

Department of Planning, Housing and Infrastructure

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Early Adopter Grant Program

Grants for NSW councils using the Artificial Intelligence Solutions Panel to improve development application pre-lodgement processes

April 2024



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Early Adopter Grant Program Guideline

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Grant Program Details	
Opening date	30/04/2024
Closing date and time	11 pm 22/05/2024
Application outcome date	June 2024
Project delivery timeframe (for successful applications)	July 2024 to June 2025
Evaluation timeframe (for successful applications)	July 2025 to September 2025
Decision-maker	Secretary, Department of Planning, Housing and Infrastructure
NSW Government Agency	Department of Planning, Housing and Infrastructure
Type of grant opportunity	Open, competitive
Grant value (total available funding for the grant and the available individual grant amounts, excluding GST)	Up to \$3 million total funding \$100,000 to \$200,000 per individual grant application \$100,000 to \$500,000 per joint grant application
Enquiries	If you have any questions about the grant that are not covered in this guideline, please contact the AI in NSW Planning team: ai.nsw@planning.nsw.gov.au

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Introduction

The Artificial Intelligence Early Adopter Grant Program is available to councils to promote more efficient processing of development applications and enable faster turnaround of assessments.

The grant program is a competitive, application-based grant program of up to \$3 million open to all eligible NSW councils. It runs from 30 April 2024 to 22 May 2024.

The NSW Department of Planning, Housing and Infrastructure administers the fund in accordance with the NSW Government Grants Administration Guide.

This guideline contains an outline of:

- which councils and types of projects are eligible to apply for grants
- the grant application and assessment process
- the responsibilities successful councils will have as grant recipients.

A. Program overview

In response to the National Housing Accord, the NSW Government is working towards improving local council assessment timeframes and streamlining assessments to enable faster delivery of housing supply.

As part of this initiative, the department has established a panel of suppliers of artificial intelligence (AI) solutions – the AI Solutions Panel – to enable councils to engage in innovative ways to enhance the local development application (DA) process and improve assessment timeframes. All NSW councils have access to the AI Solutions Panel.

The AI Solutions Panel

We recently engaged with councils and industry to identify suitable and mature AI and digital solutions to improve the pre-lodgement DA process. This includes solutions to:

- automate processes in council workflows for DAs
- guide DA applicants
- enhance documentation quality
- increase process efficiencies at the pre-lodgement DA stage.

The AI Solutions Panel comprises 3 suppliers that have a sufficiently developed solution that addresses a minimum of one of the following priority use cases and complies with relevant NSW Government AI policies such as the NSW AI Assurance Framework and AI Ethics Policy.

Priority use cases

Pathways and requirements finder

How might councils help prospective applicants identify site-specific development requirements (for complying development and/or DAs) so that they can expedite the development process?

Material self-assessment health check

How might councils help applicants conduct a self-assessment before lodgement of their development application, so that they can address any potential barriers or gaps in their documentation?

Risk-based triage

How might council staff quickly identify non-compliant elements within a submission (for DAs and/or complying development) so that the triage process is efficient and improves the council's productivity?

About the grant program

Funding of up to \$3 million in total is available for NSW councils to implement one of the solutions from the AI Solutions Panel.

Under the Early Adopter Grant Program, councils may apply for a maximum grant amount per individual application of \$200,000 (excluding GST), and per joint application of \$500,000 (excluding GST). The minimum grant amount available per individual and joint application is \$100,000 (excluding GST).

We encourage councils to co-fund projects through a cash contribution towards any of the eligible direct project costs listed in Section E of this guideline.

Information on applying for joint applications is outlined in Section G of this guideline.

Objectives

The grant program supports and enables councils and the market to prove and scale new technology that is available from the AI Solutions Panel. It aims to improve the pre-lodgement stage of the DA process. The objectives of the grant are to:

- progressively improve the assessment effort and overall DA processing efficiency through the enhancement of the pre-lodgement DA process
- enable councils to readily introduce AI technology into their digital environments
- improve the DA process for all users, including homeowners, councils and developers, and provide confidence to the building industry
- help achieve annual dwelling targets across NSW by enhancing the local DA process.

Grant outcome

Applications that are assessed as being successful will result in applicants being awarded a grant to work with their chosen AI solution supplier on the project proposed in their application. This will involve trialling and adopting a supplier's AI solution for a specified use case through the following two potential approaches:

- **Limited Implementation** – work to deliver limited implementation that will refine and validate the solution in the council environment. Councils must invite their chosen AI Solutions Panel supplier to submit a quote for the work associated with the supplier’s AI Solutions Panel solution, with the implementation taking 6-8 weeks.
- **Full implementation** – if a council deems the supplier’s AI Solutions Panel solution to be trusted and validated, councils may invite their chosen AI Solutions Panel supplier to scale the solution. Scaling will involve the full implementation of the solution in council’s systems, including the required change management.

Applicants may develop a statement of work for a limited or full implementation only, or applicants may wish to combine the above 2 approaches and develop a statement of work for both a limited and full implementation, with the full implementation being optional and contingent on a successful limited implementation.

Grants under the program will be awarded and funded by 30 June 2024.

Successful applicants must sign and comply with a funding agreement, substantially in the form of the funding agreement published with in the grant application form and associated with grants, which includes obligations on the successful applicant to report and acquit their grant.

B. Timeframes

Table 1 shows the indicative key dates for the grant program.

Table 1: Timetable for the Early Adopter Grant Program

Activity	Date
Applications open	30 April 2024
Panel showcase	3 May 2024
Applications close	22 May 2024
Assessment of grant applications	23 May to 17 June 2024
Department announces successful applicants	June 2024
Department issues funding agreements	June 2024
Successful councils return signed funding agreements to the department	June 2024
Department pays grant funding	By 30 June 2024
Project must start	Within 6 weeks of receipt of funding
Council and supplier sign ICTA order form	Within 12 weeks of receipt of funding
Project must be completed	By 30 June 2025

C. How to apply

Councils wishing to apply for a grant under the program should:

1. visit the [program website](#) for resources to support their application
2. complete and submit their application via the [SmartyGrants](#) portal by the deadline of 11 pm Wednesday 22 May 2024.

The application should identify the chosen AI solution, the use case that the solution addresses and the chosen AI Solutions Panel supplier. The application should:

- provide all the information requested
- address all eligibility and evaluation criteria
- provide all necessary attachments and evidence to support the application (including quotes where necessary).

The steps below provide guidance on activities required to develop an application for this grant program.

1. Identify a supplier

Applicants can view general information relating to the AI Solutions Panel including product summaries for each panel product online on [the department's website](#).

A virtual live 'showcase' will introduce suppliers and their product and provide an opportunity for NSW councils to directly ask suppliers questions.

The product showcase will be held on Friday 3 May 2024. A recording of the showcase will be made available.

Councils considering applying for a grant under this program are encouraged to attend the showcase or view the recording of the showcase.

To receive detailed information on the products available submitted by suppliers through the panel establishment process, including on product pricing, supplier insurance details and their compliance with NSW Government policies, and product video demonstrations, please contact ai.nsw@planning.nsw.gov.au.

2. Application and assessment

We will accept applications lodged during the grant open period. Applications must be submitted through the application form on SmartyGrants. Details of the evaluation criteria responses required is at Appendix A of this guideline.

We will:

- assess the eligibility of grant applications lodged by the closing date and time
- evaluate eligible applications to identify those to be awarded a grant under the program in accordance with the processes outlined in this guideline.

Only those applications that are assessed as meeting the eligibility criteria will progress to evaluation against the evaluation criteria. Applications that do not meet the eligibility criteria will not progress further.

3. Grant project start and completion

Grant projects must begin as soon as possible and within 6 weeks of receiving the funding.

The funding agreement will identify the project milestone activities, including preparing a statement of work to be submitted to the department within 6 weeks of receiving the funding, and supplier engagement through the Master ICT Agreement and ICT Agreement (MICTA/ICTA) contracting framework within 12 weeks of receiving the funding.

Guidance on drafting a statement of work for panel engagement is included in the [Artificial Intelligence Solutions Panel Operating Guideline](#). A sample statement of work for limited implementation is at Appendix B of this guideline.

Grant projects must be completed by 30 June 2025.

D. Assessment process and criteria

The assessment process will consist of the following two stages:

- Stage 1: Eligibility assessment
- Stage 2: Evaluation of eligible applications

Stage 1: Eligibility assessment process

In Stage 1, each application will be reviewed to ensure that it meets all eligibility criteria set out in this section.

Applications that do not meet the eligibility criteria will not progress to Stage 2.

Stage 1 eligibility criteria

To be eligible for a grant under the program, an applicant must:

1. be a council within NSW
2. commit to:
 - a. signing a funding agreement substantially in the form attached to this guideline
 - b. drafting a statement of work for a product from the AI Solutions Panel within 6 weeks of funding distribution
 - c. engaging an identified supplier from the AI Solutions Panel using the MICTA/ICTA contracting framework with the grant funding within 12 weeks of funding distribution
3. identify an opportunity where a supplier solution available from the AI Solutions Panel can help to achieve a minimum of one of the following:
 - a. decrease average timeframes associated with DA workflows
 - b. improve the DA submission to lodgement success rate
 - c. time or process efficiencies for pre-lodgement related activities
4. demonstrate that their application is for at least one of the following types of expenditure (eligible project expenditure):
 - a. funding of delivery with limited implementation
 - b. funding of implementation at scale (full implementation)
5. provide a letter in support of all elements of the application from the council's General Manager or Chief Executive Officer.

Stage 2: Evaluation of eligible applications

Only applications that have met all eligibility criteria will progress to Stage 2 evaluation. Stage 2 evaluation comprises evaluation against two distinct sets of evaluation criteria (refer to Table 2 and Table 3).

Criteria A evaluation

Eligible applications are evaluated on evaluation criteria A (in Table 2).

Applications that achieve a minimum weighted score for criteria A will progress to evaluation against criteria B (in Table 3). Applications that do not achieve a minimum weighted score will not progress further in the evaluation.

Table 2: Stage 2 evaluation criteria A

Evaluation criteria	Detail	Weighting
A.1 Process improvement opportunity	<p>The evaluation panel will consider the applicant's case for change, its relevance to the objectives of the grant program and how it will achieve a minimum of one of the following:</p> <ul style="list-style-type: none">• decrease average timeframes associated with DA workflows• improve the DA submission to lodgement success rate• time or process efficiencies for pre-lodgement related activities	70%
A.2 Digital readiness	<p>The application demonstrates:</p> <ul style="list-style-type: none">• evidence of an endorsed digital strategy (or equivalent) that outlines the council's overall strategic objectives, plans for digital transformation or innovation and risk mitigation; and/or• evidence of digitisation of the council's DA-related workflows and/or business rules, in alignment with the needs of the solution identified for the project.	30%

Criteria B evaluation

Applications that achieve the scoring threshold for the previous criteria are then assessed against criteria B (Table 3). Applications that do not achieve a minimum weighted score for criteria B will not progress further.

Applications that meet a scoring threshold for criteria A will progress to evaluation against criteria B (Table 3).

Table 3: Stage 2 evaluation criteria B

Evaluation criteria	Detail	Weighting
B.1 Project scope	<p>The application:</p> <ul style="list-style-type: none"> is appropriately detailed in all sections clearly defines the project aim, scope (limited and/or full implementation) and outputs gives a complete breakdown of estimated costs, including attachments with relevant quotes or budget estimates from suppliers. 	20%
B.2 Delivery timeframe	<p>The application includes:</p> <ul style="list-style-type: none"> an activity plan with a detailed list of project tasks and milestones appropriate and realistic timeframes for the delivery of project milestones within the grant program timeline requirements. 	20%
B.3 Capability to deliver	<p>The application demonstrates:</p> <ul style="list-style-type: none"> that the applicant has sufficient capacity and resources to deliver the project the capability of the applicant to deliver the project within the timeframe identified and to a high standard. 	20%
B.4 Governance and risk management	<p>The application:</p> <ul style="list-style-type: none"> details appropriate governance and risk management frameworks and includes a risk assessment for joint applications, has developed shared governance arrangements including clear arrangements on how funding, risks, liabilities and obligations will be allocated or apportioned between the co-applicants. 	15%

Evaluation criteria	Detail	Weighting
B.5 Value for money	<p>The application includes:</p> <ul style="list-style-type: none"> • how the applicant’s grant project will achieve value for money in the context of the available grant funding • the extent of applicant in-kind and/or financial contributions to the project • the positive effect the grant will have on the scope and timing of the project or otherwise benefits the applicant’s grant project • the likelihood of the applicant’s grant project proceeding without the grant and the capacity of applicants to self-fund the project. 	25%

Ranking of applications

Applications that achieve a minimum weighted score both for criteria A and B will be ranked on an aggregate score for all Stage 2 criteria (Table 2 and Table 3). Top-ranked applications up to the cumulative funding limit of \$3 million will be recommended for grant funding.

Applications that do not achieve a minimum weighted score for criteria A or B or are ranked outside of the \$3 million funding limit will be unsuccessful for grant funding.

Grant funding award

The Secretary of the Department of Planning, Housing and Infrastructure will make the final decision on the recommendation to award the grant funding.

The department is not obliged to award grants totalling the full amount of \$3 million if there are an insufficient number of eligible applications that achieve the minimum weighted scores.

Eligible and ineligible expenditure

Examples of eligible project expenditures include:

- procurement of one or more products from the AI Solutions Panel
- engagement of third-party professional services for the delivery of the grant project
- staff salaries directly for the grant project
- staff training or education on the grant project
- community consultation costs for the grant project
- project management costs for the project (no more than 10% of total project value)

Examples of expenditures that are **not eligible** include:

- solutions and/or use cases not specified by the AI Solution Panel
- costs incurred before the grant project start date
- statutory fees and charges
- legal advice
- financial advice
- administrative or operational advice
- ongoing council costs such as administration, operation and maintenance beyond the funding period
- remuneration of employees for work not directly on the grant project
- overhead charges for internal council costs
- infrastructure or other capital works.

The above examples are not meant to be a complete list of eligible and ineligible expenditures. If you have any questions about eligible project costs, please contact us by email at ai.nsw@planning.nsw.gov.au. Your questions and our responses will be available to all applicants via our website.

Ineligible projects

The following types of projects will not be eligible for funding:

- otherwise-eligible projects that have received funding under another program, unless the project delivery team are satisfied the application demonstrates that the additional funding will complement and/or expand the scope or outcome of the project to increase the project's impact
- projects that received funding through another NSW Government funding program
- projects that received funding through an Australian Government funding program
- projects that have been included in a funding application for another NSW Government, Australian Government or state or territory government funding program that is currently under consideration or is being considered for funding by a federal or state government agency through any other means.

E. Guidance on applications and requirements

Limitation on the number of applications

There is a limit of one application and one project for each council, or one joint application and one joint project for group projects.

A council may apply for and receive funding for both an individual project and a joint project only if council demonstrates that the projects are distinct and there is no duplication.

Joint applications

Groups of 2 or more councils (with no upper limit), such as a joint organisation of councils, may apply.

For joint applications, a reference in this guideline to a single applicant can be taken to include a reference to joint applicants.

Joint applications for funding must identify all councils involved and nominate a single council as the lead contact.

Councils may also apply for funding for projects that will be delivered in partnership with other organisations provided that the councils agree to be responsible for project delivery in accordance with the funding agreement.

If you make a joint application, it should include as an attachment a declaration signed by the participating councils or other organisations. In the declaration, all the organisations involved must agree to the project, the proposed project management, governance arrangements and indicate the nature of their contribution to the funding and delivery of the project.

Joint applications will be eligible for grant funding of a minimum of \$100,000 to the limit of \$500,000 excluding GST per grant.

Late applications

We will consider and allow into assessment applications received after the closing date and time provided that:

- (a) it is clear that the cause of the delay was beyond the applicant's control
- (b) we are satisfied that the competitiveness and integrity of the program will not be compromised.

Notification of lodgement

Applicants will receive a system-generated email containing a link to a copy of their application. If you do not receive a confirmation email, please check your junk mail.

If you still do not have a confirmation email, email ai.nsw@planning.nsw.gov.au to verify that your application was successfully submitted and received.

Completeness

After the application period closes, we will review each application to ensure it is conforming and complete. Applicants must provide sufficient information to allow us to identify the applicant as a legal entity.

Where an application is incomplete or not accompanied by the required information but otherwise meets the objectives of the application process, we may, at our discretion, accept the application provided we are satisfied that doing so will not compromise the integrity of the process.

Non-conforming applications

We expect all applications to comply with the requirements in this guideline and to include all the information required in the application form. Any application that is incomplete or that deviates from the requirements in this guideline will be non-conforming and will be set aside.

However, we reserve the right to consider or accept a non-conforming application if we are satisfied that doing so will not compromise the integrity of the grant program.

Modification of an application

We will consider a modification to an application submitted by an applicant only if the modification is lodged before the application closing date and time.

Applicant costs for submitting an application

The costs of preparing and submitting an application and otherwise participating in the application process are borne by the applicant.

Clarifications and communications

Before applying, applicants may seek clarification on any point of doubt or difficulty in connection with this guideline, the process or the information required but may only do so via email to ai.nsw@planning.nsw.gov.au.

All clarifications or communications relating to the application process from an applicant can only be made via this mailbox. We will respond in writing via email and the response will be made available to all applicants via our website.

We may issue responses to any questions raised by one applicant to other applicants and may answer any query made to the department to all applicants without disclosing the source of the question or enquiry.

We will not respond to clarification requests made within 3-days of the closing date and time.

F. Funding requirements

This section outlines some of the key requirements of funding under the grant program but is not an exhaustive outline of the terms of funding.

Funding agreement

Successful applicants must enter into a funding agreement with the department. The funding agreement that is included in the [grant application form](#) will include:

- the obligations of the grant recipient
- the schedule of project milestones
- an agreement on project governance arrangements
- the mandatory progress and financial reporting to the department.

For successful joint applications, we may request that co-applicants be parties to the funding agreement on a case-by-case basis.

Approvals

Councils must get any necessary project approvals to authorise the application before applying for funding.

Project milestones

Grant recipients must include an activity plan in the funding agreement. This will set out the project deliverables, costs and schedule.

Grant recipients will be responsible for meeting project milestones and delivering the project within the timeframes and terms of the funding agreement.

Project variations

Extensions of time to deliver funded projects, variations to the scope of funded projects or variations to the project budget within the awarded grant amount will be subject to written agreement by both parties.

Fund recipients will be responsible for funding and managing any cost overruns.

Payment of grants

Successful applicants will be required to enter into a funding agreement which sets out the terms and conditions that apply to the provision of funding under the grant program.

We will pay the full grant amount up-front when all parties have signed the funding agreement. GST does not apply to the funding amount.

Grant recipients must use the funding only for eligible project expenditure, in keeping with the terms and conditions of the funding agreement. If the recipient does not comply with the terms of the funding agreement, they may have to repay money to the department. Complying with the terms of the funding agreement includes using the grant funding for eligible purposes, meeting project milestones and delivering project outputs.

We will audit grant recipient expenditure in December 2024 to identify unspent and unallocated funds from the grant. If councils cannot show that these funds will be spent or are planned to be spent on eligible expenditure within the grant period, the unspent and unallocated funds must be returned to the department.

Monitoring, reporting and evaluation

Grant recipients must:

- give regular project milestone reports and a final acquittal report through the SmartyGrants system at the completion of the grant project
- agree to participate in and give information for ongoing program evaluation and activities that appraise benefits.

The funding agreement will specify the agreed project milestones and reporting schedule.

Project responsibility

Grant recipients must acknowledge and agree that they are solely responsible for delivering and completing the project in keeping with the terms and conditions of the funding agreement. The grant recipient remains responsible even where a third party is involved (for example, consultants or partners).

Acknowledgement of funding

Grant recipients must acknowledge the grant in any public statements related to a project funded under the program. With respect to the form and content of any acknowledgement of

the funding, the recipient will comply with the NSW Government's Funding Acknowledgement Guidelines at <https://www.nsw.gov.au/branding/sponsorship-and-funding-acknowledgment-guidelines/funding-acknowledgement-guidelines>.

G. Assessment outcomes and debriefs

When the assessment and evaluation process has been completed, applicants will be notified in writing of the outcome of that process, and whether their application was successful. The assessment outcomes are final.

Unsuccessful applicants may request feedback about the assessment of their application. The purpose of a debriefing is for us to provide information about how the strengths and weaknesses of the application against the published criteria with the object of improving future applications if further rounds are announced.

A debriefing will not provide a comparison between the unsuccessful application and any successful applications.

A debriefing is not an opportunity to contest the outcomes of the application process or the assessment process.

H. Conflicts of interest and ethical conduct

A conflict of interest refers to an interest, relationship, situation or arrangement in an individual's personal or private circumstance that may give rise to an actual, potential or perceived conflict of interest with the grant program.

Applicants must declare as part of their application any conflict of interest.

If, at any time during their participation in the application and assessment process an applicant becomes aware of an interest, relationship, situation or arrangement that may give rise to an actual, potential or perceived conflict of interest or has some concern that such a conflict has arisen or may arise, that individual must immediately inform the department in writing.

During the grant program, applicants must not:

- do anything that could place a public official in a position that gives rise to an actual, potential or perceived conflict of interest
- offer gifts or inducements to any public official.

Probity

The grant program will be subject to strict governance and probity, with a fair and transparent assessment process. We will make all decisions in accordance with the relevant guidelines, policies, plans and associated assessment criteria.

The department has appointed an independent probity advisor for the grant program, to provide guidance on probity-related matters that may arise. This will assist the department to conduct the grant program in a fair, accountable and transparent manner while delivering value for money.

Complaints procedure

Any complaints about the grant process must be made in writing to ai.nsw@planning.nsw.gov.au. If you do not agree with how we have handled your complaint, you may raise the issue with the NSW Ombudsman. The Ombudsman will not usually investigate a complaint unless you have already raised the matter directly with the relevant department. Visit the NSW Ombudsman at www.ombo.nsw.gov.au

I. Other conditions

No legal relationship

No legal relationship exists or will arise between the department and any applicant with respect to the grant process.

No applicant shall have any claim for compensation of any kind because of participating in this application and selection process. By applying, each applicant shall be deemed to have agreed that it has no claim.

Declaration by applicant

The declaration section of the application form must be signed by a person who has authority to sign on behalf of the organisation e.g. chief executive officer, general manager or authorised member of the board of management.

Insurance

The applicant must have at least \$20 million in public liability insurance, or be willing to obtain \$20 million in public liability insurance.

Australian Business Number

The applicant must have an Australian Business Number.

The department's rights

The department has, in addition to any other rights or discretions, the right, in its absolute discretion (but subject to the principles of probity) and at any stage of the application and selection process and without giving reasons, to:

- award grants totalling less than the full amount of \$3 million that is available under the program
- extend the closing date and time at any time before the closing date and time

- issue addenda to this guideline, and any addenda issued will become part of this guideline and must be addressed by applicants in their applications
- change, vary or amend this guideline including the indicative timing described in any of the sections of this guideline
- suspend, amend, vary or discontinue the application and assessment process of the grant program, as long as, in doing so:
 - the variation or revision is consistent with the objectives of the program
 - the integrity of the program and process is not compromised
 - the reasons for any such variation or revision are documented
- have regard to the department's (or other government agency's) knowledge and previous experience and dealings with any applicant and information about the past or current performance of an applicant under any contract, arrangement or agreement with the department or other government entity
- seek clarification in writing of certain matters to obtain a better understanding of aspects of an application
- hold discussions, meetings, presentations or Q&A sessions with one or more applicant
- undertake enquiries to satisfy itself that there are no actual, potential or perceived conflicts of interest which may preclude an applicant from the program or grants process
- disqualify an application and exclude it from assessment if it is found to contain false or misleading information. In such circumstances, the applicant will be notified of the action taken.

The department's decision in such matters will be final, and the department will not be liable to an applicant because the department has exercised any or none of its rights.

Disclosure of information and confidentiality

Information submitted in applications may be shared with other NSW Government agencies. Any information an applicant provides may be used for promotional material prepared by the department or the NSW Government. The department or the NSW Government may publicly announce successful applications and may also use the information provided in applications to develop case studies.

If an applicant considers that any information disclosed during the process is confidential, it must clearly indicate that such information is confidential. The department, in its sole discretion, shall determine whether the information is confidential in nature and, if it considers that the information is not confidential, it will allow the applicant to withdraw the information.

Any information that is made available on condition that it is treated as confidential by the applicant must not be disclosed, copied, reproduced, distributed or passed to any other person at any time except to enable an application to be made. An applicant may disclose the confidential information to its insurers or professional advisors to respond to a question, provided they have each given an undertaking at the time of receipt of the confidential information (and for the department's benefit) to keep such information confidential.

Government Information (Public Access) Act

Information 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). The GIPA Act sets out provisions for making 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.

J. Privacy policy

The department must comply with the NSW *Privacy and Personal Information Protection Act 1988*. We collect the minimum personal information given voluntarily to allow us to contact the organisation and assess the merits of an application.

Any information you provide the department in your application will be stored on a database that will only be accessed by authorised personnel and is subject to privacy restrictions. The information will only be used for the purpose for which it was collected. Applicants must ensure that people whose personal details are supplied in applications are aware that the department is receiving this information and how the department will use this information.

K. Acknowledgements

- By submitting an application, the applicant is taken to have accepted the conditions in this guideline.
- The applicant, by electronically lodging an application, is taken to have accepted conditions shown on the SmartyGrants website.
- By submitting an application, the applicant consents to the department seeking further information about the applicant's organisation, capabilities or previous performance, including from referees or entities not nominated by the applicant in its application, and for the resulting information to be taken into account by the department in assessing the application.
- Applicants acknowledge that the department may, for the purposes of assessment of applications, undertake a financial and governance assessment of applicants and may engage external providers to do so.
- By submitting an application, the applicant agrees that if its application is successful, the applicant will execute and be bound by the terms and conditions of the funding agreement and any other grant conditions imposed by the department.

More information

For more information on these guidelines or any related matter, please email the department at ai.nsw@planning.nsw.gov.au

Appendix A: Evaluation criteria application form response requirements

The tables below detail the response requirements in the SmartyGrants application form for the evaluation criteria for this grant program.

There is no limit on the size or number of supporting documents that can be uploaded with your application to support your responses.

Table 4: Stage 2 evaluation criteria A response requirements

Evaluation criteria	Response required
<p>A.1 Process improvement opportunity</p> <p>The evaluation panel will consider the applicant's case for change, its relevance to the objectives of the grant program and how it will achieve a minimum of one of the following:</p> <ul style="list-style-type: none"> • decrease average timeframes associated with DA workflows • improve the DA submission to lodgement success rate • time or process efficiencies for pre-lodgement related activities 	<ul style="list-style-type: none"> • For each identified performance metric: <ul style="list-style-type: none"> ○ Your outcomes: What changes do you expect will occur as a result of your project and how will they help to contribute to the Grant Program objectives? (250 word limit) ○ Baseline performance: Metrics from the most recently available data ○ Target performance: Metric target for the end of the grant period ○ Explanatory notes: Provide additional context if required, including on any calculations for performance inputs • Upload supporting performance metric data, if required
<p>A.2 Digital readiness</p> <p>The application demonstrates:</p> <ul style="list-style-type: none"> • evidence of an endorsed digital strategy (or equivalent) that outlines the council's overall strategic objectives, plans for digital transformation or innovation and risk mitigation; and/or 	<ul style="list-style-type: none"> • Provide your response (250 words) • Upload your relevant digital policies, strategies and/or plans

Evaluation criteria	Response required
<ul style="list-style-type: none"> evidence of digitisation of the council's DA-related workflows and/or business rules, in alignment with the needs of the solution identified for the project. 	


Table 5: Stage 2 evaluation criteria B response requirements

Evaluation criteria	Detail
<p>B.1 Project scope</p> <p>The application:</p> <ul style="list-style-type: none"> is appropriately detailed in all sections clearly defines the project aim, scope (limited and/or full implementation) and outputs gives a complete breakdown of estimated costs, including attachments with relevant quotes or budget estimates from suppliers. 	<ul style="list-style-type: none"> Describe your project scope (250 words) Upload your completed Activity Budget. (An Activity Budget template is provided as Attachment 1 in the Funding Agreement) Upload quotes or other information to support your budget
<p>B.2 Delivery timeframe</p> <p>The application includes:</p> <ul style="list-style-type: none"> an activity plan with a detailed list of project tasks and milestones appropriate and realistic timeframes for the delivery of project milestones within the grant program timeline requirements. 	<ul style="list-style-type: none"> Upload your completed Activity Plan. (An Activity Plan template is provided as Attachment 2 in the Funding Agreement)
<p>B.3 Capability to deliver</p> <p>The application demonstrates:</p> <ul style="list-style-type: none"> that the applicant has sufficient capacity and resources to deliver the project the capability of the applicant to deliver the project within the timeframe identified and to a high standard. 	<ul style="list-style-type: none"> Provide your response (250 words)
<p>B.4 Governance and risk management</p> <p>The application:</p>	<ul style="list-style-type: none"> Provide your response (250 words) Upload your completed Activity Risk Assessment (An Activity Risk assessment

Evaluation criteria	Detail
<ul style="list-style-type: none"> • details appropriate governance and risk management frameworks and includes a risk assessment • for joint applications, has developed shared governance arrangements including clear arrangements on how funding, risks, liabilities and obligations will be allocated or apportioned between the co-applicants. 	<p>template is provided at Attachment 3 in in the Funding Agreement)</p>
<p>B.5 Value for money</p> <p>The application includes:</p> <ul style="list-style-type: none"> • how the applicant’s grant project will achieve value for money in the context of the available grant funding • the extent of applicant in-kind and/or financial contributions to the project • the positive effect the grant will have on the scope and timing of the project or otherwise benefits the applicant’s grant project • the likelihood of the applicant’s grant project proceeding without the grant and the capacity of applicants to self-fund the project. 	<ul style="list-style-type: none"> • Provide your response (250 words)

Appendix B: Sample statement of work for limited implementation

Schedule 3 - Statement of Work Template

	<p>Guidance note: The Statement of Work forms part of the Order Form. Details in relation to the Supplier's Activities (including Services and Deliverables to be provided) should be inserted below. The Statement of Work should be consistent with any requirements in the other parts of the Order Form. Where necessary, relevant Items in the Order Form can refer to this Statement of Work.</p> <p>This is a template only and not all parts below will be applicable for all procurements. Delete and amend as necessary.</p> <p>Red text has been inserted or amended from the standard ICTA Schedule 3 – Statement of Work Template to provide guidance on content that may be relevant for a Limited Implementation scope of work procured through the AI Solutions Panel.</p> <p>Red text with strikethrough is text removed from the standard ICTA Schedule 3 – Statement of Work Template in this example</p>
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1. Statement of Work Details

- (a) Statement of Work Name: Pathways and Requirements Finder Limited Implementation
- (b) Statement of Work Number: *[Insert]*.
- (c) Purchase Order Number and Agreement reference (where available): *[Insert]*.

2. Revision History

Version	Status	Date	Prepared By	Comments
[Insert version number; e.g. version 1.0]	[Insert; e.g. Draft / Final]	[Insert date]	[Insert Name and Title]	[Briefly summarise the nature of the revision]

3. Introduction and overview of the Supplier's Activities

Background to engagement: An open market process was held during 14 February - 11 March period in which 4 use case challenges were issued to suppliers. Respondents were evaluated based

on published NSW Government evaluation criteria. Successful suppliers were invited to a Panel, from where these solutions may be ordered.

Overview of engagement: The Supplier has successfully addressed the Use case (referenced below) as part of the NSW Government AI Solutions Panel evaluation process. Council is interested in proving feasibility of the toolset described to address the Use case.

Reference evaluated use case: Pathways and requirements finder: How might councils help prospective applicants identify site specific development requirements (for complying development and/or development applications), so that they can expedite their development process?

- (a) The Supplier's Activities are to develop a 'Pathways and Requirements Finder Limited Implementation' that proves feasibility of their solution.
- (b) The core objectives of the Supplier's Activities are as follows:
 - (i) Demonstrate technical solution feasibility – that the solution can be implemented within the Council context and environment; and
 - (ii) Uncover risks for implementing at scale such as gaps or barriers.

4. Services and Deliverables

- (a) The Services to be provided are:
 - (i) Propose and develop a 'Pathways and Requirements Finder Limited Implementation' that proves the feasibility of the Supplier's solution to addresses the following use case within Council to enhance the DA process (focusing on the pre-lodgement stage):

“How might we help a prospective applicant identify specific development requirements for a specific site during their decision stage, so that they understand what next steps to take?”

[Specify with sufficient detail the type of Services to be provided - e.g. Support Services (and the type of Support Services); Managed Services; Systems Integration Services; Development Services; Professional Services; Data Services and/or training Services etc.]

~~(b) The Deliverables to be provided are:~~

~~{Insert}; and~~

~~{Insert}.~~

[Specify comprehensively and with sufficient detail the Deliverables (including any Document Deliverables) to be provided. Both parties should be able to determine what elements comprise a Deliverable.]

~~(c) Out-of-Scope Services and Deliverables are:~~

~~(i) {Insert}; and~~

~~(ii) {Insert}.~~

[Note: It is very important to be consistent in the naming that is used for the Supplier's Activities, including the Deliverables and Services, throughout the Statement of Work and the other Schedules, as it is essential to be able to easily identify the same activity, Service, Deliverable in the other places within the Agreement where there is a reference to it, including where a Deliverable is:

- (i) ***subject to Acceptance Testing;***

- (ii) **part of a milestone (including a payment milestone);**
- (iii) **part of a Stage; and/or**
- (iv) **subject to Liquidated Damages (that is, a Key Milestone).]**

5. Specifications

The Specifications for 'Pathways and Requirements Finder Limited Implementation' will need to solve for the following user stories to deliver value:

- (a) End-user need: As someone thinking about building a home or an extension, I want to provide minimal information about what I want to do build, so that I can receive relevant site-specific compliance requirements; and
- (b) Ease of integration: As a consumer of the product in Council, I want the product to demonstrate that it can connect to existing systems to solve for the identified end-user need, so that I can be confident that the final solution can be successfully implemented.
- (c) Functional requirements:
 - (i) Capture key data points needed to determine a specific development pathway;
 - (ii) Retrieve relevant information based on captured data points from relevant database; and
 - (iii) Present personalised recommendations to end-user based on input data;
- (d) The Supplier must comply with the following policies:
 - (i) Satisfy mandatory NSW Government criteria for: privacy, safety, and security policies.
 - (ii) Align with the NSW Government AI assurance framework; and
- (e) The Supplier must develop Limited Implementation within the agreed timeline and cost.

[List all the Specifications that the Supplier must comply with in providing the Services and Deliverables. If the Specifications are referenced in a separate document clearly reference and attach that document here.]

[Note: This section must be completed using specific details and avoiding generalities. Where the Specifications have evolved over time and are included in more than one document, it is best practise to reduce the Specifications to a single document. However, where the Specifications are described in more than one document, specify any order of priority that will apply in the event of a conflict or inconsistency within the relevant documents that comprise the Specifications.]

6. Customer Supplied Items (CSI)

- (a) The 'Pathways and Requirements Finder Limited Implementation' will be conducted in Council offices or on customer premises.
- (b) The Customer will provide the CSI as set out in the table below:

Item No.	CSI
1.	Access to Council premises as necessary
2.	Access to a Council network as necessary: including impacted systems and Sandbox testing environment (critical CSI)
3.	Dummy de-identified data (critical CSI)

(c) List any associated requirements that apply to CSI.

[Note: A CSI may be: office access, desks etc. (specify location, standards, times of access); Hardware or software (specify equipment, capacity, versions of software and dates of availability); VPN access or other remote access (specify capacity and hours available).]

7. Timeframes and Dates for Delivery

The Supplier must deliver the Services and Deliverables in accordance with the Dates for Delivery set out in the below table.

Deliverable/Service	Timeframe and Date for Delivery
Pathways and Requirements Finder Limited implementation	6 weeks from time of SoW sign-off

[Insert the dates (or relevant timeframes) by which each Service and Deliverable listed in the Order Form, including this Statement of Work, must be provided to the Customer (including, where applicable, any Services Period).

Note: The descriptors in the Project Plan must be consistent with the descriptors above to the extent applicable.]

8. Key Milestones

The following dates constitute Key Milestones:

Key Milestone ID	Key Milestone	Date
Milestone 1	Mobilise team	End of week 1
Milestone 2	Develop limited implementation solution	Allow 4 weeks from commencement
Milestone 3	Test and refine	Allow 1 week
Milestone 4	Develop testing report	End of week 6

[Specify the Key Milestones in the table above. Limited Implementation generally requires 6-8 weeks. Limited Implementation can also include a trial period, in which case another 4 weeks can be allocated to the duration to allow for the 4 week trial period.

If Liquidated Damages apply, remember to complete Item Error! Reference source not found. in Part A of the Order Form.]

9. Transition-In Services

Not used.

[Insert and clearly describe any Transition-In Services that the Supplier must perform and specify the timeframe for performance of these obligations. Please also describe in this section, with sufficient detail, any processes and/or mechanisms that the Customer requires the Supplier to follow in providing the Transition-In Services.]

10. Transition-Out Services

Not used.

[Insert any Transition-Out Services that the Supplier must perform and specify the timeframe for performance of these obligations. Please also describe in this section, with sufficient detail, any processes and/or mechanisms that the Customer requires the Supplier to follow in providing the Transition-Out Services.]

11. Roles and responsibilities

The Supplier will provide all the necessary capabilities and resources required to develop the 'Pathways and Requirements Finder Limited Implementation'.

The roles and responsibilities will include the following:

- (a) Project contact: responsible for overall project management and communication with Council (for the duration of engagement).
- (b) Technical expertise: responsible for developing and testing the solution (for the duration of engagement).

[Describe the roles and responsibilities of the parties in carrying out the Supplier's Activities.]

12. Business Contingency Plan

Not used.

[State whether a Business Contingency Plan is required and if so, the timeframe within which a plan must be developed and presented to the Customer for approval. Note that the plan must meet the requirements of clause Error! Reference source not found..]

13. Project Plan and management

The Supplier is expected to submit a project plan that describes the activities and associated timeframes required to develop the 'Pathways and Requirements Finder Limited Implementation' based on the project objectives. The plan should include the following tasks:

- (a) Testing the solution and configuration components such as data ingestion, processing, storage, and retrieval, in a limited sandbox using de-identifiable or stub data.
- (b) Capture learnings including gaps, barriers, and risks.

[Set out or attach any Project Plan that applies, whether the Supplier is required to prepare and submit a Project Plan to the Customer and, where applicable, the details that it must cover.]

14. Stages and methodology

It is expected that the development of the 'Pathways and Requirements Finder Limited Implementation' will utilise the following:

- (a) Agile co-development methodologies – suppliers should incorporate agile methodologies into their stakeholder and project plan.
- (b) Ways of working with Council teams – to be determined as part of the project methodology.

[Describe the Stages and/any methodology (for example, waterfall, agile) that the Customer requires the Supplier to follow in carrying out the Supplier's Activities.]

15. Acceptance Testing

Acceptance tests of the 'Pathways and Requirements Finder Limited Implementation' will be complete when:

- (a) The solution complies with Mandatory NSW Government criteria:
 - (i) Compliance with privacy, safety, and security requirements.
 - (ii) Compliance with NSW Government AI assurance framework and NSW Artificial Intelligence Ethics Policy.
- (b) The solution satisfies Council project success criteria:
 - (i) Data needed to identify a specific development pathway can be collected from the end-user.
 - (ii) Data collected is used to find the correct relevant development requirements in a database in Council.
 - (iii) The correct relevant development requirements can be surfaced in the system.
 - (iv) The system can present the correct relevant development requirements to the end-user.
 - (v) The end-user can view the correct relevant development requirements that correspond to the input data.
- (c) Council provides written acceptance of the solution.

[Describe details in relation to the form and conduct of Acceptance Tests which should apply in addition to the processes set out in clause Error! Reference source not found., or any variations to the Acceptance Testing processes and procedures provided for in that clause.]

16. Governance arrangements

The supplier needs to propose the Governance process and key stakeholders, escalation points and key meetings.

Council expects the following minimum processes and engagements:

- (a) Mobilisation activities.
- (b) Check-ins with the Project team.

- (c) Weekly reporting to Council about Limited Implementation status.
- (d) Agreed-to escalation points and processes.
- (e) Handover of developed Limited Implementation material.

[Describe any governance arrangements that apply to the performance of the parties' respective obligations.]

17. Assumptions and dependencies

- (a) Council will provide the following resources to support Supplier activities:
 - (i) Subject matter expertise – for matters relating to Council policy and business process.
 - (ii) Systems expertise – for matters relating Council system configuration.
- (b) Additionally, Council will provide:
 - (i) access to premises as necessary,
 - (ii) access to network as necessary, including impacted systems and Sandbox testing environment,
 - (iii) dummy de-identified data required for testing purposes,
 - (iv) feedback on solution design and implementation,
 - (v) acceptance testing success criteria.

[Exhaustively describe any assumptions or dependencies which apply to the provision of the Services or the supply of the Deliverables. All assumptions and dependencies are subject to the Customer's approval and must be clearly described.]

18. Service Level agreement

Not used.

[Insert the Service Levels or Service Level agreement that will apply to the arrangement. If necessary, this could be inserted as an attachment to this Statement of Work. The Service Level agreement should cover the following matters (to the extent applicable):

- ***details of the relevant Service Levels or key performance indicators (including, for example, resolution and response times);***
- ***escalation points; and***
- ***whether any service credits or service rebates apply, as well as any other consequences for failing to meet Service Levels.***

All Service Levels should be described with sufficient clarity to avoid confusion.]

19. Pricing

The Council has a budget of up to \$XX,XXX and is requesting that the Supplier provides the Council with a pricing option for a 'Pathways and Requirements Finder Limited Implementation' based on six weeks of time and materials of time boxed activity.

It is expected that during development of the 'Pathways and Requirements Finder Limited Implementation', Council may request changes and modifications. These changes, providing they don't impact the timeframe, will be incorporated at no additional charge.

[If the Payment Schedule is not being utilised, insert the rate card and price details here or in the relevant sections of Part A of the Order Form. If you are also completing the Payment Schedule or the other parts of the Order Form, you must ensure that the details identified here and in the Payment Schedule and in the other parts of the Order Form are consistent. Use the following suggested format where milestone payments apply.]

- (a) The Supplier will be entitled to submit a Correctly Rendered Invoice to the Customer upon the completion of each of the following milestones:

Milestone Payment Number	Description	Price (ex. GST)	GST Amount	Price (inc. GST)
Milestone 1	Describe Milestone 1	[Insert]	[Insert]	[Insert]
Milestone 2	Describe Milestone 2			
Milestone 3	Describe Milestone 3			
	Total			

OR

- (b) The Customer agrees to pay the Supplier [#monthly/quarterly/other] for the Services/Deliverables provided.

20. Interpretation

- (a) In this Statement of Work, unless the contrary intention appears:

[Insert any applicable definitions that apply to the Statement of Work. Terms that are defined in the ICTA do not need to be defined again.]

- (b) Terms in this Statement of Work which are not otherwise defined in this document have the meaning given to them in the ICTA.