

Rio Tinto



Funding Guidelines

Kestrel Aboriginal
Community
Development Fund



Rio Tinto Coal Australia
Pty Limited (RTCA)
operates the Kestrel Coal
Mine located within the
area of the Kangoulu
People's Native Title Claim.

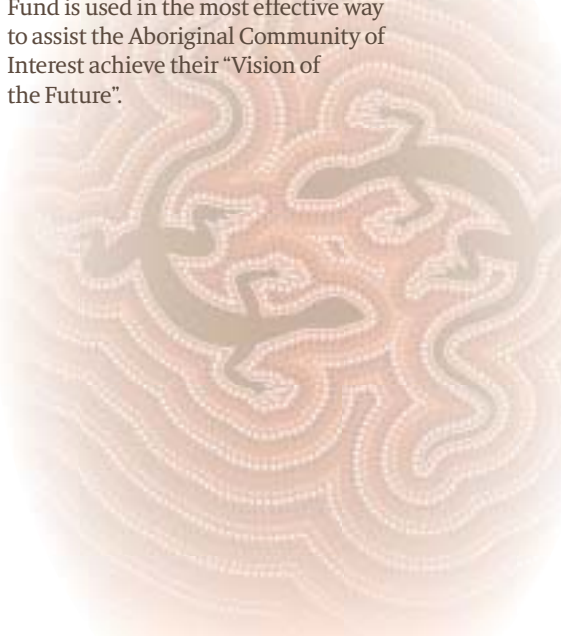
RTCA held a series of meetings with the registered native title claimants for the Kangoulu Claim who advised RTCA that under traditional law and customs only certain groups or families of the Kangoulu People (i.e., the Western Kangoulu People) have interests in and can speak for the country where RTCA has mining interests (the Project Area).

The Western Kangoulu People then nominated and authorised six representatives to form a working group (Western Kangoulu Working Group) to meet with RTCA and to negotiate agreements, including these Guidelines, on behalf of the Kangoulu People. RTCA subsequently held meetings with the Western Kangoulu Working Group to discuss how it might be able to work with them in setting up an arrangement that could develop a relationship and proceed to a possible agreement with the Aboriginal interests concerned in the Project Area.

In building a relationship with the Kangoulu People, RTCA seeks to deal with issues specific to the Kangoulu People (such as cultural heritage and cultural induction programmes) as well as develop some programmes and proposals that would benefit the broader Aboriginal community in the western area of the Kangoulu Claim.

From these discussions the Kestrel Aboriginal Community Development Fund (ACDF) has been established to provide funds to support a range of community projects that deliver positive, constructive, real and sustainable outcomes to the Aboriginal Community of Interest. The ACDF is administered by the Aboriginal Community Development Fund Committee (ACDFC).

The amount available to the Aboriginal Community Development Fund may vary from year to year and these guidelines (Guidelines) have been agreed between RTCA and the representatives of the Western Kangoulu People to ensure the Aboriginal Community Development Fund is used in the most effective way to assist the Aboriginal Community of Interest achieve their “Vision of the Future”.



Members of the ACDFC have developed a “Vision for the Future”, which outlines key long term goals to achieve equivalent access and outcomes in the areas of education, employment, training, cultural heritage conservation and enterprise development as that enjoyed by the community as a whole as well as retaining the unique heritage and traditions of the Kangoulu People.

The Vision provides a framework for the ACDFC to consider project proposals. The ACDFC will consider applications that seek funding for any of the types of projects outlined in these guidelines that take steps towards achieving the Vision and that meet the mandatory criteria.

The ACDFC vision and objectives over the next 20 years are that:

Vision

“Aboriginal People enjoy the same prospects for employment, economic prosperity and quality of life as other community members.”

Objectives

Capacity Building

“That Aboriginal people are able to participate fully in their community and are empowered to take greater control of their health and community wellbeing.”

Education and Training

“That Aboriginal children reach educational outcomes at the same level as the community average and that there is continual improvement of the educational, training and pre-vocational skills and abilities of Aboriginal people living in the region.”

Cultural Heritage

“That ancient cultural heritage of the Kangoulu people is identified and preserved for the benefit of current and future generations.”

Governance

“That a professional governance structure and process to enhance effective and efficient planning and decision-making, leadership, coordination and monitoring of the Fund is developed and maintained.”

The ACDFC will use the Vision statement and Objectives as a guide to decide how it can best support and develop the Aboriginal Community of Interest. The Vision and Objectives forms the basis for the types of projects that the ACDFC will support and how it intends to allocate its funds. This is discussed in more detail in these guidelines.

These Guidelines provide information on:

- (a) How to apply for funding; and
- (b) How projects will be assessed by the ACDFC.

The Guidelines will be reviewed by the ACDFC at regular intervals to ensure that they are effective and meet the purpose for which they were established.

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An application for funding from the Aboriginal Community Development Fund may be made to the ACDFC by any member of the Aboriginal Community of Interest or an entity that proposes a project specifically for the benefit of the Aboriginal Community of Interest.

The Aboriginal Community of Interest is comprised of all those persons who are able to provide written evidence that they are either:

- (a) an Aboriginal person who has resided within the Project Area for more than one year; or
- (b) a person who is recognised as a Western Kangoulu person by a majority of the Western Kangoulu members of the ACDFC.

Members of the ACDFC have developed a “Vision for the Future” (the Vision), which outlines key long term goals in the areas of education, employment, training, cultural heritage conservation and enterprise development. The Vision provides a framework for the ACDFC to consider project proposals.

As a guide, eligible applicants are seen as those who:

- Can demonstrate they can make effective use of the funds in accordance with these Guidelines and the Vision;
- Are willing and able to measure the performance of the project; and
- Can work in partnership with the Aboriginal Community Development Fund Committee (ACDFC).

The ACDFC will not consider any applications for funding for any of the following matters:

- Native title matters
- Cultural heritage management matters
- Issues to be dealt with or considered by legal process



Applicants for funding must be able to show that their proposed project will satisfy the following *mandatory criteria*:

- (a) the project must take steps to achieving the Vision and deliver positive, constructive, real outcomes to the Aboriginal Community of Interest;
- (b) the project's processes and management must be sound and viable (i.e., any idea which is not viable will not be funded);
- (c) the project must have a "multiplier" effect (i.e., each dollar of funding must create more than 1 dollar worth of benefit – e.g., if one person's employment is funded, the purpose of such employment must be to create more employment, not simply to employ one person);
- (d) if the project relates to education, training or scholarships, there must be high potential for a consequential community benefit or for consequential employment; and
- (e) the project's funding through the ACDFC must not create division in the Aboriginal Community of Interest, within the broader community or with RTCA.

Applicants should also endeavour to address, as far as possible, the following *additional criteria* about their proposed project:

- (a) **Outcomes:** how the project's progress and outcomes will be measured over time and how a precise assessment of the resulting community benefits will

be conducted, including information on the research to be undertaken to make such assessments;

- (b) **Management skills and experience:** the experience and skill of the applicant relevant to the project and, for business projects, any training undertaken by the applicant in business and/or business management, to enable the ACDFC to assess whether the project will be well-managed, whether any funding will be properly used and whether the proposed project outcomes will be achieved;
- (c) **Employment impact:** for business projects, approximately how many people are likely to be employed in the business;
- (d) **Community benefit and term:** the nature and extent of benefits to the Aboriginal Community of Interest from the project and how long those benefits will continue;
- (e) **Duplication and alternatives:** whether there is an existing similar project in the region and whether the benefits from the project will outweigh the benefits which could result from other projects seeking funding through the ACDFC;
- (f) **Self contributions:** whether the applicants are also contributing financial or in-kind support to the project;
- (g) **Viability research:** whether and what research has been done on the viability of the project and the project's processes and expected outcomes;

- (h) **Timing:** how long the project will seek to rely on funding through the ACDFC (because preference will be given to stand-alone projects requiring only “one-off” or “seed” funding rather than those requiring recurrent funding);
- (i) **Conditions:** where the project requires ongoing funding (which under these Guidelines can only be provided by instalments), the conditions which the applicant is prepared to satisfy before each instalment becomes payable;
- (j) **Future maintenance:** how the project will be maintained beyond the period when funding through the ACDFC is available;
- (k) **Effect on other opportunities:** whether the project could harm or diminish the opportunities for others in the Aboriginal Community of Interest;
- (l) **Effect on community relations:** whether the project will develop and strengthen or harm relations between the members of the Aboriginal Community of Interest, the broader community and RTCA;
- (m) **Commitment to project:** whether the applicant will be actively involved throughout the whole of the project;
- (n) **Skills:** whether the applicant already has or is undertaking training to acquire the skills necessary to ensure the success of the project or whether a third party with such skills will be involved in the project;
- (o) **Reporting:** how the applicant will report to the ACDFC on his or her progress on acquiring the skills necessary to ensure the success of the project and on achievement of key milestones and outcomes;
- (p) **Community need:** whether there is a specific unmet community need that the project will meet;
- (q) **Other sources of funding:** whether there is government or other funding already available for the project;
- (r) **Previous ACDF Funding:** whether the applicant has previously applied to the ACDF for funding, and if successful, a brief description of the outcomes and success of the project;
- (s) **Support:** whether there are any other groups or sections of the general community currently supporting the project;
- (t) **Repayment:** whether the project contemplates repayment of part or all of the funding;
- (u) **Attendance at ACDF meeting:** whether the applicant, at the applicant's own cost and expense, can, if invited by the ACDFC, attend and address the members of the ACDFC on aspects of the application prior to the member's consideration of the application, or after approval of the project, to report on outcomes; and
- (v) **Other:** whether and what other information is available about the project that the ACDFC may find useful in making a decision.

Funding may be provided for projects that will assist to achieve the “Vision for the Future”. Examples are given below.

Aboriginal business development

- Joint ventures between Aboriginal businesses and other businesses
- Funding a business plan or feasibility study to establish a business
- Funding business training
- Funding professional advice as appropriate

Educational programmes

- Assistance to undertake further educational opportunities at secondary school
- Assistance to undertake tertiary educational programmes

Heritage and culture conservation

- Language revival and preservation programmes
- Children’s cultural events
- Educational programmes (e.g. for local schools)
- Research programmes (e.g. ethno-history work)
- Programmes to update historical references
- Natural resources (flora and fauna) programmes e.g. bush tucker
- Development and promotion of culture and cultural understanding
- Music and art programmes

Training and employment

- Assistance in training for jobs
- Assistance in searching for jobs
- Assistance with vocational training or TAFE

Community benefits projects

- Specific projects the community has not been able to achieve through government or other funding sources
- Projects that will deliver tangible benefits for community health and wellbeing
- Assistance to leverage government or other funding sources

Sporting and community activity

- Specific grants to individuals whose specific circumstances require support
- Assistance by way of scholarships for outstanding young sports people
- Sponsorship of Aboriginal role models to promote sport and sporting achievement

Other projects agreed to by the ACDFC

- Projects that have compelling and significant benefit for the whole Aboriginal Community of Interest

If you have a project or concept that you think is appropriate for funding, contact the Executive Officer to discuss your idea. If it shows potential, the Executive Officer can provide assistance to prepare an application.

In completing the application form, applicants will need to explain how the project will meet the aims of the ACDF and “Vision for the Future”, how they will measure its success and how the project will be undertaken.

The Committee

The committee will consider completed applications at its meetings – scheduled four times per year. The ACDFC will comprise six members:

- two members appointed by the Western Kangoulu Working Group
- two members appointed by RTCA
- two members to represent the interests of the broader Aboriginal Community

What form should the application take and where and when should it be lodged?

Each application for funding should (excluding funeral expenses):

- (a) be made in accordance with the **Application Form** that is available from the Executive Officer;
- (b) be submitted to:

**The Executive Officer
Kestrel Aboriginal Community
Development Fund
PO Box 1969,
Emerald Qld 4720**

Tel: (07) 4984 7599

Email: kestrel.acdf@riotinto.com

- (c) address the mandatory criteria and should endeavour to address any applicable optional criteria listed above; and
- (d) should if practicable be received by the Executive Officer at least three weeks prior to the ACDFC meeting at which the applicant wishes the application to be considered. The ACDFC will be meeting quarterly – please contact the Executive Officer for relevant details.

Timeframe for consideration of applications

The ACDFC will endeavour to address applications in a timely fashion.

Rio Tinto Coal Australia

GPO Box 391

Brisbane QLD 4001

Phone: 07 3361 4200

Fax: 07 3361 4370

Email: info@rtca.riotinto.com.au