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MS24-001221



**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development, Communications and the Arts**

**To:** The Hon Tony Burke MP, Minister for the Arts (for decision)

**Subject:** Approval of *Revive Live* grant opportunity guidelines.

**Critical Date:** Please action by 26 July 2024, to allow release of the grant opportunity guidelines.

**Recommendations:**

1. That you **approve** the grant opportunity guidelines for *Revive Live* (the Guidelines) at **Attachment A**.

Approved / Not Approved

2. That you **agree** to release the Guidelines for a three week open competitive application process commencing 5 August 2024.

Agreed / Not Agreed

3. That you **sign** the letter to the Minister for Finance at **Attachment C** seeking approval to release the Guidelines.

Signed / Not Signed

TONY BURKE

25.7.24

Date:

**Comments:**

**Key Points:**

- We seek your approval of the *Revive Live* Guidelines, your agreement to open the program for a three-week competitive selection process commencing 5 August 2024, and to sign the letter to the Minister for Finance seeking approval to release the Guidelines.
- Following your meeting with the Department on 11 June 2024, we have developed the Guidelines and undertaken targeted consultation with key music industry experts. Feedback on

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the draft Guidelines was largely positive, with a number of minor improvements suggested. A summary of those consulted, their feedback, and the proposed approach is at **Attachment B**.

3. We recommend a three-week application period. This will allow sufficient time for the assessment processes to be completed to enable your consideration of applications suitable for funding from 20 September 2024. An indicative timeline is in **Additional Information**.

4. The Department of Finance and the Department of the Prime Minister and Cabinet have been consulted on the draft Guidelines in accordance with regulatory requirements and have agreed a medium risk rating. This risk rating is consistent with the risk assessment in the original Budget proposal. Given the medium risk rating, the Minister for Finance will need to approve the release of the final Guidelines. A letter to the Minister is at **Attachment C**.

5. In developing the Guidelines, we considered feedback received through public submissions to the Standing Committee on Communications and the Arts Inquiry into the Challenges and Opportunities within the Australian Live Music Industry. We have also considered the outcomes of Creative Australia's report *Soundcheck: Insights into Australia's music festival sector*.

**Sensitivities:**

6. There may be criticism from the music industry around the exclusion of ongoing insurance costs as eligible expenditure, the funding caps, and the decision to limit eligible applicants to majority-Australian owned organisations. Further detail is at **Attachment B**.

**Financial impacts:**

7. Through the 2024-25 Budget, \$7.7 million has been allocated to *Revive Live* over one year, including \$1.2 million dedicated to activities that improve accessibility at live music venues or music festivals, and \$0.9 million in departmental staffing resources to administer the program.

**Legal/Legislative impacts:** N/A

**Stakeholder Implications:**

8. We anticipate there will be high demand for *Revive Live*. The total funding available for music festivals and live music venues is outlined in the Guidelines, rather than specific amounts for each stream, to provide flexibility dependant on the types and relative merits of applications.

**Consultation:**

Department of Finance, Department of the Prime Minister and Cabinet, live music industry.

**Media Opportunities:**

11. We will work with your office on the timing of an announcement to open *Revive Live*.

**Attachments:**

**Attachment A:** *Revive Live* Grant Opportunity Guidelines

**Attachment B:** Consultation feedback

**Attachment C:** Letter to the Minister for Finance

Cleared By: Stephen Arnott  
 Position: Deputy Secretary  
 Group: Creative Economy and the Arts  
 Ph: 6271 s22(1)(a)(ii)  
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 Cleared Date: 18 July 2024

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 Section: Contemporary Music  
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**Instructions for MPS:** Nil

**Do you require a signed hardcopy to be returned:** No

**PDMS Distribution List:** David MacKay, s22(1)(a)(ii)  
 Stephen Arnott, Phil Smith, Alison Todd, s22(1)(a)(ii)

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**Additional Information:**Indicative Timing of *Revive Live*

<b>Program delivery action</b>	<b>Indicative Timing</b>
Competitive grant opportunity opens for applications.	5 August 2024
Applications close ( <i>open for three weeks</i> ).	23 August 2024
Assessment and moderation - Assessments by internal and external assessors, and input from states and territories and Creative Australia.	26 August to 19 September 2024
Minister is briefed on applications suitable for funding.	20 September 2024
Decisions made / Funding announced	30 September 2024
Negotiation of grant agreements.	By 31 October, for projects beginning 1 November 2024

Assessment and moderation process

The Office for the Arts plans to engage industry representatives to assess applications based on their industry expertise. Industry representatives will be assigned applications found eligible under the Guidelines for assessment. Each application will receive assessment from both an industry representative and a department officer, with a third assessment taking place should the scores significantly vary between assessments.

Following the assessment process, the department will undertake an internal moderation process to consider factors such as available budget, geographic spread, the range of project activities, and value for money to determine applications deemed suitable for funding.

We will also seek feedback from Creative Australia, and state and territory arts agencies regarding applications from their jurisdiction. This will provide two external points of review on each application, to assist the Office for the Arts in assessing the viability and co-funding of projects, and ensure there is no duplication of funding.

Commonwealth Financial Management Framework

Following assessment and moderation of applications under *Revive Live*, the Department will provide you with a list of applications deemed suitable for funding and seek your approval of proposed expenditure according to the *Commonwealth Grants Rules and Guidelines* and the *Public Governance, Performance and Accountability Act 2013*.

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## Revive Live Supporting Australian Live Music

<b>Opening date:</b>	XX [month] 2024 (tbc)
<b>Closing date and time:</b>	23:00 AEST on XX [month] 2024 (tbc)
<b>Commonwealth policy entity:</b>	Department of Infrastructure, Transport, Regional Development, Communications and the Arts
<b>Enquiries:</b>	If you have any questions, contact the Contemporary Music team in the Department at: <a href="mailto:music@arts.gov.au">music@arts.gov.au</a> 02 6136 8008
<b>Date guidelines released:</b>	XX [month] 2024 (tbc)
<b>Type of grant opportunity:</b>	Open competitive

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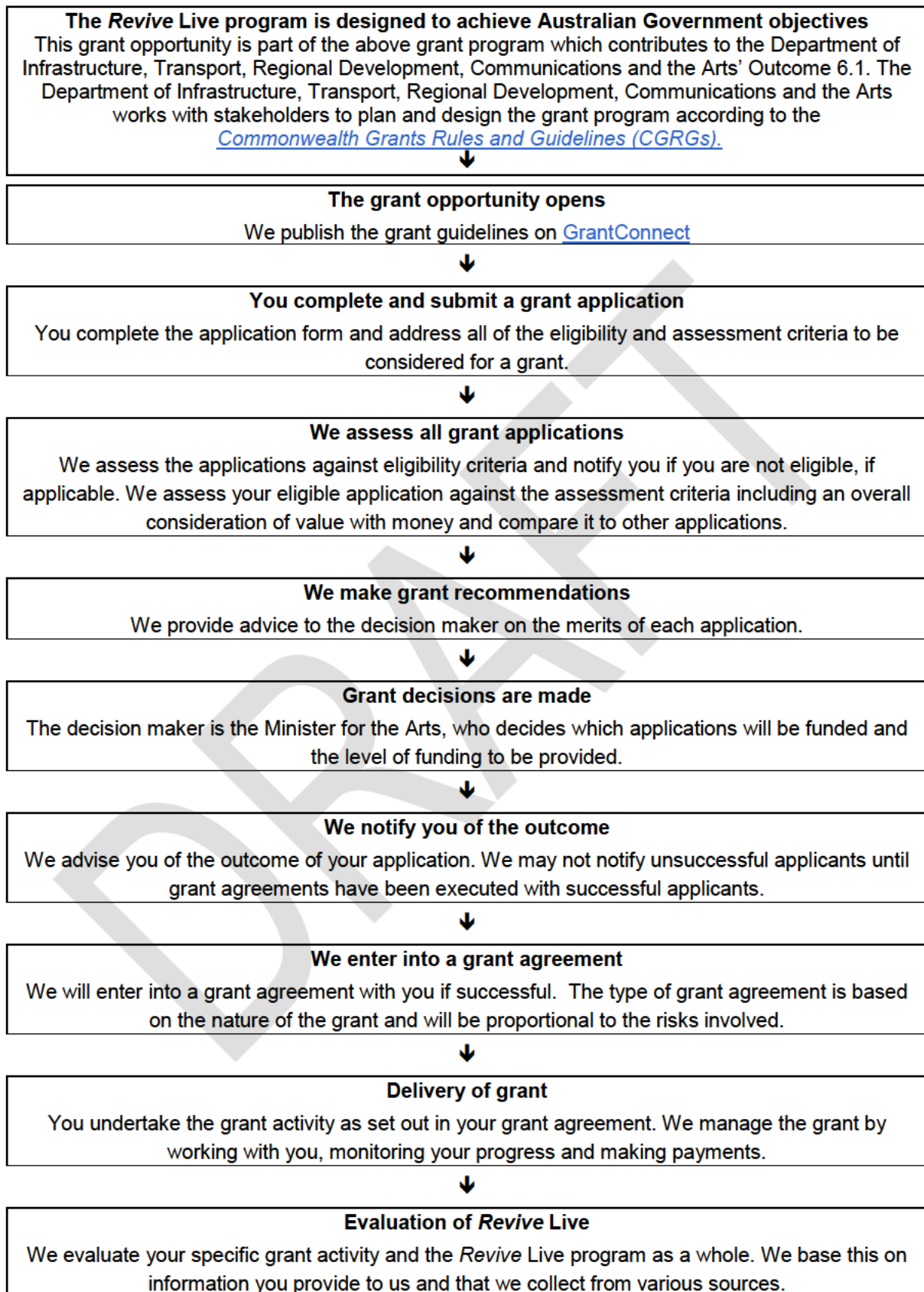
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Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

## 1. Overview of Grant opportunity process



## 1.1 Introduction

These guidelines contain information for the *Revive Live Program* (the Program).

The Australian Government's National Cultural Policy *Revive: A Place for Every Story, a Story for Every Place* recognises the contemporary music industry as an important part of the creative economy and the value of Australia's cultural workforce and arts businesses. This policy is committed to expanding income opportunities for artists, increasing opportunities for more diverse programming, supporting stronger cultural infrastructure, increasing audiences for Australian original live music, and increasing equity in access to arts and culture. The Program will contribute to delivering on these commitments.

This document sets out:

- the purpose of the Program
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts using the online grants management system SmartyGrants at <https://arts.smartvgrants.com.au/>.

You must read these guidelines before filling out an application.

## 2. About the Program

The Program was announced as part of the Critical Support for the Live Music and Festivals measure in the 2024-25 Budget, and will run over one year in 2024-25. The program is delivered as an open and competitive grant opportunity.

The Australian live music industry forms a vibrant part of Australia's arts and culture landscape. Live music venues and music festivals are a critical part of the live music industry ecosystem, providing a fundamental pillar for success that is vital to the development of both artist and audience. They allow artists to grow audiences, build professionalism and profile, and earn an income.

The objectives of the Program are:

- to protect performance opportunities, development and discoverability of original contemporary music by Australian artists
- to support a sustainable Australian live music ecosystem, allowing established live music venues to continue operating, and avoiding cancellation of established Australian music festivals
- to support stability in live music venues and music festivals, building resilience to change and risk, safety, inclusivity and representative programming
- to improve accessibility at live music venues and music festivals, providing participation opportunities for audiences with disability as well as career pathways for musicians and music workers with disability.

The intended outcomes of the Program are:

- Australian artists have opportunities to perform and develop their craft



- live music venues and music festivals of all sizes continue to operate
- renewed audience confidence by minimising the number of closures and cancellations
- key touring circuits across Australia are maintained, providing job security for music, festival and event businesses and crew
- improved accessibility at live music venues and music festivals for artists and audiences with disability.

We administer the Program according to the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#)<sup>1</sup>.

### 3. Grant amount and grant period

#### 3.1 Grants available

A total of \$7.7 million in grant funding will be available, over one year, for *Revive Live*. All grant amounts are GST exclusive.

Within the total available funding, \$1.2 million will be available for applications that specifically address activities to improve accessibility at established live music venues or established music festivals.

The grant opportunity will run from 1 July 2024 to 30 June 2025.

Applications for grant funding will be accepted under two streams:

- **Live music venues** – with a maximum grant amount of \$100,000.
- **Music festivals** – with a maximum grant amount dependent on proven audience size:
  - festivals with 10,000 or less attendees, the maximum grant amount is \$100,000.
  - festivals with greater than 10,000 attendees, the maximum grant amount is \$200,000.
  - a larger grant amount of up to \$250,000 may be considered, where warranted, and assessed on a case by case basis. For example, touring festivals in three or more cities with more than 30,000 combined attendees.

You are required to contribute towards the grant activities. There is no minimum or maximum amount of co-contribution, but the level of contribution is expected to be relative to the nature and scale of the supported activity (as considered in assessment Criterion 2). Co-contribution must be in addition to funding from other Commonwealth, state, territory or local government sources.

If other Commonwealth, state, territory or local government sources are contributing to your overall activity, this grant cannot be used to fund activities already supported by those sources. If you are in receipt of funding from other government sources, you will need to clearly distinguish how the activity in this application is different to the activity or activities funded by other government sources.

#### 3.2 Grant period

The maximum grant period for your activity is one year.

If successful, you must complete your activity by the date specified in your Grant Agreement.

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<sup>1</sup> <https://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf>

## 4. Eligibility criteria

We cannot consider your application if you do not satisfy all the eligibility criteria.

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

To be eligible you must:

- have an Australian Business Number (ABN)
- be registered for the purposes of GST
- be a permanent resident of Australia
- have an account with an Australian financial institution
- comply with all regulatory, industry and legal requirements in relation to copyright, licensing, employment, planning and environmental protection.

And be one of the following entity types:

- a company incorporated in Australia
- a company incorporated by guarantee
- a sole trader with employees
- an incorporated trustee on behalf of a trust
- an incorporated association
- a partnership
- an incorporated not-for-profit organisation
- an Australian local government body
- an Aboriginal and/or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and /or Torres Strait Islander\) Act 2006](#)

We can only accept applications from:

- organisations that have a primary purpose to host live public performances of original contemporary music, with a strong focus on showcasing Australian artists
- organisations with at least three years of demonstrated experience delivering live music
- organisations that are a majority-Australian owned business (including any parent or related companies).

### 4.2 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- an organisation, or your activity partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme' ([www.nationalredress.gov.au](http://www.nationalredress.gov.au))
- an individual (unless you are a sole trader with employees)
- an unincorporated association
- an overseas resident/organisation
- an organisation that receives income from gambling or gambling related sources

- an organisation for which delivering original live music is a secondary or ancillary function
- any organisation not included in section 4.1

### 4.3 What qualifications, skills or checks are required?

#### National Principles for Child Safe Organisations

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices including appropriate screening of staff, mandatory reporting and adoption of the [National Principles for Child Safe Organisations](#). The Australian Government committed to a new Commonwealth-wide framework to protect children and young people it is responsible for – the [Commonwealth Child Safe Framework](#) (CCSF).

The Australian Government is considering appropriate ways to apply the requirements of the CCSF to grant recipients. A child safety clause is likely to be included in a grant agreement where the Commonwealth considers the grant is for:

- services directly to children; or
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

A child safety clause may also be included in the grant agreement if the Commonwealth considers the grant activity involves children more broadly.

The successful applicant will be required to comply with all child safety obligations included in the grant agreement published with this grant opportunity or notified to the successful applicant prior to execution of the grant agreement. Irrespective of the child safety obligations in the grant agreement you must always comply with your state and territory legislative requirements for working with children and mandatory reporting.

#### Safe and fair workplaces

You must also provide a safe and fair workplace for people engaged with your activity. Workplace safety standards and legally-binding industrial awards and enterprise agreements must be adhered to. Relevant guidance developed by Creative Workplaces (within Creative Australia) must be followed.

## 5. What the grant money can be used for

### 5.1 Eligible grant activities

Funding is available for activities that support established live music venues or established music festivals, creating a sustainable operating environment to protect performance opportunities, and the development and discoverability of original contemporary music by Australian artists. The Program also has a dedicated focus on activities that improve accessibility at established live music venues or established music festivals, providing participation opportunities for audiences, and career pathways for musicians and music workers, with disability.

The Program supports the pillars of *Revive* through recognition of the centrality of the artist, where musicians are recognised as workers, remunerated appropriately and are able to work in safe professional workplaces. In addition, the Program acknowledges that engaging audiences is key to supporting creative industries and connecting Australians to arts and culture.

If your proposal delivers to multiple venues/events, you should provide evidence of the number of venues/events that will benefit. All proposals should indicate the number of original live music events and artists that will be enabled by your activity.

Original live music is defined as live music performed by an artist or group that identifies as an 'original' artist that plays predominantly 'original' music - that which is composed and written by the artist (or exclusively written for the artist by a songwriter). The artist or group may include a minimal number of 'covers' songs, written or previously performed or recorded by other artists, in their live performance.

### Accessibility

One of the ten guiding principles of *Revive* is that all Australians have the opportunity to access and participate in arts and culture. The Program supports increasing accessibility for artists and audiences to experience live music.

The lack of both on-site and online accessibility to live music venues can provide significant barriers to participation for people with disability. We encourage all applicants to consider how accessible their venues are at present, and to apply for funding for activities aimed at increasing accessibility, for artists as well as audiences.

The two checklists below, developed by Music NSW, will help you identify strategies to improve your venue's accessibility:

- [Online Accessibility Checklist](#)
- [On-site Accessibility Checklist](#)

Another toolkit to use when planning accessible and inclusive events, and when considering improvements to your venue to increase accessibility, is the NSW Government's [Toolkit for Accessible and Inclusive Events](#). You can also visit [Arts Access Australia](#) for further resources.

### Inclusivity

As stated in *Revive*, all Australians, regardless of language, literacy, geography, age or education, have the opportunity to access and participate in arts and culture. Applications that address inclusivity will be considered favourably through the assessment process.

## 5.2 Eligible locations

Your grant activity must take place in Australia.

## 5.3 Eligible expenditure

If successful for funding, you can only spend the grant on eligible expenditure to be incurred on the grant activities, as per the budget included in your grant agreement. Expenditure on your grant activities must occur between the start date and end date of your grant agreement for it to be eligible.

Eligible expenditure items are:

- costs associated with live music programming (for example Australian artist fees and technical staff) and promotion
- purchasing/hiring essential equipment for staging performances (such as PA, lighting)
- carrying out small building alteration work to enable live music performance (such as sound attenuation or accessibility upgrades)
- professional development, including upskilling venue and event staff
- operational and administration costs directly related to the activity (including one-off or non-ongoing costs such as event insurance)

- adaptive ideas or capacity building that support the live music venue/music festival to:
  - be accessible and safe,
  - present inclusive Australian live music, and
  - improve regional touring circuits
- marketing to engage core audience as well as identify and implement special initiatives to improve audience inclusivity
- dedicated new stage or site areas to create inclusive safe spaces for performers and audiences, particularly those with disability.

If your application is successful, you may be offered partial funding, for example, where components of your proposal are not eligible for funding.

### **Payment of artists**

*Revive* recognises that artistic and cultural work is a professional activity and that fair pay and conditions for arts and cultural workers are essential. It acknowledges the centrality of artists and arts workers to the success of the sector. Artists and professionals employed or engaged to deliver activities funded under the Program must be fairly remunerated for their work and provided with safe and respectful workplaces.

When preparing your budget, you should refer to pay scales and conditions prescribed by legally binding industrial awards and agreements, and or benchmarks established by arts and entertainment industry organisations, such as the Media, Entertainment and Arts Alliance (MEAA).

If artist fees are included in your proposed activity, it is expected that you will pay a minimum guarantee of \$250 performance fee per musician, for a performance of three hours or less. Applications that do not demonstrate this may be less competitive. This is in recognition that Government funds are being used to pay artists an appropriate fee. Please note, if you are engaging experienced high-calibre musicians, it is appropriate to pay significantly more than a \$250 minimum performance fee.

## **5.4 What the grant money cannot be used for**

You cannot use the grant for the following activities:

- to pay for tours by individual bands/artists
- any costs (including artist or technical staff fees) relating to international bands, performers or tours
- performances by covers artists or groups, tribute bands or DJs (except for DJs that predominantly perform their own compositions and productions and/or official remixes)
- purchase of land
- major capital expenditure such as extensions to buildings
- the covering of retrospective costs
- costs involved with purchase or provision of alcohol
- costs incurred in the preparation of a grant application or related documentation
- subsidy of general ongoing administration of an organisation such as electricity, insurance, phone and rent
- overseas travel

## 6. The assessment criteria

The online application form will be available on SmartyGrants ([arts.smartygrants.com.au](https://arts.smartygrants.com.au)) during the period that the grant opportunity is open. The application form can be previewed prior to commencing an application. A sample application form is also available on request by contacting [music@arts.gov.au](mailto:music@arts.gov.au).

The application form will ask a series of questions that require you to address the following assessment criteria. We will assess your application based on the relevance each criterion has to your proposal. The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested. The application form includes text limits for each question.

We will only award funding to applications that score highly against all of the assessment criteria. For note, a response for Criterion 5 is optional and only necessary for applications that focus on activities to improve accessibility at established live music venues or established music festivals.

Please refer to the objectives and outcomes of the Program, which are in section 2 of these guidelines, when demonstrating how your activity supports each criterion. You should provide evidence to support your claims wherever possible.

The following criteria are equally weighted.

### Criterion 1

#### Creating sustainable and resilient live music venues/music festivals

This criterion identifies how the proposed activity will create a sustainable operating environment for your established live music venue/music festival, responding to the evolving needs of the music industry. You should demonstrate this through the following:

- how the proposed activity will address any current barriers your venue or festival has around hosting original live music
- how the activity will contribute to allowing the live music venue to continue operating, or avoid cancellation of the music festival
- how the activity will promote resilience to change and risk
- how the activity will improve the capacity to professionally present original Australian live music performances, such as upgrades to equipment or facilities
- how the activity will build the capacity of venue and/or festival/event staff to present live music, by providing training and employment opportunities
- demonstrating at least three years' experience in hosting live music performances as a primary business offering, with evidence of appropriate business/governance structures in place with experienced personnel
- demonstrating experience in managing funds and acquitting government funding (where relevant).

### Criterion 2

#### Demonstrated need for grant funding

This criterion identifies that grant funding will support ongoing operation or activity that could not occur without assistance. This includes providing a budget that shows how the grant funding will be expended, and outlines any other income that will be used to support delivery of the activity. In all cases, assessment includes an overall consideration of value with money.

You must demonstrate this through the following:

- provision of a balanced and realistic budget showing requested grant amount and projected expenses
- provide evidence of co-contributions to the activity, this may include:
  - cash or in-kind support, and could be your own contribution (for example ticket sales, operational and/or administrative costs (such as insurance), and/or support from any partners in your activity
  - co-investment from other sources including Commonwealth, state, territory or local government (noting section 3.1)
- providing documentation showing the need for the activity such as an audit by a qualified engineer (sound/acoustic improvements, disability access etc.), quotes or other comparisons which demonstrate value with money
- value with money, as outlined in section 8.1.

### **Criterion 3**

#### **Supporting original Australian music**

This criterion is focused on creating opportunities for original Australian music to be centre stage. You should show how your proposal will increase opportunities for original Australian live music performances in your live music venue or music festival.

You should demonstrate this through identifying:

- how your live music venue/music festival provides opportunities for Australian artists performing original contemporary music, which may include:
  - support for both local and visiting Australian musicians
  - support for under-represented contemporary music genres and performances
  - support to build regional touring circuits
- how many performances of original Australian music artists will be supported by the activity
- how many venues will be supported by your activity and if multiple venues are involved, a letter of commitment for each.

### **Criterion 4**

#### **Development of audiences**

This criterion is focused on building programming and audiences that reflect Australia's diversity.

You should demonstrate this through identifying:

- how your proposal will contribute to creating strong cultural infrastructure through increasing inclusive safe spaces for audiences, and equity in participation in live music events
- how your activity will address any current barriers to audience development
- how your live music venue/music festival plans to grow audiences.

## Criterion 5 (optional)

### Creating opportunities for accessible artists and audiences

This criterion is focused on improving ongoing access and participation to live music for audiences and artists with disability.

You must demonstrate this through identifying:

- what barriers exist for artists and/or audiences with disability to participate in live music, and how your proposal will contribute to the ongoing sustainability of your live music venue/music festival
- how your activity will create inclusivity for artists and/or audiences who identify as having disability, including musicians, music workers and audiences with disability, through improved opportunities to access cultural life
- what specific changes your proposal will make, and how these changes will improve accessibility from your current arrangements
- consultation that has been undertaken with artists or audiences with disability, and/or guidance material from an accessibility specialist that has been followed, to ensure the activity leads to genuine meaningful change in practice.

## 7. How to apply

Before applying, you must read and understand these guidelines.

These documents may be found at [GrantConnect at www.grants.gov.au](http://www.grants.gov.au). Any alterations and addenda<sup>2</sup> will be published on GrantConnect and by registering on this website, you will be automatically notified on any changes. GrantConnect is the authoritative source for grants information.

To apply you must:

- complete the online *Revive Live* application form on SmartyGrants at [arts.smartygrants.com.au](http://arts.smartygrants.com.au)
- provide all the information requested
- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application by 11:30pm (23:30 AEDT) on XX [month] 2024.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

The Australian Government will only accept a late application where an applicant has contacted the Department to request late submission, and we have agreed in writing to this. Agreement can be made on the basis that the organisation is experiencing internet connectivity issues, extreme weather events, or other temporary extenuating administrative or governance issues. If you find an error in your application after submitting it, you should contact us immediately by emailing [music@arts.gov.au](mailto:music@arts.gov.au) or by calling 02 6136 8008.

You should keep a copy of your application and any supporting documents.

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<sup>2</sup> Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents



Application receipt will be acknowledged via a SmartyGrants confirmation email along with an application reference number.

If you need further guidance around the application process or if you are unable to submit an application online, contact us at [music@arts.gov.au](mailto:music@arts.gov.au) or by calling 02 6136 8008.

We will assess your application against the *Revive Live* eligibility and assessment criteria, on the past performance of your organisation, on a value with money basis, and within the available *Revive Live* budget (see sections 8.1 and 8.2).

On the basis of these assessments, the Department will make grant recommendations to the Minister for the Arts who will make the final grant decision based on this advice and in the context of the total available Program budget.

## 7.1 Attachments to the application

We require the following documents with your application (as part of the SmartyGrants application form):

- a budget
- a work plan
- evidence of funding need (e.g. quotes if relevant).
- evidence of support from the community or industry (as relevant).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. We will not consider information in attachments that we do not request.

## 7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a grant activity.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Commonwealth. The application must identify all other members of the proposed group and include a letter of support from each of the partners.

Each letter of support should include:

- details of the partner organisation
- an overview of how the partner organisation will work with the lead organisation and any other partner organisations in the group to successfully complete the grant activity.
- an outline of the relevant experience and/or expertise the partner organisation will bring to the group
- the roles/responsibilities of the partner organisation and the resources they will contribute (if any)
- details of a nominated management level contact officer.

You must have a formal arrangement in place with all parties prior to execution of the agreement.

### 7.3 Timing of grant opportunity processes

You must submit an application between the published opening and closing dates. The opening and closing dates will be advertised on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au) and the Department website at [www.arts.gov.au/funding-and-support/live-music-australia](http://www.arts.gov.au/funding-and-support/live-music-australia).

Please note that late applications will only be accepted where there are exceptional and unanticipated circumstances and where the Department has agreed in writing prior to the closing date (see section 7).

Activity	Timeframe
Application period	Open: XX [month] 2024 Close: 23:30 AEDT XX [month] 2024
Assessment of applications	4 weeks
Approval of outcomes of selection process	2-3 weeks
Notification to applicants of funding outcome	within 3 months of closing time
Negotiations and award of grant agreements	4 weeks

### 7.4 Questions during the application process

If you have any questions during the application period, contact the Contemporary Music Team at [music@arts.gov.au](mailto:music@arts.gov.au) or by calling 02 6136 8008. The Contemporary Music team will aim to respond to emailed questions within three working days.

## 8. The grant selection process

### 8.1 Assessment of grant applications

We review your application against the eligibility criteria. Only eligible applications will move to the next stage.

We consider eligible applications through an open competitive grant process. We assess applications against the assessment criteria (see section 6) and against other applications. We consider each application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money.<sup>3</sup>

When assessing the extent to which the application represents value with relevant money, we will have regard to:

- the overall objective/s to be achieved in providing the grant
- the relative value of the grant sought
- extent to which the geographic location of the application ensures that there is a spread of successful applications from across Australia including urban, regional and remote locations

<sup>3</sup> See glossary for an explanation of 'value with money'.

- the extent to which the evidence in the application demonstrates that it will contribute to meeting the outcomes/objectives.

## 8.2 Who will assess applications?

Each eligible application will be assessed on its merit against the criteria outlined in Section 6, and against other eligible applications.

Each application will be assessed by an official from the Department, as well as a pre-selected industry assessor. Industry assessors are selected by the Department based on their music industry-related knowledge, experience and skillsets.

All assessors, including industry assessor, will be required to perform their duties in accordance with the CGRGs and declare any conflict of interest (as per section 13.2).

The Department may seek additional information about you or your application. They may do this from within the Commonwealth, even if the sources are not nominated by you as referees. The Department may also consider information about you or your application that is available through the normal course of business.

The Department will consider the available budget, the geographical spread and range of project activities, and value for money, to inform its recommendation for funding to deliver the intended outcomes of the Program.

The Department will provide the Decision Maker with recommendations on applications to approve for a grant.

## 8.3 Who will approve grants?

The Minister for the Arts decides which grants to approve, taking into account the recommendations of the Department, advice from music industry experts and the availability of grant funds for the purposes of the Program.

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

- the approval of the grant
- the grant funding amount to be awarded

There is no appeal mechanism for decisions to approve or not approve a grant (see section 13.1 for enquiries or complaints processes).

# 9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

Notification of outcomes may be provided under embargo. By submitting an application you are expected to abide by terms of the embargo where necessary.

If you are unsuccessful, we will give you an opportunity to request feedback on the outcome.

## 9.1 Feedback on your application

If you are unsuccessful, you may ask for feedback within three months of being advised of the outcome. We will give written feedback within 28 days of your request.

## 10. Successful grant applications

### 10.1 The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth.

We will use either the Commonwealth Simple Grant Agreement or the Commonwealth Standard Grant Agreement in this Program. Our selection will depend on the size and complexity of your grant activity or activities.

Each agreement has general terms and conditions that cannot be changed. Sample grant agreements are available from the [Department of Finance](#) and on request by contacting [music@arts.gov.au](mailto:music@arts.gov.au). We will use a schedule to outline the specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

We aim to negotiate agreements with you within 30 days of the grant announcement. If there are unreasonable delays by you in finalising a grant agreement once you have received it, the grant offer may be withdrawn and the grant may be awarded to a different applicant.

We must execute a grant agreement with you before we can make any payments. We are not responsible for any of your expenditure until a grant agreement is executed. If you choose to start your grant activities before you have an executed grant agreement, you do so at your own risk.

Your grant agreement may have specific conditions determined by the assessment process or other considerations made by the Minister. We will identify these in the agreement.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

#### **Simple Grant Agreement and/or Standard Grant Agreement**

For either of these agreements, there will be 30 days from the date of a written offer to execute the grant agreement with the Commonwealth ('execute' means both you and the Commonwealth have signed the agreement). During this time, we will work with you to finalise details. The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application.

You may request changes to the grant agreement. However, we will review any required changes to these details to ensure they do not impact the grant as approved by the Minister.

### 10.2 How we pay the grant

The grant agreement will state the:

- maximum grant amount to be paid
- proportion of eligible expenditure covered by the grant (grant percentage)
- any financial contributions you must make
- any in-kind contributions you will make
- any financial contribution provided by a third party

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will pay 100 per cent of the grant on execution of the grant agreement. You will be required to report how you spent the grant funds at the completion of the grant activity.

### 10.3 Grants Payments and GST

If you are registered for the [Goods and Services Tax \(GST\)](#), where applicable, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#).<sup>4</sup> We do not provide advice on your particular taxation circumstances.

## 11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect as required by Section 5.3 of the [CGRGs](#).

Your grant may also be announced by the Minister for the Arts and by your local Member of Parliament.

## 12. How we monitor your grant activity

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

You must notify us of events relating to your grant and provide an opportunity for the Minister or their representative to attend.

### 12.2 Reporting

You must submit reports in line with the grant agreement. We will provide sample templates for these reports as appendices in the grant agreement. or on request by contacting [music@arts.gov.au](mailto:music@arts.gov.au).

We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed milestones and outcomes
- contributions of participants directly related to the grant activity
- expenditure of the grant.
- Any issues arising from the listed grant activities and your ability to complete them

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<sup>4</sup> <https://www.ato.gov.au/>

The amount of detail you provide in your reports should be relative to the size, complexity and grant amount.

The amount of detail you provide in your reports should be relative to the size, complexity and grant amount. Where the activity is simple such as the purchase of equipment and the grant amount is small (e.g. under \$10,000) you will only be required to provide a final report at the completion of the activity to demonstrate you have expended the funds in line with the grant agreement. Where the activity is more complex such as delivering professional development to multiple venues over a 12 month period the grant agreement will specify when progress and final reports are required – this may be three or six monthly reporting.

### **Progress reports [If applicable]**

Progress reports must:

- include evidence of your progress towards completion of agreed activities and outcomes
- show the total eligible expenditure incurred to date
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant activities).

You must discuss any reporting delays with us as soon as you become aware of them.

### **Ad-hoc reports [If applicable]**

We may ask you for ad-hoc reports on your grant. This may be to provide an update on progress, or any significant delays or difficulties in completing the grant activity.

### **Final report [If applicable]**

When you complete the grant activity, you must submit a final report.

Final reports must:

- be submitted in the format stipulated in the grant agreement
- identify if and how outcomes have been achieved
- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred
- be submitted within the timeline stipulated in the grant agreement.

## **12.3 Audited financial acquittal report**

Depending on the value of the grant, and or the risk level of your activity, we may ask you to provide:

- a declaration that the grant money was spent in accordance with the grant agreement, and if applicable, a report on any underspends of the grant money
- an independently audited financial acquittal report that verifies that you spent the grant in accordance with the grant agreement.

## **12.4 Grant agreement variations**

We recognise that unexpected events may affect your progress. In these circumstances, you can request a variation to your grant agreement. You can request a variation by contacting [music@arts.gov.au](mailto:music@arts.gov.au) before the grant agreement end date.

You should not assume that a variation request will be successful. We will consider your request based on provisions in the grant agreement and the likely impact on achieving outcomes.

## 12.5 Evaluation

We will evaluate the grant program to measure how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes.

We may contact you up to one year after you finish your grant for more information to assist with this evaluation.

## 12.6 Acknowledgement

An Australian Government logo, as specified in the grant agreement, should be used on materials related to grants under the program. Whenever the logo is used, the publication must (may) also include the following acknowledgement:

***Revive Live – an Australian Government initiative.***

The *Revive Live* grant opportunity must also be acknowledged at any publicly launched events associated with the grant activity.

## 13. Probity

The Australian Government will make sure that 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 CGRGs.

These guidelines may be changed from time-to-time by the Department. When this happens, the revised guidelines will be published on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au).

### 13.1 Enquiries and feedback

The Department's [Complaints Procedures](#) apply to complaints about this grant opportunity. All complaints about a grant process must be provided in writing.

Any questions you have about grant decisions for this grant opportunity should be sent to [music@arts.gov.au](mailto:music@arts.gov.au).

If you do not agree with the way the Department has handled your complaint, you may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Department.

The Commonwealth Ombudsman can be contacted on:

Phone (toll free): 1300 362 072

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

### 13.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if the Department, any assessor or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or

- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/ grant opportunity.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform the Department in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Music industry representatives engaged to provide advice on applications and other officials, including the decision maker, must also declare any conflicts of interest.

We publish our conflict of interest policy on SmartyGrants at <https://arts.smartygrants.com.au/s/site/arts/AAI-ConflictofInterest.pdf>.

### 13.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the Department would breach an Australian Privacy Principle as defined in the Act.

### 13.4 Confidential Information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.



We will keep any information in connection with the grant agreement confidential to the extent that it meets all of the three conditions below:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- the Commonwealth employees and contractors to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, State, Territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary, and
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

### 13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982](#) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail:

Freedom of Information Coordinator

Department of Infrastructure, Transport, Regional Development and Communications and the Arts  
GPO Box 594 Canberra ACT 2601

By email:

[foi@communications.gov.au](mailto:foi@communications.gov.au)

## 14. Glossary

Term	Definition
assessment criteria	The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
date of effect	The date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	The person who makes a decision to award a grant.
eligibility criteria	The mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
<a href="#">Commonwealth Grants Rules and Guidelines (CGRGs)</a>	The overarching Commonwealth grants policy framework that articulates the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
grant	For the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> <li>• under which relevant money<sup>5</sup> or other <a href="#">Consolidated Revenue Fund</a> (CRF) money<sup>6</sup> is to be paid to a grantee other than the Commonwealth; and</li> <li>• which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.</li> </ul>
grant activity or activities	The project, tasks, or services that the grantee is required to undertake
grant agreement	A grant agreement sets out the relationship between the parties to the agreement, and specifies the details of the grant

<sup>5</sup> Relevant money is defined in the [Public Governance, Performance and Accountability Act 2013](#) (PGPA Act). See section 8, Dictionary.

<sup>6</sup> Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
<a href="#">GrantConnect</a>	The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
grant opportunity	The specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	A 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single Portfolio Budget Statement Program.
grantee	The individual or organisation which has been selected to receive a grant.
original Australian live music	Live music performed by an artist or group that identifies as an 'original' artist or group that plays predominantly 'original' music - that which is composed and written by the artist (or exclusively written for the artist by a songwriter). The artist or group may include a minimal number of 'covers' songs, written or previously performed or recorded by other artists, in their live performance.
selection criteria	comprise eligibility criteria and assessment criteria.
selection process	the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.
value with money	<p>value with money in this document refers to 'value with relevant money' which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> <li>• the quality of the proposal and activities;</li> <li>• fitness for purpose of the proposal in contributing to government objectives;</li> <li>• that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved; and</li> <li>• the potential grantee's relevant experience and performance history.</li> </ul>

## Attachment B

## Feedback on Revive Live Guidelines received through targeted consultations

The Department sought feedback on the draft grant opportunity guidelines (the Guidelines) from a targeted group of live music industry stakeholders, including Music Australia, the Australian Festivals Association, the Australian live Music Business Council, Live Performance Australia, APRA AMCOS, ARIA, and state and territory music offices.

The following feedback was received:

Organisation	Issue	Action
Music Australia	Supports the objectives and intended outcomes of the program.	N/A
Music Australia	Specify the amount available for accessibility in the Grants available section.	Actioned
Music Australia	Eligibility should be careful to not exclude music festivals that have international headline acts, when stipulating the focus on original Australian artists.	Actioned. Updated wording to be more specific.
Music Australia	While general ongoing administration costs (including insurance) are not included, can consideration be given to insurance if it is a one-off cost, for example for event insurance?	Actioned. Updated eligible expenditure to include one-off costs, while still excluding ongoing long-term costs. This aligns with the eligibility afforded under Live Music Australia.
Music Australia	Suggest only accepting applications from organisations with three years of demonstrated experience delivering live music, instead of two.	Agreed. Actioned.
Australian Festivals Association	Suggest increasing the funding cap for large scale festivals (more than 30,000 attendees) from \$250,000 to \$300,000.	Not agreed. No action taken.
Australian Live Music Business Council	The Guidelines are very well-developed and will provide excellent opportunities for the live music workers who are able to apply.	N/A
Australian Live Music Business Council	Appreciates the new requirement that only Australian majority owned entities (including parent companies, etc) are eligible to apply.	N/A
Australian Live Music Business Council	Supports, welcomes and appreciates the inclusion of a minimum payment for artists of \$250 per performer.	N/A
Australian Live Music Business Council	Would like clarity on whether artists or artists managers can apply for the program.	Actioned. Confirmed eligibility.
Australian Live Music Business Council	Would like mention or focus on building regional touring circuits – which are a key building ground for Australian talent and the key workplace for emerging workers and businesses.	Actioned. Updated language in eligible expenditure and criterion 3 sections to emphasise.

Live Performance Australia	Note that funding is only being provided on a one-year basis when industry stakeholders have called for more strategic funding approaches, over multiple years.	Noted. This is the Budget allocation.
Live Performance Australia	The capped amounts of funding (up to \$200,000 for festivals over 10,000 people, or \$250,000 for touring festivals in three or more cities with more than 30,000 combined attendees) will not make a material impact on festival viability in a period of significantly increased production and touring costs.	Noted. This has received support from other music industry sources.
Live Performance Australia	Eligibility criteria that include organisations that have a primary purpose to host live public performances of original contemporary music by Australian artists may appear to exclude festivals that have international headliners or artists on their line-up which are often critical to driving audiences to festivals.	Actioned. Updated language in eligible expenditure and criterion 3 sections to emphasise.
Live Performance Australia	Does not support eligibility requirement for applicants to be majority Australian owned organisations.	Noted. This has received support from other music industry sources.
Live Performance Australia	Prohibition on organisations that receive income from gambling or gambling related sources will preclude many venues such as registered clubs.	Noted. This was included to limit the program to live music venues with a primary purpose of presenting live music, and with a genuine need for financial assistance.
Live Performance Australia	Does not support excluding cover artists and groups as they provide important performance opportunities for musicians as well as venues, including performing arts centres and theatres, which present them. This seems counter-intuitive to supporting the Australian live music industry in its totality.	Noted. This has been a requirement under previous programs and aligns with the objectives of <i>Revive</i> .
South Australian Government	This program is well designed. It will achieve the outcomes sought by industry.	N/A



**The Hon Tony Burke MP**  
 Minister for Employment and Workplace Relations  
 Minister for the Arts  
 Leader of the House

MS24-001221

Senator the Hon Katy Gallagher  
 Minister for Women  
 Minister for Finance  
 Minister for the Public Service  
 Parliament House  
 CANBERRA ACT 2600

Dear Minister 

***Revive Live* – Seeking approval to release Grant Opportunity Guidelines**

I am writing to seek your approval to release the Grant Opportunity Guidelines (the Guidelines) for the *Revive Live* program, a one-year competitive grants program to support original live Australian music, announced as part of the 2024-25 Federal Budget.

*Revive Live* will provide a total of \$8.6 million, including \$7.7 million in funding, for essential support to live music venues and music festivals to assist them to continue to operate in the current operating climate, limiting venue closures and event cancellations, and stimulating long-term sustainability. It will also focus on improving accessibility for disabled artists and patrons, with \$1.2 million in funding dedicated to accessibility focused projects.

The Guidelines have been developed in consultation with Music Australia, state and territory governments, relevant peak bodies and live music industry organisations. The Department of Finance has agreed a medium risk rating for *Revive Live* which, pursuant to *Estimates Memorandum 2018/39*, requires your approval prior to release of the Guidelines.

The Guidelines are attached for your consideration, together with the self-risk assessment prepared by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The contact in my department is <sup>s22(1)(a)(ii)</sup> [redacted] Director of Contemporary Music, who can be contacted on <sup>s22(1)(a)(ii)</sup> [redacted] or by email at <sup>s22(1)(a)(ii)</sup> [redacted]@arts.gov.au.

Yours sincerely

  
 TONY BURKE

26 / 7 / 2024

Enc

Parliament House, Canberra ACT 2600

## Attachment A

**REVIVE LIVE PROGRAM GUIDELINES SELF ASSESSMENT RISK ANALYSIS****Program details**

**Entity:** Office for the Arts, Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

**Program:** *Revive Live*

**Grants administration hub**

The 2024-25 Budget measure included \$0.9 million in departmental funding and 4.8 in ASL over the 2024-25 financial year to enable the delivery of *Revive Live* by the department. The Program managed using the SmartyGrants online administration system.

**Summary of program, including program objectives and the relevant entity outcome it contributes to:**

The *Revive Live* program (the Program) is part of the Government's commitment in the 2024-25 Federal Budget to support original live Australian music. The Program will provide essential support to live music venues and music festivals to withstand the current operating climate, limiting venue closures and event cancellations, and stimulating long-term sustainability. The Program will also have a focus on improving accessibility for disabled artists and patrons. The Program will run over one year in 2024-25, and will be delivered as an open and competitive grant opportunity.

The Program contributes to the Department's Outcome 6.1 - participation in, and access to, Australia's arts and culture through developing and supporting cultural expression.

Guidelines for the *Revive Live* program are currently with the Minister awaiting approval.

**Total cost of the LMA program and cost over the Budget and forward estimates:**

\$7.7 million administered over one year in 2024-25.

	2024-25
Administered	\$7.7 million
Departmental	\$0.9 million
TOTAL	\$8.6 million

**Summary of activity, including operational objectives, and the relevant program objective it contributes to:**

The *Revive Live* program will deliver one-off funding through an open-competitive grant program to support the live music sector at a critical time of need. This funding will support the long-term sustainability of presenting live Australian contemporary music and ongoing viability of live music venues; support festivals to continue operations and create a more sustainable industry; and improve accessibility and inclusion at live music events.

Funding will support live music venues and music festivals in local suburbs, towns and regions across the country, to withstand the current operating climate, limiting venue closures and event cancellations, and stimulating long-term sustainability. The delivery of the funded activities will provide direct employment and income to musicians and support staff.

The program will include a component focused on improving accessibility for disabled artists and patrons. A minimum of \$1.2 million of the total available funding will be allocated to activities that increase both on-site and online accessibility such as accessible facilities (i.e. ambulant toilets, ramps), pathways, quiet zones, accessible websites and easy to read text.

Live music venue operators and festival organisers will be able to apply for funding to cover artists costs, equipment and infrastructure and improving accessibility for both artists and patrons experiencing disability. Proposals should demonstrate that activities will provide ongoing benefits to the Australian music sector.

The objectives of the Program are:

- to protect performance opportunities, development and discoverability of original contemporary music by Australian artists
- to support a sustainable Australian live music ecosystem, allowing established live music venues to continue operating, and avoiding cancellation of established Australian music festivals
- to support stability in live music venues and music festivals, building and resilience to change and risk, safety, inclusivity and representative programming
- to improve accessibility at live music venues and music festivals, providing participation opportunities for audiences with disability as well as career pathways for musicians and music workers with disability.

The intended outcomes of the Program are:

- Australian artists have opportunities to perform and develop their craft
- live music venues and music festivals continue to operate
- renewed audience confidence by minimising the number of closures and cancellations
- key touring circuits across Australia are maintained, providing job security for music, festival and event businesses
- improved accessibility at live music venues and music festivals for artists and audiences with disability.

#### **Policy authority for the program**

Funding of \$8.6 million for the program was included in the 2024-25 Budget under the measure "Revive — National Cultural Policy" for a period of one year commencing in 2024- 25. Details are set out in Budget 2024-25, Budget Measures, Budget Paper No. 2 at page 151.

Funding for this item will come from Program 6.1: Revive — National Cultural Policy, which is part of Outcome 6. Details are set out in the Portfolio Budget Statements 2024-25, Budget Related Paper No. 1.12, Infrastructure, Transport, Regional Development, Communications and the Arts Portfolio at page 36.

#### **Legislative authority for the program**

s42





## Constitutional authority for the program

s42

### Discussion of key issues and implementation risks

The Australian live music industry forms a vibrant part of Australia's arts and culture landscape. Live music venues and music festivals are a critical part of the live music industry ecosystem, providing a fundamental pillar for success that is vital to the development of both artist and audience. They allow artists to grow audiences, build professionalism and profile, and earn an income.

The focus of the program will be on small-to-medium venues that support high quality original Australian live music, facilitated by professionally operated venues as well as Australian music festivals hosting original live music. Support will be aimed at encouraging more opportunities for live music performances and providing new commercial opportunities into the future. The program will also include a component focused on improving accessibility for disabled artists and patrons. A minimum of \$1.2 million of the total available funding will be allocated to activities that increase both on-site and online accessibility such as accessible facilities (i.e. ambulant toilets, ramps), pathways, quiet zones, accessible websites and easy to read text.

#### Implementation risks

##### *Governance and compliance*

Program guidelines explicitly state eligibility criteria and the online application form includes an eligibility check prior to submission of applications. In addition, Department officers check eligibility of applicants and proposed projects, through an inbuilt assessment tool, before progressing to full assessment. Assessment criteria for the program have been drafted to ensure the skills, expertise, experience and calibre of the applicant can be reviewed. Recommendations for funding are based on how well applications meet the criteria. Standard commonwealth grant agreements are used, which build in reporting milestones to ensure progress is monitored, regular engagement between the Department officer and grantee with audits undertaken at end of financial year/completion of project (subject to the proportionality principle).

##### *Administration and assessment*

The Department has extensive experience in effectively and properly managing arts grant programs and has previously managed similar programs including the Live Music Australia program. Grants management training is provided to all staff and clear reporting lines are established. Program guidelines have been developed with input from key agencies and stakeholders taken into consideration. They comply with legislative, policy and budgetary requirements.

The guidelines and application form include a statement regarding fraud, requesting information from applicants regarding funding received for similar purposes and cross-checking funding

recommendations with key agencies. The Department has consulted with key agencies, state and local government arts departments and industry bodies to ensure delineation in regard to funding of activities across Australia. Where appropriate the Department will seek input on grant applications from the relevant jurisdictions to reduce the risk of fraud, duplication of funding or cost shifting.

Any risk of bias is mitigated through the following assessment, moderation and recommendation process:

1. Departmental officers undertake the initial assessment for eligibility then conduct a detailed assessment of the application and score it against program criteria, including completing a conflict of interest declaration in regard to each application.
2. Applications are also assessed by registered industry representatives who also conduct a detailed assessment of the application and score it against program criteria and complete a conflict (actual or perceived) of interest declaration.
3. The Department undertake a moderation process, where final scores are confirmed and recommendations established against the available budget.
4. Funding recommendations are discussed and agreed between Contemporary Music Section Director and Assistant Secretary prior to briefing Minister.

As per policies under the Department's current *Accountable Authority Instruction – Probity and conflicts of interest*, all officers who undertake assessments are required to complete a conflict of interest declaration which requires them to disclose, and take reasonable steps to avoid any conflict of interest (real or apparent), in connection with a particular application.

If an interest or relationship is identified that may give rise to a conflict of interest or to the perception of a conflict of interest, the Contemporary Music Section Director and/or Assistant Secretary will assess the level and risk of such interests and whether the assessment needs to be undertaken by another assessor.

#### *Legal issues*

Funding recipients will be required to enter into a whole of government simple grant agreement with the Commonwealth which will stipulate the grantee's obligations, the reporting required prior to release of payments and the expected outcomes. Grant agreements also outline the Commonwealth options in cases where funds are unspent or misspent.

#### *Implementation timeframe*

Delays in approving new grant guidelines for the Program, developing online application forms and other grant information may lead to delays in opening the grant opportunity. This will be viewed poorly by industry stakeholders and may lead to negative media attention. The Department is working to ensure that the grant opportunity opens by late-August 2024 and that assessments are complete by October so that the grants can be considered and announced by the Minister shortly after. This will demonstrate the government's flexibility and commitment to the sector as it continues through the cost of living and operational pressures.

Delays in the approval and announcement of grants may lead to delays in funding recipients receiving payments under the Program. The Department will work with the Minister's office to ensure the Minister, as the decision maker, is aware of stakeholder concerns in regard to any delays in grant recipients being informed of the outcome of funding rounds.

#### **Risk assessment**

The *Revive Live* program is assessed as being of **Low Risk** based on the following:

- The *Revive Live* program is seeking legislative authority as a new item under Schedule 1AB of the *Financial Framework (Supplementary Powers) Regulations 1997*.

- The *Revive Live* program complies with the Commonwealth Grants Rules and Guidelines (CGRGs).
- The music industry has been consulted and provided input to the structure of the Program.
- The Office for the Arts within the Department have significant experience in managing grant programs. Grant management risks (as summarised below) have been identified and have mitigation strategies in place as appropriate.
- Risk mitigation strategies for individual activities will be built into grant agreements and closely monitored throughout the life of each activity.

**Risk management**

The table below identifies some of the key implementation risks and the controls in place, or to be implemented, to mitigate these:

Risk	Rating/Actions/Controls
Organisations/key stakeholders unaware of Program and how to seek funding	<p><b>Low following mitigation strategies – see below</b></p> <ul style="list-style-type: none"> <li>• Ensure effective stakeholder management plan and communication strategy is in place.</li> <li>• Provide GrantsConnect link to stakeholders. Effective stakeholder communication systems in place.</li> <li>• Publish Frequently Asked Questions, example applications and case studies to increase awareness of the program and kinds of activities likely to be funded.</li> <li>• Ensure transparency around funding process through information in program guidelines.</li> </ul>
Organisation is unhappy with funding outcome	<p><b>Low following mitigation strategies – see below</b></p> <ul style="list-style-type: none"> <li>• Ensure that program messaging is designed to manage stakeholder expectations (i.e. indicate that program budget is unlikely to meet all requests to the program).</li> <li>• Maintain good stakeholder relationships.</li> <li>• Provide timely and meaningful feedback to unsuccessful applicants.</li> <li>• Ensure communication strategy is effective and that a complaints management strategy is in place.</li> <li>• Provide relevant information about other available funding.</li> </ul>
Organisation does not comply with its grant agreement, either through misappropriation of funding or failing to deliver on approved objectives of funding	<p><b>Low following mitigation strategies – see below</b></p> <ul style="list-style-type: none"> <li>• Ensure that grant agreements are drafted appropriately to manage compliance.</li> <li>• Maintain good stakeholder relationships.</li> <li>• Regular communication with funding recipients to identify risks early.</li> <li>• Ensure progress reports are received and appropriately certified.</li> <li>• Work with recipients to resolve issues where possible.</li> </ul>
Grant recipient is unable to meet its financial obligations and requirements, therefore is	<p><b>Low following mitigation strategies – see below</b></p>

<p>unable to meet project outcomes</p>	<ul style="list-style-type: none"> <li>• Ensure organisation has appropriate governance structures in place and suitable staff to manage financial requirements.</li> <li>• Ensure organisation has a project management plan in place for the funding period and activity.</li> <li>• Ensure progress reports are received and appropriately reviewed and approved.</li> <li>• Seek assurance that any public money owed can be repaid so to minimise any loss of Commonwealth funds.</li> <li>• Ensure that funding agreements are drafted appropriately to manage compliance.</li> <li>• Allowing the opportunity to apply for variations to provide more time for the applicant</li> </ul>
<p>Program under or overspends</p>	<p><b><u>Low following mitigation strategies – see below</u></b></p> <ul style="list-style-type: none"> <li>• Ensure effective stakeholder management plan and communication strategy is in place.</li> <li>• Advertise accessibility component to allow funding opportunities for organisations</li> <li>• Ensure funding allocation processes comply with the PGPA Act and are approved by appropriate delegates.</li> <li>• Close communication with the Department’s administered finance team.</li> <li>• Cross check funding recommendations against available budget.</li> <li>• Monitor expenditure against budget forecasts each month.</li> </ul>

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**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development, Communications and the Arts**

**To: The Hon Tony Burke MP, Minister for the Arts** (for decision)

**Subject:** Bundanon Trust entity status – s47C

**Critical Date:** Please action by 9 August. s47C

**Recommendations:**  
s47C

**TONY BURKE** Date:  
**Comments:**

**Key Points:**

1. s47C  
s34(3)

2. s34(3)

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s34(3)

3. Bundanon is a Commonwealth Company governed by a Constitution, Deed of Gift, the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act) and the *Corporations Act 2001*.<sup>s47C</sup>

s47C

s47C

**Financial impacts:** N/A

**Legal/Legislative impacts:**

s47C

**Stakeholder Implications:**

s47C

**Consultation:**

Department of the Prime Minister and Cabinet; Department of Finance; Australian Public Service Commission; Bundanon; Legal Services Branch.

**Media Opportunities:** N/A

**Attachments:**

**Attachment A:** Letter to the Prime Minister

**Attachment B:** s47C

Cleared By: Phil Smith  
Position: First Assistant Secretary  
Division: Office for the Arts  
Ph: 02 6274 s22(1)  
Mob: s22(1)(a)(ii)

Contact Officer: Ann Campton  
Position: Assistant Secretary  
Branch: Collections and Cultural Heritage  
Ph: 6271 s22(1)  
Mob: s22(1)(a)(ii)

Cleared Date: 23 July 2024

**Instructions for MPS:** Please dispatch both Attachments to the Prime Minister.

**Do you require a signed hardcopy to be returned:** No

**Responsible Adviser:** s22(1)(a)(ii)

**PDMS Distribution List:** Jim Betts, Angela French, s22(1)(a)(ii), Stephen Arnott, s22(1)(a)(ii), Phil Smith, Ann Campton, s22(1)(a)(ii).

**Additional Information:**

s47C [Redacted]

s47C [Redacted]

s47C [Redacted]

s47C [Redacted]

s47C [Redacted]

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s47C



Investment powers

Section 59 of the PGPA Act prohibits investment by Corporate Commonwealth Entities of unspent Commonwealth monies except in ordinary bank accounts or in securities guaranteed by Government.

With the flexibility Bundanon currently has as a Commonwealth Company, it regularly invests unspent non-government revenue in wealth management funds with the purpose of generating additional returns to improve Bundanon's financial sustainability. <sup>s47C</sup>

s47C



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Remuneration of the Bundanon Board and CEO

In 2023, new arrangements were agreed to remunerate Bundanon Directors as Part Time Public Office Holders under the Remuneration Tribunal (MS23-004352 refers). The Directors of the Bundanon Board are currently paid their annual sitting fee and superannuation entitlements by the department as the Bundanon Constitution does not permit Board members to be paid directly by Bundanon for their service. Funding of approximately \$0.3 million per annum has been redirected to the department from Bundanon's funding to cover these expenses.<sup>s47C</sup>

[Redacted]

s47C

[Redacted]

Land acquisition or transfer

Bundanon is located on the Shoalhaven River with a mix of land which is privately owned by Bundanon (672 hectares) and Crown land leased from the New South Wales Government (156 hectares).<sup>s47C</sup>

[Redacted]

s47C

[Redacted]

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~~PROTECTED CABINET~~



**The Hon Tony Burke MP**  
Minister for Home Affairs  
Minister for Immigration and Multicultural Affairs  
Minister for Cyber Security  
Minister for the Arts  
Leader of the House

MS24-000322

The Hon Anthony Albanese MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

s47C [redacted] that better aligns the governance arrangements of Bundanon Trust (Bundanon), with other similar National Collecting Institutions.

s34(3) [redacted]

s47C [redacted]

Bundanon has been consulted in general terms on the proposal s34(3) [redacted]

s47C [redacted]

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~~PROTECTED CABINET~~

s47C

Since 1994, Bundanon has operated as a Commonwealth Company governed by a Constitution, Deed of Gift, the *Corporations Act 2001* and the *Public Governance, Performance and Accountability Act 2013*. The Board has oversight of the management of Bundanon and are accountable for its Commonwealth funding and performance.

Through the 2023-24 Budget, the Government committed to an uplift in core funding to Bundanon from approximately \$1.6 million, to \$9.9 million per annum indexed and ongoing. This funding supports ordinary operating and maintenance expenses and increased staffing levels to deliver programs, and ongoing activities following the completion of a \$33 million infrastructure development at Bundanon.

s47C

Further information is provided at **Attachment A**, s47C provided at **Attachment B**.

I commend this proposal to you. s47C

The contact officer in my department is s22(1)(a)(ii), who can be contacted via 02 6271 s22(1)(a)(iii) or s22(1)(a)(ii) @arts.gov.au. The responsible Senior Executive Service officer Ann Campton, can be contacted via 02 6271 s22(1)(a)(iii) or ann.campton@arts.gov.au.

Yours sincerely

TONY BURKE

14/10/2024

Enc

cc Senator the Hon Katy Gallagher, Minister for Finance

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~~PROTECTED CABINET~~

~~PROTECTED CABINET~~

Attachment A

s47C

Commonwealth funding is provided through a four-year grant funding agreement which provides very low transparency and accountability to the Parliament. As a Commonwealth Company the Corporations Act applies personal responsibilities on Board Directors that are very substantially greater than those that apply to members of other National Collecting Institution governing boards. In addition, Bundanon's regulatory framework which includes reporting requirements under multiple Acts creates an administrative burden on what is a relatively small entity and the fact it does not employ staff under the Public Service Act may discourage staff from other National Collecting Institution transferring to Bundanon.

s47C



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~~PROTECTED CABINET~~s47C  
Investment powers

Section 59 of the *Public Governance, Performance and Accountability Act 2013* prohibits investment of unspent Commonwealth monies except in ordinary bank accounts or in securities guaranteed by Government.

As a Commonwealth Company, Bundanon regularly invests unspent non-government revenue in wealth management funds with the purpose of generating additional returns to improve Bundanon's financial sustainability.<sup>s47C</sup>

s47C  
s47C  
Remuneration of the Bundanon Board and CEO

In 2023, new arrangements were agreed to remunerate Bundanon Directors as Part Time Public Office Holders under the Remuneration Tribunal. The Bundanon Constitution does not permit Board members to be paid by Bundanon for their service.

s47C  the department is paying Bundanon Directors their annual sitting fee determined by the Remuneration Tribunal and superannuation entitlements. A portion of funding (\$0.3 million per annum) has been redirected from Bundanon to my department to cover these expenses.<sup>s47C</sup> 

~~PROTECTED CABINET~~

~~PROTECTED CABINET~~

s47C



Land acquisition or transfer

Bundanon is located on the Shoalhaven River with a mix of land which is privately owned by Bundanon (672 hectares) and leased from the New South Wales Government (156 hectares).

s47C



s47C



s47C

This is a common power in the legislation of most other National Collecting Institutions.

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Attachment B to Document 2 (pages 47-61) removed in its entirety as exempt under section 47C of the FOI Act.