenditure →

#### **The following costs are ineligible:**

- operating costs such as leases, power, insurance, licences, day-to-day activities including wages, etc.
- maintenance costs such as equipment repairs, fault rectification, any future equipment upgrades
- finance or borrowing costs
- expenses incurred prior to executing a funding deed with the department, including cost or expenses incurred in connection with the application, negotiation and execution of the funding deed and other documents
- product development costs
- internal costs associated with providing retail internet services to premises including funding for customer support, marketing, strategy development, feasibility studies.



Investing in faster and more reliable internet for regional communities

# 04



## Co-contribution requirements



## 04 Co-contribution requirements

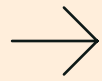
### Applicant co-contribution

Applicants will be required to make a cash co-contribution towards the construction of the proposed internet connectivity solution. Applicants' cash contributions will be expected to increase based on the relative commercial viability of their proposed internet connectivity solution.

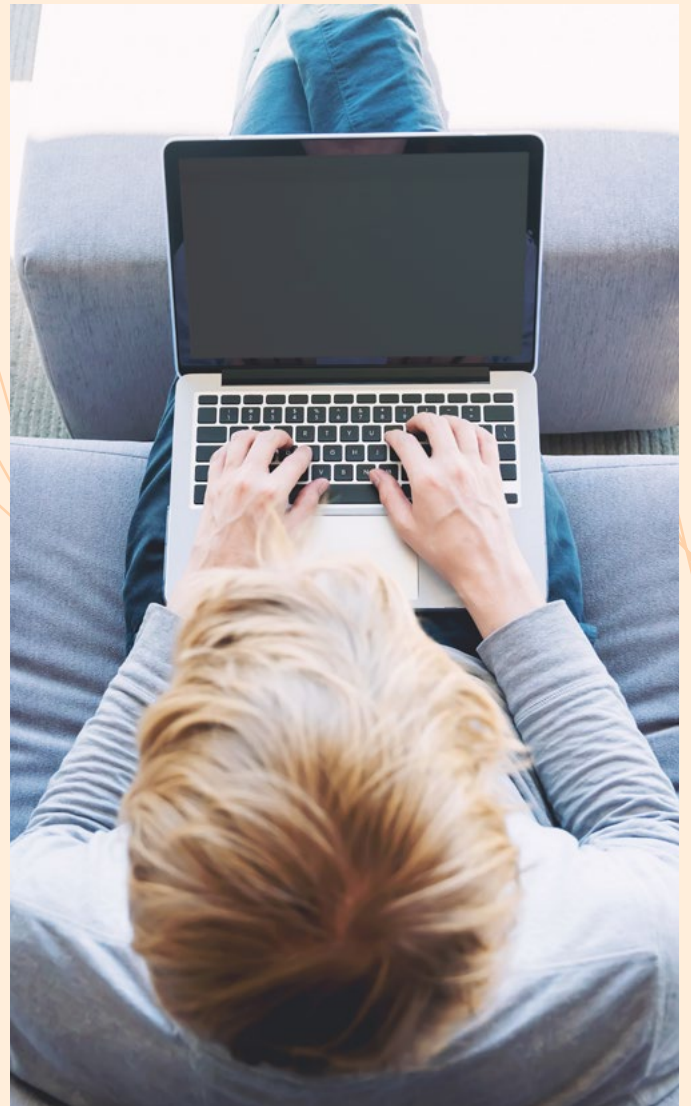
Co-contributions may be obtained from third parties. Third party co-contribution may include cash or in-kind co-contributions. Third party co-contributions must not be equal to or greater than 50 percent of the proposed internet connectivity solution's total capital infrastructure costs. Applicants cannot use funding from other Australian Government or NSW Government programs to fund their co-contribution.

The value of any cash contributions will inform the evaluation against the value for money assessment criteria. Applications that have a lower co-contribution from the NSW Government per new premise covered by the proposed solution will be more competitive.






# 05

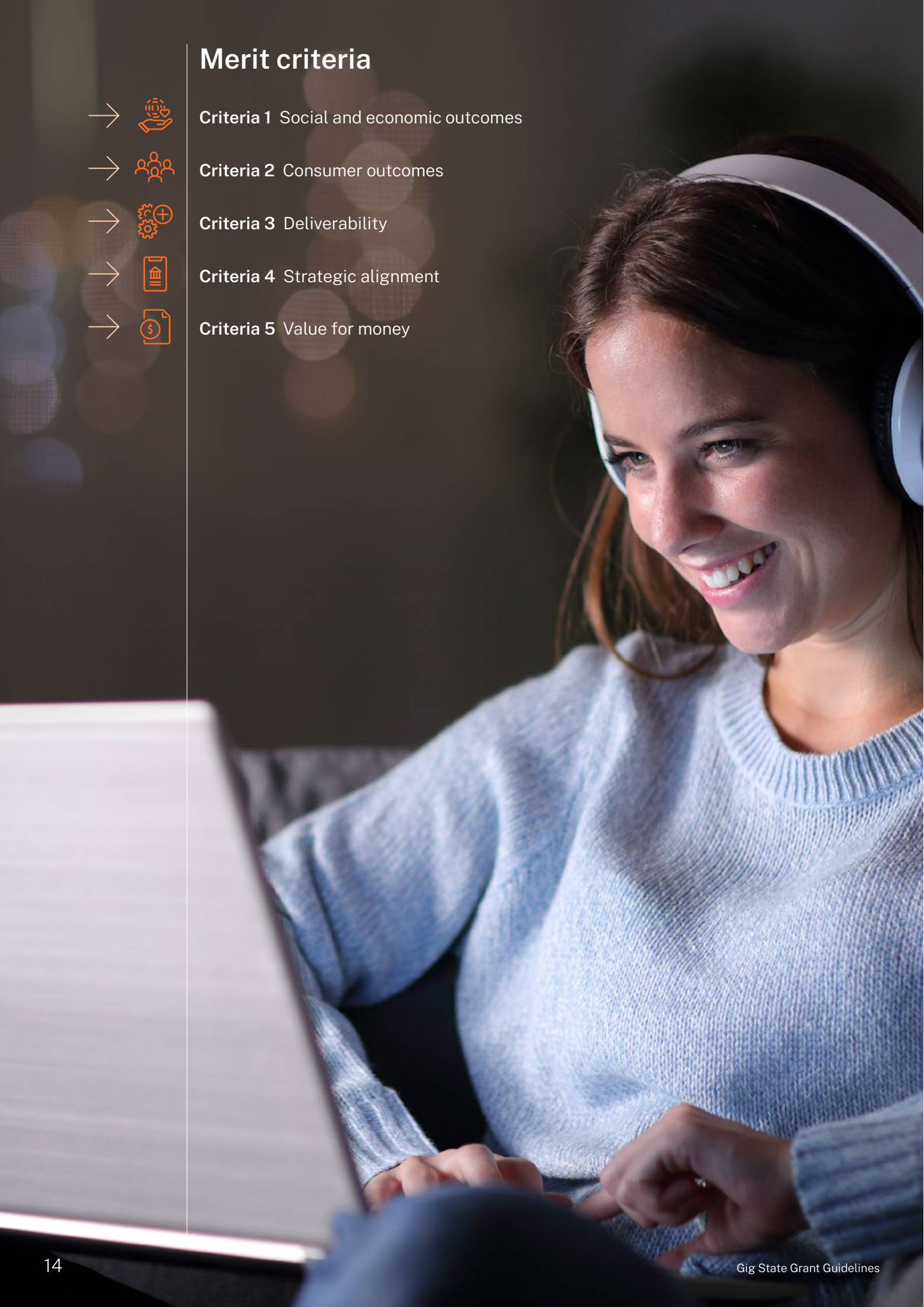


## Assessment criteria



## Merit criteria

-  **Criteria 1** Social and economic outcomes
-  **Criteria 2** Consumer outcomes
-  **Criteria 3** Deliverability
-  **Criteria 4** Strategic alignment
-  **Criteria 5** Value for money





## 05 Assessment criteria

Proposed internet connectivity solutions will be assessed against the following assessment criteria. The amount of detail and supporting evidence provided in your application should be relative to the project's size, complexity and grant amount requested.

### Merit criteria

→ 1



#### Criteria 1 – Social and economic outcomes

The social and economic benefits of the solution will be assessed according to the:

- extent to which the proposed solution will increase the level of digital inclusion in the coverage area as determined by the location's Australian Digital Inclusion Index (ADII) score
- extent to which the proposed solution will address disadvantage within a community as determined by the location's Index of Relative Socio-economic Advantage and Disadvantage (IRSAD)
- number of new premises serviced by the proposed internet connectivity solution including households, businesses and key service locations (e.g. airports, schools, hospitals and police).

→ 2



#### Criteria 2 – Consumer outcomes

The extent to which the proposed solution will uplift regional NSW connectivity services through the provision of additional service offerings above the specified eligibility criteria.

This may include, but is not limited to, service offering above the minimum speed requirement, choice of retail service providers that will be on offer to consumers, IoT devices for agricultural land or mobile services, access to licenced spectrum, additional resiliency measures, etc.

To be considered, any additional relevant mobile or agricultural IoT service offerings must align with the core objectives of the Mobile Active Sharing program and the Farms of the Future program respectively.

### → 3



#### Criteria 3 – Deliverability

The applicant's capability and capacity to design and deliver the proposed internet connectivity solution will be assessed against the following factors:

- the applicant has demonstrated capability and capacity to deliver the project including past performance in delivering projects of similar scope and scale, or other evidence of capability and capacity to deliver the project (for example, detailing managerial and stakeholder engagement capability to carry out the project)
- the applicant has demonstrated ability to complete the infrastructure works and be Ready for Service (RFS) by 31 December 2025 including identification of resourcing roles and responsibilities, stakeholder engagement requirements, planning approvals, land access agreements, commissioning and timeframes for key project activities, milestones and deliverables
- a high-level Gantt chart which identifies key project activities and milestones (for example the planned date of construction commencement and planned date of commercial service availability) for each location.

Applicants should provide suitable supporting documentation such as, project plan, stakeholder engagement strategy, resource plan, etc.

### → 4



#### Criteria 4 – Strategic alignment

The extent to which the proposed internet connectivity solution will contribute to relevant NSW Government priorities including:

- the alignment of the proposed internet connectivity solution's predictive coverage with the list of preferred locations
- sustainable procurement and employment outcomes during the construction and operations phases. This may include, but is not limited to, the ability to:
  - support small and medium sized enterprises, Aboriginal businesses, regional businesses, disability employment organisations and social enterprises
  - provide jobs and skills development opportunities for priority groups including Aboriginal and Torres Strait Islander people, apprentices and young people, and people with a disability.

### → 5



#### Criteria 5 – Value for money

Value for money will be assessed based on the cost to the NSW Government per new premise covered by the proposed internet connectivity solution.

For the purpose of this criteria, each proposed solution will be ranked on a cost per new premises covered. Solutions with a lower cost per premise will rank higher.

Applications should focus on providing new coverage. New coverage overlapping with existing coverage of fixed services is permitted, however, only the new coverage will be considered when evaluating the submission.

## 05 Assessment criteria

### Technical due diligence

The appropriateness of the proposed internet connectivity solution's technical plans will be assessed including, but not limited to:

- proposed network schematic, including interconnecting networks, clear identification of what is new and what is to be built or augmented, third-party or deliverables and the network boundary
- consideration of the solution's long-term viability, resilience and spectrum offerings
- identification of any public and private land access plans, together with any plans for facilities access to third party infrastructure
- alignment of the proposed solution's capital infrastructure costs against industry cost estimates.

The appropriateness of the network performance proposal for the minimum 10-year operational period of the asset will be assessed, including, but not limited to:

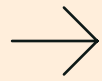
- capacity and coverage management and growth
- network monitoring, user support and management approach
- location of the network operations centre and personnel
- approach to end user premise access, including appointment for internal and external network termination unit and equipment installation, commissioning and repair.

### Additional evaluation considerations

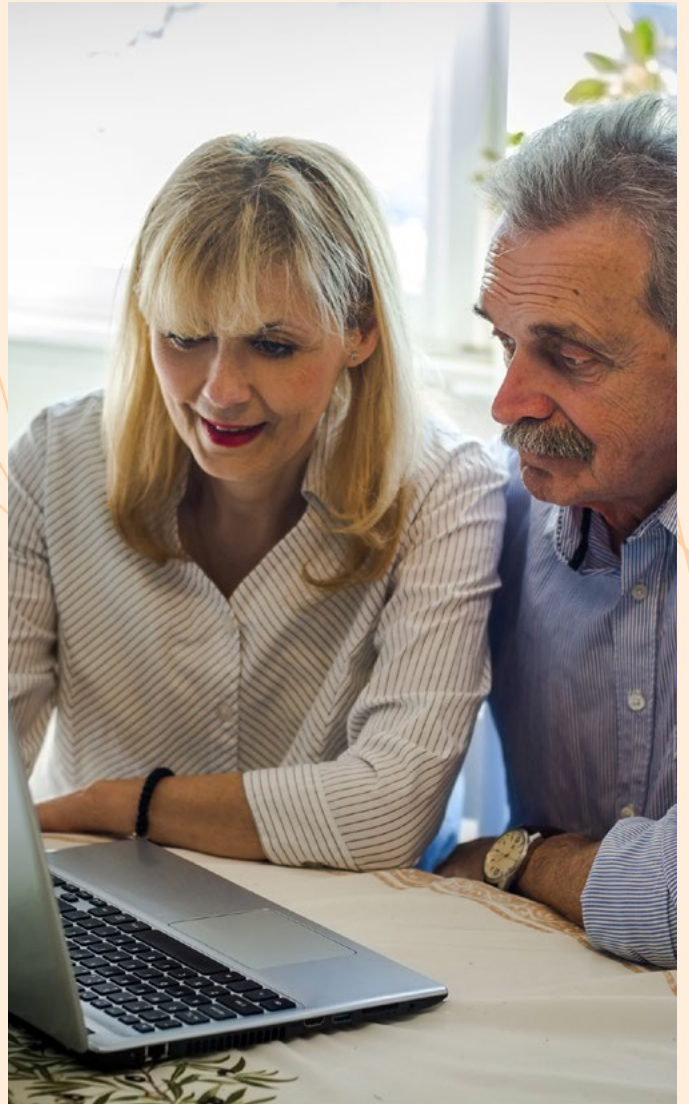
The following factors will also be considered when determining the suitability of the proposed internet connectivity solution for funding:

- the financial strength of the applicant as determined by an independent due diligence assessment and an assessment of the applicant's financial statements (or other evidence of financial viability if statements are not available)
- the corporate social responsibility record of the applicant as determined by an independent due diligence assessment
- the results of the grant opportunity's risk assessment as outlined in grant selection process below
- the level of change required to the template funding deed, with fewer, less substantive, proposed changes more favourable
- alignment of the solution with the grant objectives.

# 06



## Application and assessment process

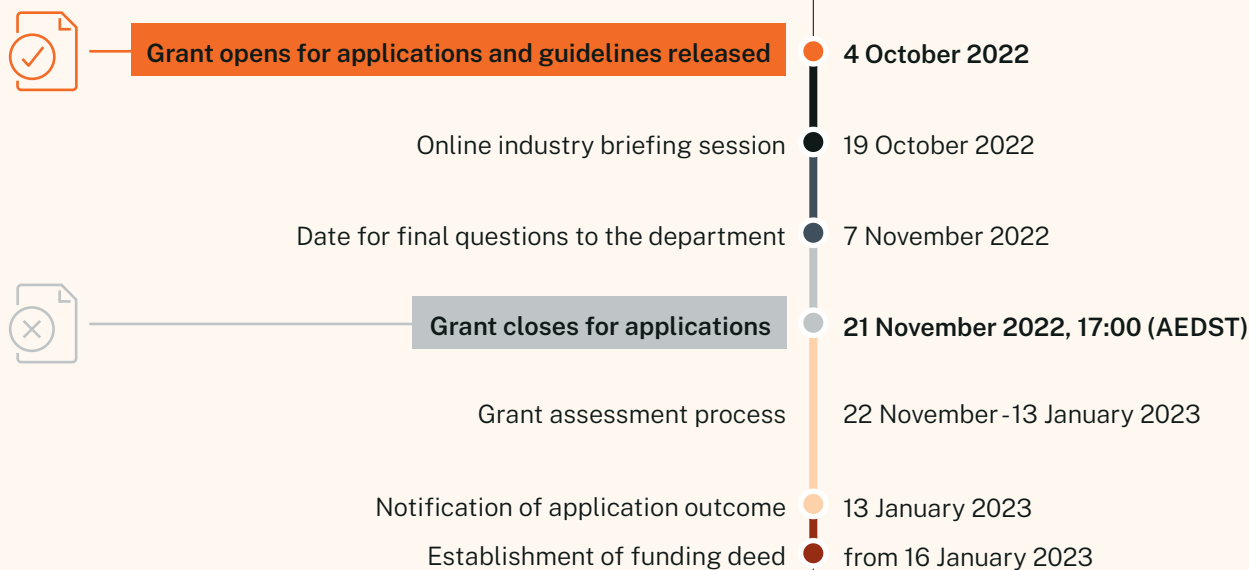


## 06 Application and assessment process

### Key dates and process summary

Key dates for the grant opportunity are outlined below and are subject to change. Updates to the key dates will be published on the

→ [NSW Government grants and funding finder](#)



Applications received after the grant closing date and time will be deemed to be a late application. The department reserves the right to accept a late application where it is satisfied that its acceptance would not compromise the integrity and competitiveness of the process.

### Applicant registration

Applicants will need to register on the SmartyGrants portal to participate in the grant opportunity and access the application forms. Applications received by any other means, for example email or post, will not be accepted by the department.

### Release of preferred locations

The department has identified a list of preferred locations to provide applicants with the types of communities that the department intends to deliver outcomes to as part of the Gig State project.

To receive this list, applicants must provide a valid ABN, a current telecommunications carrier license number and a fully executed confidentiality deed (available in SmartyGrants). The signed deed should then be emailed to [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au).

## 06 Application and assessment process

### Application submission

Applications must be lodged via the SmartyGrants Portal using the application template provided by the department by the closing date and time. All components of the application template must be addressed by the applicant. Where an application has not been submitted using this template and format, the department reserves the right to set it aside from further consideration at the absolute discretion of the assessment panel.

#### All applications must include:

- a high-level overview of the proposed internet connectivity solution(s) delivers the grant opportunity objectives and eligibility requirements
- a high-level overview of any additional service offerings over and above the minimum level of service as identified in the project eligibility criteria
- evidence of the organisation's experience delivering projects of similar scope and scale, or other evidence of its capability and capacity to deliver the project
- evidence of ability to complete the infrastructure works and be Ready for Service by 31 December 2025
- coverage maps of the applicant's existing fixed services coverage in regional NSW
- coverage maps of the applicant's planned coverage in regional NSW and the funding status
- technical plans for the applicant's proposed coverage solution
- the applicant's network performance proposal for the minimum 10-year operational period of the asset
- completed Applicant Datasheet Template, including the breakdown of the estimated total cost of the project, grant request from the NSW Government, cash co-contribution amount and source
- coverage maps for each location identifying the predicted coverage zone of the proposed internet connectivity solution
- an overview of the applicant's sustainable procurement and employment outcomes
- requested government assistance and co-contribution information
- financial statements (trading, profit and loss statements and balance sheets) for three continuous years starting from the latest available year or other evidence of financial viability if statements are not available (for example a signed statement from an external accountant)
- evidence of, or commitment to obtain appropriate public liability insurance or a self-insurance licence pursuant to the *Safety, Rehabilitation and Compensation Act 1988* (Cth)

- proposed departures (if any) from the draft funding deed's terms and conditions
- signed Statutory Declaration warranting that none of the proposed coverage solutions subject to the application were at any time part of the forward build network expansion or upgrade plans at the time of the guidelines release.

All electronic files should be provided in an appropriate Microsoft compatible format; and Geo-spatial information such as coverage maps should be provided in either MapInfo TAB; ESRI Shape; GML; or KML format.

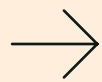
The department will acknowledge receipt of all applications by email to the applicant within two (2) business days of submission. If you need further guidance around the application process or if you are unable to submit an application online, please contact the department via email at [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au)

This is a competitive process. Applications with insufficient evidence or detail will be disadvantaged in the assessment. Applicants should ensure they provide as much information as possible in their application.

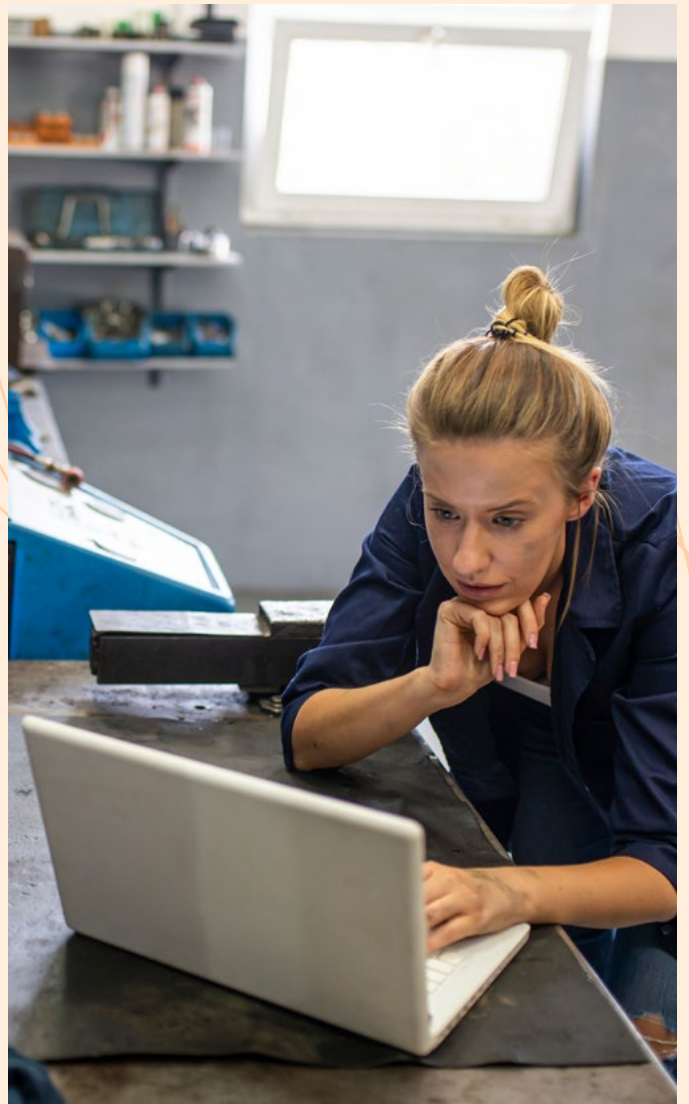
### Changes to applications

Applicants are responsible for ensuring their application is complete and accurate. If the applicant identifies an error with their application after submission, they should contact the department immediately by emailing [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au). If the error is identified after the grant has closed for applications, the department will be under no obligation to accept any additional information that may change the nature of the submission.

# 07



## The grant selection process



## 07 The grant selection process

### Risk assessment

A risk assessment will be conducted in relation to the suitability of each applicant. The risk assessment will include, but is not limited to:

- applicant bona fides check (status, corporate structure, ownership, directors review)
- background and probity searches (ACCC, banned and disqualified registers, bankruptcy, adverse media, court documents)
- regulatory compliance and corporate conduct checks
- history of performance delivering previously funded projects under State and Commonwealth connectivity programs within timeframes and budget, if applicable.

The department may engage contractors, consultants, or specialist advisors to assist with the risk assessment and may seek advice from other government agencies during this process.

The result of the risk assessment will inform the department's assessment of the application against the assessment criteria. Where an applicant has been identified as a greater than acceptable risk as a result of this risk assessment, the department may set the application aside from further consideration at the assessment panel's absolute discretion.

### Assessment process

The department will coordinate the assessment process.

An assessment panel will be convened to consider applications against the eligibility and assessment criteria and to determine the suitability of each project for funding.

All applications will be reviewed against the eligibility criteria outlined in these guidelines. Applicants or proposed internet connectivity solutions that do not meet the eligibility requirements may, at the assessment panel's absolute discretion, be excluded from further consideration and the applicant notified accordingly.

Eligible applications will be assessed using the merit-based criteria and compared to other eligible applications. Applications that do not meet a minimum threshold score for any one of the merit criteria, or only just meet the minimum threshold score for multiple criteria may be considered ineligible.

The assessment will be undertaken on a per location basis, meaning that some locations submitted by an applicant may be recommended for funding and other locations submitted by the same applicant may not be recommended for funding.

The assessment panel may recommend part-funding an application where there is insufficient funding available or where only a component of the application is considered suitable for funding. The assessment panel may also recommend a lesser funding amount to what was requested if deemed more appropriate.

The assessment panel may, at its absolute discretion, recommend funding for locations that do not have the required co-contribution based on extenuating circumstances outlined by the applicant.

The assessment panel may take other factors into consideration when recommending applications funding, including but not limited to: the total amount of funding available, geographical distribution of projects across regional NSW, suitability of a project for other government funding opportunities and alignment with existing NSW Government policies and strategies.

During the assessment process, the department may ask applicants to provide additional information. Advice may also be sought from other NSW Government agencies or other sources (such as probity advisors). Confidentiality will be maintained throughout the process.

The assessment panel may request advice from subject matter experts, either internal or external to the NSW Government to aid the assessment. Final eligibility and assessment determinations will be made at the discretion of the assessment panel, with advice and recommendations from the department and subject matter experts.



## 07 The grant selection process

### Approval

The assessment panel's advice and recommendations will be provided to the decision maker for consideration and approval.

The decision maker will review the availability of grant funds and the assessment panel's recommendation before deciding which grants to approve. The decision maker may take other factors into account that may make an application ineligible for funding, including issues that could cause reputational or other risk to the NSW Government.

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

- the approval of the grant
- the grant funding amount to be awarded
- the terms and conditions of the funding.

There is no appeal mechanism for decisions to approve or not approve a grant.

### Notification of funding outcomes

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

Successful applicants will be notified confidentially from January 2023 or as soon as possible after an application is approved, at the department's absolute discretion. A grant may be subject to the successful applicant accepting specific terms and conditions outlined in their letter of offer. Successful applicants will be requested to keep the offer confidential until notified by the department.

Unsuccessful applicants will be notified in writing of the outcome of their application and will be offered a feedback information session within 20 business days of being advised of the outcome.

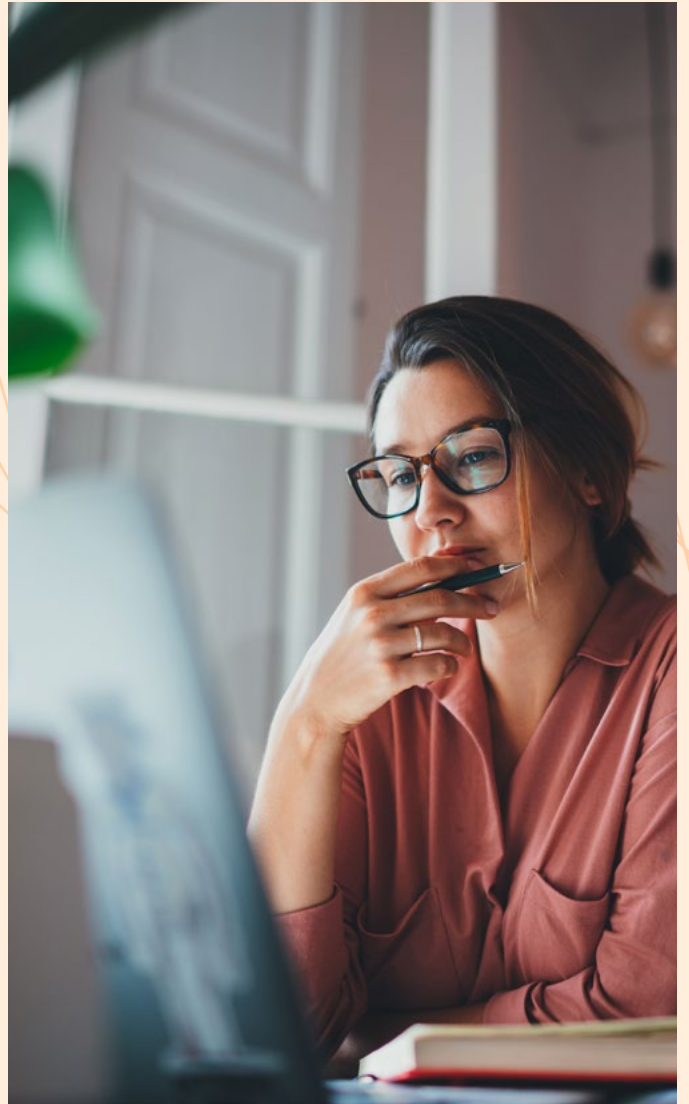
Public announcement regarding funding outcomes will not be made until all applicants have been advised of application outcomes.



# 08



Successful  
applications



## 08 Successful applications

### Funding deed

The NSW Government will execute funding deeds with successful applicants (grantees).

Each funding deed will set out:

- the maximum grant amount to be paid to the grantee
- the co-contribution and in-kind contribution required of the grantee
- the grantee obligations in respect of the proposed solution
- the grantee's monitoring and acquittal requirements.

A funding deed will not be considered executed until both parties' appropriate officers have signed the funding deed.

Successful applicants will be required to submit regular progress reports, asset completion/go live reports and operational reports to the NSW Government as outlined in the funding deed.

The NSW Government makes no binding funding commitment to an applicant unless and until both parties sign a funding deed and subject to compliance by the applicant with the terms of such funding deed.

### How the grant will be paid

Grants will be paid in instalments on the satisfactory completion of project milestones and as set out in the funding deed. Timing and requirements will vary at NSW Government's discretion, depending on the scope and risk of the project.

Payment of funds will not be made until the grantee has submitted evidence that the works have been satisfactorily completed, as per the grantee's reporting requirements and the department has confirmed that the grantee has satisfied the relevant requirement.

The maximum amount payable by the department will be limited to the agreed total funding amount stated in the funding deed. The department is not required to provide any additional money to meet additional costs associated with a funded internet connectivity solution's construction or operation in excess of the grant deed's total funding amount. Any costs incurred in excess of the grant amount must be paid by the grantee.

All organisations will have **Goods and Services Tax (GST)** added to their grant payment and be required to submit invoices to the department for payment of instalments.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. It is recommended organisations seek independent professional advice on their taxation obligations.

### Reporting requirements

Grantees will be required to provide a copy of all relevant insurances and any other supporting documentation relevant to the project as set out in the funding deed or reasonably requested by the department.

Successful applicants will be required to submit regular progress reports, asset completion/go live reports and operational reports to the NSW Government as outlined in the funding deed. Examples of measures to be included in the progress and asset completion reports are the completion of project activities and number of premises covered by the funded solution.

### The department's responsibilities

The department will:

- meet the terms and conditions set out in the funding deed
- provide timely administration of the grant in accordance with the department's usual processes
- evaluate the grantee's performance in accordance with the funding deed.

The department will monitor the progress of the grantee's project by assessing reports the grantee submits and may conduct site visits to confirm details of the reports if necessary. Occasionally, the department may need to re-examine claims, seek further information or request an independent audit of claims and payments. The department may also inspect the records you are required to keep under the funding deed.

### Evaluation

The department may evaluate the grant opportunity and project to assess the appropriateness, efficiency, effectiveness and/or net social benefits of the grant opportunity and project. Successful applicants will be required to participate in a program evaluation. The department may use information from applications, reports, interview successful applicants and request additional information.

# 09



Announcements  
and acknowledgement  
of funding



## 09 Announcements and acknowledgement of funding



### Grant announcement

Funding decisions and assessment outcomes must be kept confidential until announced by the NSW Government.

The department will list the details of successful grant applicants on the NSW Government Grants and Funding Finder within 45 days of the funding deed taking effect, unless contrary to legal or statutory requirements, or the terms of the funding deed.

### Media

All media enquiries or public announcements relating to the grant opportunity will be coordinated and managed by the department's media team.

Grantees must:

- seek and obtain the department's approval before making any public statements, or contacting the media in relation to the grant
- provide the department with at least 25 business days' notice of any proposed media event
- provide any proposed media or public statement to the department for approval prior to its release as well as making any changes or amendments to the form, content or manner reasonably requested by the department
- comply with any branding guidelines provided by the department.

### Acknowledgement of funding

All recipients of NSW Government funding must acknowledge the government's funding contribution in accordance with the

→ [NSW Government Funding Acknowledgment Guidelines](#).

# 10



Important  
information



## 10 Important information

### Advice and support

Frequently asked questions and other resources to assist applicants are located on the

→ [NSW Government grants and funding finder](#) and may be updated throughout the application period.

The department is available answer questions about the grant opportunity. Please contact [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au) for more information. The department will endeavour to respond to all questions within three (3) business days. Please note, the department is not able to assist applicants with the preparation of their application. If any information provided by the regional digital connectivity team in response to an applicant's question has applicability to all applicants and is not general public knowledge an update to the online Frequently Asked Questions will be made.

Applicants are encouraged to seek advice from their legal, business and financial advisers to determine the suitability of the funding before applying.

### Probity

The department will ensure the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the NSW Government requirements.

Independent probity advisors, O'Connor Marsden and Associates (OCM) will provide guidance to the department and the assessment panel on any issues concerning integrity, fairness and accountability that may arise throughout the application, assessment, and decision-making process.

Prospective applicants may contact the department's probity advisors to discuss any probity related concerns using the below details:

Name: Beth Nilan

Phone: 0425 809 856

Email: [bnilan@ocm.net.au](mailto:bnilan@ocm.net.au)

### Feedback and complaints

Feedback or complaints about this grant opportunity can be submitted in writing to [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au)

If you do not agree with the way your feedback or complaint has been handled, you may wish to contact the department via [regional@yourfeedback.nsw.gov.au](mailto:regional@yourfeedback.nsw.gov.au) or contact the NSW Ombudsman via

→ [ombo.nsw.gov.au](http://ombo.nsw.gov.au)

### Conflict of interests

Applicants will be asked to declare any actual, perceived or potential conflicts of interest as part of the application process. Where a conflict of interest that is detrimental to the assessment process is identified, mitigation measures will be put in place, or a program person may be asked not to participate in the grant application, assessment or delivery component of the process.

If at any time you identify any actual, perceived or potential conflicts of interest, you must inform the department immediately by emailing [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au)

### Government Information (Public Access) Act

Applicants should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act). Subject to the terms of the GIPA Act, information deemed to be commercially sensitive may be withheld.

The GIPA Act makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

### Copyright

This publication is protected by copyright. With the exception of:

- any coat of arms, logo, trademark or other branding
- any third-party intellectual property
- personal information such as photographs of people.

## 10 Important information

### Additional conditions

#### No representation, warranty or guarantee

The department does not represent, warrant or guarantee, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

#### Applicant's skill and judgment

The department recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

#### No obligation to update

The information contained herein and the matters to which it relates may be amended, updated or withdrawn at any time, at the department's discretion. However, the department does not accept any responsibility to update, supplement or correct any documentation, nor to inform applicants about any matter that may affect their application.

#### No liability

The department expressly disclaims all liability for any loss or damage incurred by any person arising from, or because of, any person's use of or reliance on any information, statement, opinion or matter (express or implied) contained in, derived from, or omitted from these guidelines, except for any liability which cannot be excluded under law.

#### No offer

These guidelines are not an offer, recommendation or invitation by the department in respect of any contract or commitment and, subject to a funding deed being fully executed by the parties to it, nothing in these guidelines will form the basis of any contract or commitment.

#### Department discretion

Notwithstanding anything else in these guidelines, by applying, applicants acknowledge and agree the department has the right (in its absolute discretion) to reject, refuse to consider or cease to assess an application, at any time, if the department is of the view (in its absolute discretion) that an application is unlikely to be successful.

#### Department rights

The department may, in its absolute discretion, and without limiting any other right which the department 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 opportunity, including any process, procedure or timing regarding the consideration or the evaluation of any proposal or all applications
- 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
- readvertise for new applicants
- consider any non-conforming application
- terminate further participation in the grant opportunity by any applicant for any reason (including if the department reasonably considers an application to contain any false or misleading claims or statements)
- not proceed with any funding deed
- proceed with a funding deed in ways not contemplated in these guidelines.

#### Intellectual property

All intellectual property rights in these guidelines remain the property of the department. Applicants are permitted to use these guidelines for the purpose of preparing an application only. Applicants must not use these guidelines, or any information contained in these guidelines for any other purpose.

Applications submitted in response to these guidelines remain the property of the applicant, unless otherwise agreed between the applicant and the department. The applicant agrees that the department may make copies and reproduce applications for any purpose related to the grant opportunity. In addition, the department will retain (electronic and hard) copies of all applications.

#### Confidentiality

An applicant must not disclose or provide to any person, other than to persons engaged in the preparation of its application, any particulars concerning its application or any other information it has been provided by the department or any other person on behalf of the department, without the prior consent in writing of the department.



## 10 Important information

### **Addenda**

The department may, in its absolute discretion, issue an addendum to these guidelines. In each case, an addendum becomes part of these guidelines.

### **Costs and expenses**

Applicants are responsible for their own costs and expenses relating to the preparation of their application, participation in the process and conduct of any negotiations with the department.

### **Relationship**

Nothing in these guidelines constitutes any partnership, joint venture, agency or other relationship between an applicant and the department.

### **Amendments**

These guidelines are subject to change at any time at the sole discretion of the department.

A young boy with dark hair is sitting on a bed, wearing a white VR headset. He is holding a tablet computer in his hands and looking down at the screen. He is wearing a light blue t-shirt and grey sweatpants. The background is softly blurred, showing a green plant and a white pillow. The overall mood is focused and engaged.

Delivering  
better internet  
connectivity  
now and for  
the future

A

## Appendices

# Appendix A: List of Regional NSW locations

Projects must be located in one of the 93 regional NSW Local Government Areas (LGAs), the Unincorporated Far West or Lord Howe Island.

## Eligible regional NSW LGAs

Albury City Council	Gilgandra Shire Council	Parkes Shire Council
Armidale Regional Council	Glen Innes Severn Council	Port Macquarie-Hastings Council
Ballina Shire Council	Goulburn Mulwaree Council	Port Stephens Council
Balranald Shire Council	Greater Hume Shire Council	Queanbeyan-Palerang Regional Council
Bathurst Regional Council	Griffith City Council	Richmond Valley Council
Bega Valley Shire Council	Gunnedah Shire Council	Shellharbour City Council
Bellingen Shire Council	Gwydir Shire Council	Shoalhaven City Council
Berrigan Shire Council	Hay Shire Council	Singleton Council
Bland Shire Council	Hilltops Council	Snowy Monaro Regional Council
Blayney Shire Council	Inverell Shire Council	Snowy Valleys Council
Bogan Shire Council	Junee Shire Council	Tamworth Regional Council
Bourke Shire Council	Kempsey Shire Council	Temora Shire Council
Brewarrina Shire Council	Kiama Municipal Council	Tenterfield Shire Council
Broken Hill City Council	Kyogle Council	Tweed Shire Council
Byron Shire Council	Lachlan Shire Council	Upper Hunter Shire Council
Cabonne Council	Lake Macquarie City Council	Upper Lachlan Shire Council
Carrathool Shire Council	Leeton Shire Council	Uralla Shire Council
Central Coast Council	Lismore City Council	Wagga Wagga City Council
Central Darling Shire Council	Lithgow Council, City of	Walcha Council
Cessnock City Council	Liverpool Plains Shire Council	Walgett Shire Council
Clarence Valley Council	Lockhart Shire Council	Warren Shire Council
Cobar Shire Council	Maitland City Council	Warrumbungle Shire Council
Coffs Harbour City Council	Mid-Coast Council	Weddin Shire Council
Coolamon Shire Council	Mid-Western Regional Council	Wentworth Shire Council
Coonamble Shire Council	Moree Plains Shire Council	Wingecarribee Shire Council
Cootamundra-Gundagai Regional Council	Murray River Council	Yass Valley Council
Cowra Shire Council	Murrumbidgee Council	
Dubbo Regional Council	Muswellbrook Shire Council	
Dungog Shire Council	Nambucca Valley Council	
Edward River Council	Narrabri Shire Council	
Eurobodalla Shire Council	Narrandera Shire Council	
Federation Council	Narromine Shire Council	
Forbes Shire Council	Oberon Council	
	Orange City Council	

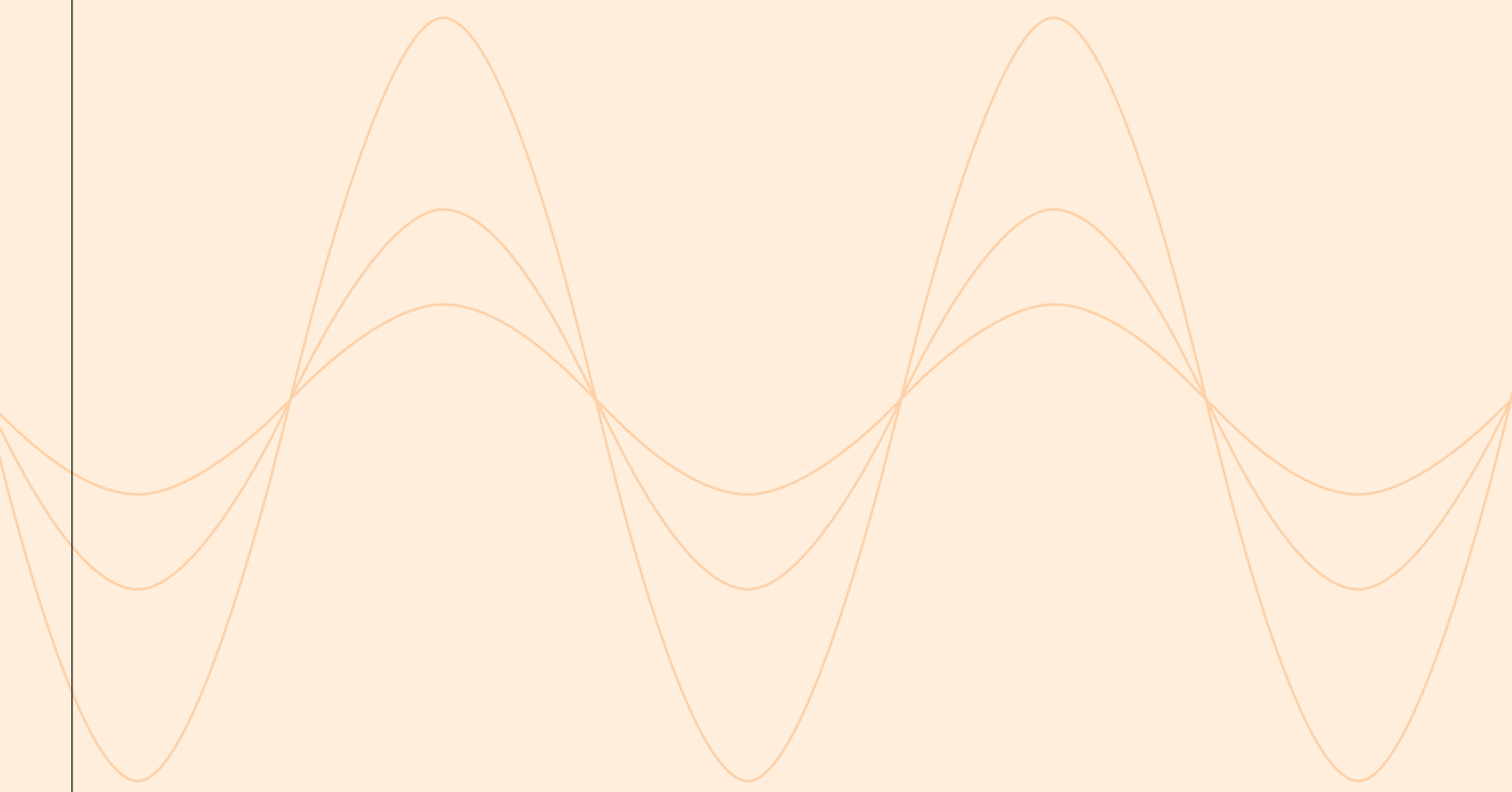
# Appendix B: Glossary

Term	Definition
Assessment criteria	The principles or standards against which applications will be assessed and ranked based on their merit.
Assessment panel	A panel comprising of expert representatives (internal and external to Government) responsible for assessing each application on its merit and compared to other eligible applications before making a recommendation to the decision maker.
Decision maker	The Secretary, Department of Regional NSW.
Department	The Department of Regional New South Wales.
Eligibility criteria	Mandatory criteria the application must meet to progress to assessment.
Fixed services	<p>Fibre to the Premise (FttP), Fibre to the Node (FttN), Fibre to the Curb (FttC), Fibre to the Building (FttB) or Fixed Wireless technology.</p> <p>Existing fixed services coverage will be determined by coverage data provided to the department by applicants as part of this grant opportunity, or publicly available information (for example the nbn rollout map</p> <p>→ <a href="http://nbnco.com.au/learn/rollout-map">nbnco.com.au/learn/rollout-map</a></p>
Fixed Wireless technology	Fixed Wireless technology means the operation of wireless communication devices or systems used to connect two, or more fixed locations with radio or other, wireless link.
Funded solution	A solution that is approved for funding under the grant.
Funding deed	An agreement that outlines the terms and conditions of the grant funding including proposed financial contributions and grantees obligations and monitoring and acquittal requirements.
Grant	<p>An arrangement for the provision of financial assistance by the NSW Government whereby money:</p> <ul style="list-style-type: none"> <li>• is paid to a grantee other than the NSW Government</li> <li>• is intended to help address one or more of the NSW Government’s policy outcomes</li> <li>• is intended to assist the grantee to achieve its objectives</li> <li>• does not result in the return of goods or services by the grantee of an equivalent value to the NSW Government (i.e. it is a non-reciprocal exchange).</li> </ul>
Grantee	An organisation that has been selected to receive a grant.
Layer 2	Layer 2 means the ‘data link’ layer of the Open System Interconnection model.
Minimum Operational Period	The length of time that a funded solution is required to provide services for which it was funded under this project -10 years from ready for service, unless otherwise agreed by the department.
Metropolitan equivalent	Pricing for product and service that is the same or lower than the price offered by the market for the same product and service in Sydney.
New Coverage	Coverage provided by a proposed solution that does not currently receive fixed services or is planned to receive fixed services.
Project	Gig State project.

## Appendix B: Glossary

<b>Term</b>	<b>Definition</b>
Ready for Service (RFS)	The date on which a funded solution is fully constructed and ready to provide services meeting the Grant's minimum requirements.
Regional NSW	Includes 93 Local Government Areas (LGAs), the Unincorporated Far West and Lord Howe Island as listed in Appendix A.
SmartyGrants Portal	Department's grants administration system through which applications must be submitted.
Solution	A solution proposed by an applicant at an eligible location in response to these guidelines.





**For more information**

**Email** [gigstate@regional.nsw.gov.au](mailto:gigstate@regional.nsw.gov.au)  
[nsw.gov.au/gigstategrant](http://nsw.gov.au/gigstategrant)

