



Department of Energy, Mines,
Industry Regulation and Safety
Energy Policy WA

Pilbara Energy Transition Plan

Traditional Owner Participation Support Fund

Pilot Guidelines

November 2024

Working together to create a
future ready electricity network.

● Acknowledgement of Country

The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) respectfully acknowledges Aboriginal peoples as being the traditional custodians of Western Australia. We acknowledge the enduring connection Aboriginal people continue to share with the land, sea and sky through both their ancestral ties and custodianship to Country. We pay our respect to Elders both past and present, and acknowledge the value brought to our department through the collective contribution of Aboriginal and Torres Strait Islander peoples across Western Australia.

● General information

Citing this document

An appropriate citation for this paper is: Pilbara Energy Transition Traditional Owner Participation Support Fund – Pilot Guidelines.

Disclaimer

The Western Australian Government is committed to quality service to its customers and makes every attempt to ensure accuracy, currency and reliability of the data contained in this document. However, changes in circumstances after time of publication may impact the quality of this information. Confirmation of the information may be sought from originating bodies or departments providing the information.

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Terms and definitions

Term	Definition
Applicant	The Prescribed Body Corporate completing the application.
Grants	Pilbara Energy Transition Traditional Owner Participation Support Fund Grants
GST	Goods and Services Tax
PBC	Prescribed Body Corporate
Pilot	A small-scale, short-term program to inform the design of larger program or scheme.
Plan	Pilbara Energy Transition Plan
Service Provider	A consultant, or other person who provides professional advice and expertise.
TOPS Fund	Traditional Owner Participation Support Fund – a pilot program to support Traditional Owner participation in the Pilbara Energy Transition.
WA	Western Australia

Overview

Energy Policy WA is administering the pilot Traditional Owner Participation Support (TOPS) Fund¹ on behalf of the WA Government to support Aboriginal people in the Pilbara to participate in, and benefit from, the broader energy transition across the region.

The TOPS Fund



Open to all Registered Prescribed Bodies Corporate (PBCs) impacted by the Pilbara Energy Transition.



Provides up to \$100,000 in grant funding (GST exclusive) for advice and support relating to renewable energy projects.



Open until 30 June 2025, or until grant funds are fully committed.

Background

The WA Government has committed to working with all sectors of the economy to achieve net zero carbon emissions in WA by 2050. As the Pilbara contributes around 40 per cent of WA's total emissions, decarbonising the region is a priority for the WA Government.

The State's *Aboriginal Empowerment Strategy 2021–2029* provides a high-level framework for how all State Government activities can contribute to better outcomes for Aboriginal people. The WA Government is committed to ensuring that electricity infrastructure developed in the Pilbara region delivers opportunities for Traditional Owners and local communities to realise social and economic opportunity.

The Pilbara Energy Transition Plan

Energy Policy WA, a group within the Department of Energy, Mines, Industry Regulation and Safety, is coordinating delivery of the Pilbara Energy Transition Plan² (Plan).

The key objectives of the Plan are to:

1. Pilbara decarbonisation

Coordinate a responsible and timely approach to decarbonation of the Pilbara that supports industry achieving emission reduction targets.

2. Aboriginal participation and community engagement

Collaborate with Traditional Owner groups and local communities to ensure meaningful and lasting benefit from the energy transition.

3. Common use infrastructure

Facilitate the development of common use transmission infrastructure to minimise the environmental footprint and support a more robust and interconnected electricity system.

4. Reliability and security

Support greater access to a diverse range of high-quality renewable resources, underpinned by a fit-for-purpose regulatory framework.

5. Private investment

Drive private sector investment in transmission infrastructure by facilitating access to WA's \$3 billion allocation from the Rewiring the Nation program.

1. Purpose and objectives

Energy Policy WA developed the TOPS pilot in response to consistent feedback from Prescribed Body Corporates (PBC) that groups were not appropriately resourced to engage in the Pilbara Energy Transition, and so risked missing out on opportunities to benefit their members and communities.

The TOPS Fund³ is a pilot program to inform the design and implementation of long term, ongoing support for Aboriginal organisations and businesses to:

- identify and progress energy transition opportunities; and
- engage with renewable generation developers.

2. Fund overview

The TOPS Fund offers grants to PBCs in the Pilbara Energy Transition footprint to support their active participation in renewable energy projects.

2.1 Funding amounts and availability

The TOPS Fund will support approved Applicants with a grant valued at up to \$110,000 (GST inclusive).

Example: An application is received from an eligible party for an eligible purpose. (Proposal is assessed to have met the eligibility and merit criteria.)

- Total grant amount requested (inclusive of GST) is \$108,900.
- Cost of project/service is \$99,000 and associated GST component is \$9,900.
- Total eligible funding amount is \$108,900.

Partial funding

Where TOPS funding is being used to partially fund a project or proposal, applicants need to clearly demonstrate the elements that will be funded by TOPS and identify the source/s of other funding.

Funding disclaimer

While the TOPS Fund is expected to remain open to 30 June 2025, Energy Policy WA may close the Fund earlier if available funding is fully committed.

The TOPS Fund does not have competitive funding rounds. Applications can be submitted at any time and will be assessed on a rolling basis.

TOPS funding must be used in accordance with the application, proposal and grant agreement.



3. Criteria

Applications will be considered for eligibility and assessed based on the criteria outlined below. Applications must meet all eligibility criteria to proceed to merit assessment.

- Applicants are advised to carefully consider the eligibility and merit criteria before developing an application.
- If you have any questions, please contact Energy Policy WA by [email](#).

Reading and understanding these guidelines will assist you to:

- address the eligibility requirements;
- prepare a stronger case for funding against the merit criteria; and
- prevent unnecessary delays in the assessment of your application.

3.1 Eligible parties

- E1** Applicants must be one of the PBC under the *Native Title Act 1993* and/ or incorporated under the *Corporations (Aboriginal and Torres Strait Islander Act) 2006* (a list of the eligible PBC is enclosed at [Appendix A.1](#)).
- E2** Applicants must have a current Australian Business Number, be registered for GST and have an account with an Australian financial institution.
- E3** Applicants must have rectified, or be in the process of rectifying, any issues of previous noncompliance with existing WA Government funding agreements.

3.2 Ineligible parties

Applicants who are ineligible to proceed to merit criteria assessment:

- Applicants who are not listed as an eligible PBC at [Appendix A.1](#).
- Applicants that are insolvent, subject to insolvency proceedings or have declared bankruptcy.

3.3 Eligible activities

The TOPS Fund is available to support a wide range of capacity building activities and to enable Traditional Owners to more fully participate in the Pilbara Energy Transition.

Eligible activities include:

- a. Training, skills, and information activities in relation to the Pilbara Energy Transition.
- b. Activities that assist Traditional Owners/ PBCs to access the information and resources required to enable better informed negotiations and decision making.
- c. Access to expert, or specialised advice on matters directly associated with the Pilbara Energy Transition Plan including:
 - to enable more informed contract negotiations with renewable generation developers;
 - assessment of opportunities as well as preferred sites for renewable generation and transmission infrastructure;
 - renewable energy resource assessments and monitoring;
 - renewable generation feasibility studies; and
 - renewable generation grid-connection studies.

3.4 Ineligible activities

Ineligible activities include:

- administration fees greater than ten per cent of the total grant value;
- seed funding to start up or invest in a business;
- research and development or commercialisation activities, such as the demonstration of unproven technologies, or deployments of renewable generation and batteries;
- Applicant staffing salaries and wages;
- capital expenditure (including equipment, tools, and vehicles);
- international travel costs;
- fixed costs such as leases and rent; and
- retrospective costs. If you are unsure if an activity is eligible or would like to discuss your application, please contact Energy Policy WA by [email](#).

3.5 Merit assessment criteria

Applications meeting eligibility criteria E1–3 (previous page) will be evaluated by an Independent Assessment Panel against the merit criteria (below).

The merit criteria have been developed to demonstrate that an application for funding meets the purpose and objectives of the TOPS Fund.

- For an application to be recommended for approval, it must be assessed as high merit against each merit criteria.
- The merit criteria are not ranked, for example criterion three is as important as criterion one.

Merit criteria	Assessment considerations
M1. The application clearly demonstrates how it will support the Applicant to participate in the Pilbara energy transformation.	M1.1 Outputs of the proposed activity are clearly defined.
	M1.2 The proposed activity aligns with the goals of the Plan (see Background).
	M1.3 Application clearly demonstrates how the proposed activity supports the Applicant to identify and progress energy transition opportunities and/or engage with clean energy developers.
M2. The Applicant can complete the proposed activity successfully.	M2.1 The application clearly explains who will make decisions regarding the proposed activity and Grant spending (governance structure).
	M2.2 The Applicant or their chosen Service Provider has included a business case or detailed project plan with information on timelines, milestones, an itemised budget and how risks will be avoided or managed.
	M2.3 The people who will carry out the proposed activity have the necessary skills and expertise, including detailed information on the Service Provider to be engaged by the Applicant (if applicable).
M3. The proposed activity demonstrates value for money.	M3.1 The application clearly outlines the economic, environmental or social benefits that will be achieved by the proposed activity.
	M3.2 The benefits align to the goals of the Plan and other government priorities.
	M3.3 The funding requested is reasonable when considering the benefits described.
M4. The proposed activity will support others to participate in the Pilbara energy transformation.	M4.1 Application demonstrates how the support broader Aboriginal participation in the Pilbara Energy Transition, including through the sharing of information.
	M4.2 Application clearly specifies what information is to be published, shared with WA Government on a confidential basis and is only for the Applicant.

4. Grant Management

4.1 Application Process

All applications are to be submitted online using the grant application form that can be accessed here⁴.

Applications should be concise but provide sufficient information to enable the application to be fully assessed. Supporting information may be attached to the application.

Applicants may be contacted if further information is required.

What happens next?

Energy Policy WA will endeavour to contact all applicants within five business days of receiving an application. We may also contact you to clarify or to request additional information.

Energy Policy WA will provide a decision as soon as possible after all required information is provided to enable assessment of the application against the Merit Criteria.

Feedback can be provided to unsuccessful applicants on request.

Where an application is approved, a Grant Agreement will be formed using these Guidelines and the Community Services Template – Grant Agreements⁵ in line with the Delivering Community Services in Partnership Policy⁶. Energy Policy WA will provide in writing:

- a letter confirming approval of the application; and
- a proposed Grant Agreement specifying the reporting requirements, as well as the milestone payment schedule.

Successful applications may become part of the grant agreement. Grant conditions and management protocols will apply to successful applications.

Funds must be used solely for the approved purpose. Any changes to the project scope will not be funded unless they are approved by Energy Policy WA before any changes to the approved project are undertaken.

Applicants seeking further information about the application process, or who require assistance should contact Energy Policy WA by [email](#). Energy Policy WA aims to respond to all written enquiries within three business days.



5. Disclaimers

General

The Grant Agreement requires all publications relating to the funded activities to carry the following disclaimer:

“This project was funded by the Government of Western Australia (Energy Policy WA) as part of its grants process for the support of Aboriginal organisations and communities to participate in the Pilbara Energy Transition.

The views expressed in this document do not necessarily reflect the views of the Government of Western Australia or Energy Policy WA.”

Energy Policy WA reserves the right to:

- consult with relevant stakeholders;
- offer funding for only some of the activities for applications with multiple activities; and
- have a third-party assist with the administration of the TOPS Fund.

Legal

No contractual or other legal relations shall exist between any applicant for funding on the one hand and the State of Western Australia (including any agent, agency, instrumentality or emanation of that State) on the other hand unless and until a formal legally binding Grant Agreement is entered into by and between them.

Neither this document nor anything else shall be creative of or give rise to legal or equitable rights or obligations; such rights or obligations shall only come into being if and when a formal legally binding Grant Agreement, referred to in the previous sentence, comes into existence.

5.1 Tax Information

Funding provided to recipients is regarded as payment for a supply. GST-registered grant recipients will therefore be liable for GST in connection with the grant.

The grant will be increased by the amount of GST payable. Recipients must provide a tax invoice for the GST inclusive value of the grant.

Applicants are encouraged to seek tax advice on the potential implications of obtaining funding.

5.2 Feedback, Complaints and Dispute Resolution Process

Constructive feedback on the TOPS Fund is always welcomed. Applicants and potential applicants can submit feedback to Energy Policy WA by email to:

EPWA-AboriginalParticipation@demirs.wa.gov.au

Complaints about any aspect of the Grants Program should be made in writing and emailed to EPWA-Info@demirs.wa.gov.au.

Complaints will be reviewed by Energy Policy WA in the first instance. Complaints that cannot be resolved within 30 business days from lodgement will be escalated to the Coordinator of Energy for determination.

Any complaint that the Energy Coordinator deems unresolved after a further 30 business days will be referred to the Minister for Energy for resolution.

5.3 Contact Information

Enquiries and feedback on the Pilot Guidelines and the TOPS Fund can be directed to:

Pilbara Energy Transition Team

Telephone: 08 6551 4600

Email: EPWA-AboriginalParticipation@demirs.wa.gov.au

A.1 Eligible Prescribed Bodies Corporate

1. Banjima Native Title Aboriginal Corporation
2. Budina Aboriginal Corporation
3. Buurabalayji Thalanyji Aboriginal Corporation
4. Gobawarrah Yinhawangka Aboriginal Corporation
5. Jamukurnu-Yapalikurnu Aboriginal Corporation
6. Jidi Jidi Aboriginal Corporation
7. Jurruru Aboriginal Corporation
8. Kariyarra Aboriginal Corporation
9. Kariyarra Pirnthurruna Native Title Group
10. Karlka Nyiyaparli Aboriginal Corporation
11. Kulyamba Aboriginal Corporation
12. Kulyakartu Aboriginal Corporation
13. Marputu Aboriginal Corporation
14. Mungarlu Ngurrarankatja Rirraunkaja Aboriginal Corporation
15. Ngarlawangga Aboriginal Corporation
16. Ngarluma Aboriginal Corporation
17. Nyamal Aboriginal Corporation
18. Nganhurra Thanardi Garrbu Aboriginal Corporation
19. Nyangumarta Karajarri Aboriginal Corporation
20. Nyangumarta Warrarn Aboriginal Corporation
21. Palyku-Jartayi Aboriginal Corporation
22. Robe River Kuruma Aboriginal Corporation
23. The Puutu Kunti Kurrama and Pinikura Aboriginal Corporation
24. Wajarri Yamaji Aboriginal Corporation RNTBC
25. Wanparta Aboriginal Corporation
26. Wintawari Guruma Aboriginal Corporation
27. Wirrawandi Aboriginal Corporation
28. Woodgoomungooh Aboriginal Corporation
29. Yindjibarndi Ngurra Aboriginal Corporation
30. Yindjibarndi Aboriginal Corporation
31. Yinggarda Aboriginal Corporation
32. Yinhawangka Aboriginal Corporation

1. Pilbara Traditional Owner Participation Support Fund
wa.gov.au
2. Pilbara Energy Transition Plan
wa.gov.au
3. Pilbara Traditional Owner Participation Support Fund – WA Department of Energy, Mines, Industry Regulation and Safety
smartygrants.com.au
4. Pilbara Traditional Owner Participation Support Fund - WA Department of Energy, Mines, Industry Regulation and Safety
smartygrants.com.au
5. Community services templates
wa.gov.au
6. General Procurement Direction 2023/03 Delivering Community Services in Partnership Policy
wa.gov.au



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