



Australian Government

Regional Growth Fund Guidelines

Stage One
Stage Two

**Initial Application
Opening date:**

02/03/2018

**Initial Application
Closing date and
time:**

5 pm AEST on 27/04/2018

**Full Business Case
Timeframes:**

Applicants selected to proceed to Stage two will have three months from the time of notification to submit their Full Business Case

**Commonwealth
policy entity:**

Department of Infrastructure, Regional Development and Cities

Enquiries:

If you have any questions, please contact the RGF HelpDesk:

Phone: 1800 044 938

Email: rgf@regional.gov.au

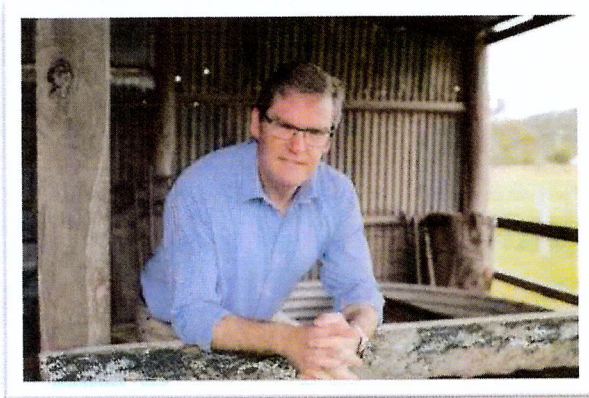
**Date guidelines
released:**

02/03/2018

**Type of grant
opportunity:**

Open competitive

A message from the Minister



As a fourth generation resident of Toowoomba and the Darling Downs in Queensland, regional Australia is in my blood. I believe in the immense opportunities that exist in rural, regional and remote Australia.

I am focused on supporting regional communities to provide the jobs and the infrastructure that will keep families living and working in the regions.

Regional Australia has long been the engine room of the national economy. Agriculture, tourism and manufacturing are all key components of regional Australia's DNA. As Minister for Regional Development, Territories and Local Government, I want to ensure that these industries continue to grow, creating new and better paid jobs for Australians.

The Coalition Government is delivering on its vision for regional Australia. A key pillar of our plan is the Regional Growth Fund, a transformational program that will unlock economic opportunities across the regions.

This competitive funding opportunity will be limited to projects that benefit areas outside of the major capital cities. Successful projects will receive a minimum \$10 million contribution from the Commonwealth.

I encourage all communities to think big and use this program to pursue their vision to grow and develop their local region.

The Coalition Government looks forward to receiving transformational proposals that will ensure regional Australia is an even greater place to live, work and invest.

**The Hon Dr John McVeigh MP
Minister for Regional Development, Territories and Local Government**

Contents

1.	Regional Growth Fund Processes	5
2.	About the Grant Program	6
3.	About the Grant Opportunity	7
4.	Grant amount	8
5.	How to apply	8
6.	Advice from external parties	8
7.	Grant eligibility criteria	9
7.1	Where your project must benefit?.....	9
7.2	Who is eligible to apply for a grant?	9
7.3	Who is not eligible to apply for a grant?	10
7.4	Additional contributions and your contributions	10
7.5	Eligible projects.....	11
7.6	What can the grant money be used for?	11
7.7	What the grant money cannot be used for?	11
7.8	Additional eligibility requirements	11
8.	Grant merit criteria	12
8.1	Purpose of the Initial Application process	12
8.2	Merit criteria assessment.....	12
8.3	Attachments to the Initial Application.....	13
8.4	Assessment score loading.....	14
8.5	Who will approve the Initial Applications	14
8.6	Notification of Initial Application outcomes	15
9.	Full Business Case criteria	15
9.1	Purpose of the Full Business Case	15
9.2	Value with relevant money criteria assessment	16
9.3	Who will approve the Full Business Case	16
9.4	Notification of Full Business Case outcomes	16
9.5	Attachments to the Full Business Case.....	17
10.	Successful grant applications	17
10.1	The Grant Agreement.....	17
10.2	Specific conditions	18
10.3	Special regulatory requirements.....	18
10.3.1	Building Code.....	18
10.3.2	WHS Scheme.....	19
10.4	How the grant will be paid	19

10.5	Maintaining project benefits	19
10.6	Grant Agreement variations	19
11.	Announcement of grants	20
12.	Delivery of grant activities	20
12.1	Your responsibilities	20
12.2	Our responsibilities	20
	12.2.1 Progress report	20
	12.2.2 Completion report.....	21
	12.2.3 Ad hoc reports	21
12.3	Grant payments and GST.....	21
12.4	Compliance visits.....	21
12.5	Keeping us informed.....	21
12.6	Evaluation	22
12.7	Acknowledgement and publicity	22
12.8	Branding and Recognition	22
13.	Probity	22
13.1	Complaints process	22
13.2	Conflict of interest	23
13.3	Privacy: confidentiality and protection of personal information	23
13.4	Freedom of information	24
14.	Enquiries and feedback	25
	Appendix A. Definitions of key terms	26

1. Regional Growth Fund Processes

REGIONAL GROWTH FUND PROCESS MAP

The Regional Growth Fund is a \$272.2 million investment program to provide grants of \$10 million or more for major transformational projects, which support long term economic growth and create jobs in regions, including those undergoing structural adjustment.

Selection of projects will be undertaken in two stages. Stage One requires submission of an Initial Application for competitive assessment. Stage Two is for the submission of a Full Business Case.

We may contact applicants during both stages.



THE GRANT OPPORTUNITY OPENS

We publish the grant guidelines and advertise on GrantConnect.

www.grants.gov.au

STAGE ONE: INITIAL APPLICATION

YOU COMPLETE AND SUBMIT AN INITIAL APPLICATION

Your Initial Application should align with these Program Guidelines.



WE ASSESS ALL INITIAL APPLICATIONS

We assess Initial Applications against eligibility and merit criteria.



WE MAKE INITIAL APPLICATION RECOMMENDATIONS

We provide recommendations to the Ministerial Panel on the eligibility and merit of each Initial Application.



INITIAL APPLICATION DECISIONS ARE MADE

The Ministerial Panel, in conjunction with the Australian Government's Investment, Infrastructure and Innovation Committee of Cabinet or Cabinet, will decide which Initial Applications are successful to progress to Stage Two to submit a Full Business Case.



WE NOTIFY YOU OF THE OUTCOME

We advise you of the outcome of your Initial Application.

STAGE TWO: FULL BUSINESS CASE

YOU COMPLETE AND SUBMIT A FULL BUSINESS CASE

Successful applicants of Stage One Initial Application are to submit a Full Business Case that aligns with these Program Guidelines.



WE ASSESS ALL FULL BUSINESS CASES

We assess Full Business Cases against the value with relevant money criteria.



WE MAKE FULL BUSINESS CASE RECOMMENDATIONS

We provide recommendations to the Minister on the value with relevant money of each Full Business Case.



FULL BUSINESS CASE DECISIONS ARE MADE

The Minister will consider the recommendations and make a funding decision.
Applicants will be notified of the outcome.



WE NOTIFY YOU OF THE OUTCOME

We advise you of the outcome of your Full Business Case.



WE ENTER INTO A GRANT AGREEMENT

We will enter into a Grant Agreement with successful applicants.



DELIVERY OF GRANT

You undertake the grant activity as set out in your Grant Agreement.
We manage the grant by working with you, monitoring your progress and making payments.



EVALUATION OF THE REGIONAL GROWTH FUND

We evaluate the specific grant activity and Regional Growth Fund as a whole.
We base this on information you provide to us and that we collect from various sources.

2. About the Grant Program

The Regional Growth Fund (the Program or RGF) will run over four years from 2018-19 to 2021-22.

The objectives of the Program are to provide grants of \$10 million or more for major transformational projects, which support long term economic growth and create jobs in regions, including those undergoing structural adjustment.

The Australian Government's grant funding, through this Program, is expected to leverage investment from the private sector, not-for-profit organisations and other levels of government in the region.

The Program funding will commence in the 2018-19 financial year and cease on 30 June 2022.

The Program will fund projects across a range of key economic categories including, but not limited to: transport and communications, tourism, manufacturing and primary industries.

The Program will fund projects that are for 'common-use' infrastructure or private use infrastructure that will deliver significant and sustainable benefits to the region by creating jobs and flow-on benefits to the economy.

The Program is open to state and territory governments, local governments, the private sector and not-for-profit organisations.

A two stage process will allow applicants to submit an Initial Application for assessment without having to spend the time and resources developing a Full Business Case and associated documents. Projects that proceed to the second stage will then be required to submit comprehensive project management plans, asset maintenance/management plans, five year cash flows, evidence of use of project post completion, audited financial statements and information on any grants previously received from governments.

The expected outcomes of the Program are to:

- create jobs
- drive economic growth
- build stronger regional communities.

An assessment process does not constitute a contract or other arrangement under which money may become payable. No obligation is placed upon the Australian Government in relation to the acceptance of applications during the Initial Application or other assessment rounds.

Legislative authority for the Program is currently being drafted as an inclusion in Schedule 1AB of the Federal Financial Framework (Supplementary Powers) Regulation 1997. No agreements will be signed, or payments made, until this work is finalised.

The Program will be undertaken according to the *Commonwealth Grants Rules and Guidelines (CGRGs)* at <https://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf>

3. About the Grant Opportunity

These guidelines contain information about the Program, including the two stage process for selecting projects.

This document sets out:

- the purpose of the grant opportunity
- the eligibility, merit and value with relevant money assessment criteria
- how projects are monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

You must read this document before filling out an application. Further information is available on www.grants.gov.au to help you determine if your project is investment-ready; prepare your Initial Application; and, if applicable, Full Business Case.

Investment-ready projects are those that have co-funding and all required regulatory and/or development approvals identified, and can demonstrate robust planning, in order to commence following execution of a grant agreement.

The first stage for selecting projects is for the submission of an Initial Application, which will allow applicants to submit applications for an assessment against eligibility and merit criteria. This stage is competitive.

The second stage is for the submission of a Full Business Case to allow us to undertake a value with relevant money assessment. This will require the provision of more extensive documentation to support project planning, readiness for the project to proceed and long term viability of the project and the applicant. Advice and a recommendation will be provided to the Minister for approval of the funding under the *Public Governance, Performance and Accountability Act 2013*.

The Department of Infrastructure, Regional Development and Cities (the Department) may liaise with you, if necessary, through either stage.

The process was designed in this way so only applicants who are successful under the Initial Application are invited to submit a Full Business Case.

Decisions on which Initial Applications progress to a Full Business Case will be made by a Ministerial Panel in consultation with the Australian Government's Investment, Infrastructure and Innovation Committee of Cabinet or Cabinet.

Initial Applications will open on 2 March 2018. All Initial Applications must be submitted by 5 pm AEST 27 April 2018 in order to be eligible for assessment.

Successful applicants will be invited to submit a Full Business Case. Full Business Cases must be received by the Department within three months of notification.

Extensions to these timeframes will only be given in extenuating circumstances.

We have defined key terms used in these guidelines in **Appendix A**.

4. Grant amount

The Australian Government has announced a total of \$272.2 million over four years from 2018-19 to 2021-22 for the Program.

Grant applications for a minimum of \$10 million will be considered.

Proponents or other contributors are required to contribute at least 50 per cent cash funding to the project. Therefore, the total project costs must be at least \$20 million (GST exclusive).

There is no cap on the maximum amount that may be applied for, however, it should be noted there is only \$272.2 million available in total.

Projects must be completed and acquitted by 30 June 2022.

5. How to apply

Before you apply, you should read and understand these guidelines, the online Initial Application form and the draft Grant Agreement.

Stage One: Initial Applications are open to all eligible applicants for eligible projects that have strong claims against the merit criteria.

Stage Two: The Australian Government will seek a Full Business Case for successful projects to undergo a value with relevant money assessment for Ministerial approval. Successful applicants will be contacted to submit a Full Business Case.

You are encouraged to seek the support of your Regional Development Australia (RDA) Committee for your project. Your RDA Committee can:

- assist you to identify and develop a strong project proposal that will contribute to long term economic growth and is a priority within your region, and
- work with you to prepare a competitive Initial Application, supporting documents and evidence.

For contact information on your local RDA see <https://rda.gov.au/my-rda/>. Alternatively you can email the Department on rda@infrastructure.gov.au or call us on our RDA hotline 1800 505 938.

If you wish to withdraw an Initial Application you have already submitted contact us at rgf@regional.gov.au.

Projects proceeding to the Full Business Case stage must be consistent with their Stage One Initial Application.

6. Advice from external parties

We may request advice on applications from local, state and territory governments, other Australian Government agencies, independent experts and other external parties.

Advice will be requested on, but not limited to, the history of the applicant in delivering projects, the viability of the project and applicant, the extent to which the project aligns with or delivers priorities in state and territory plans, confirmation of funding contributions and impact of the project on the region.

Where we believe an independent professional confirmation of our assessment of an Initial Application or Full Business Case is required, an Independent Viability Assessment may be undertaken.

The Independent Viability Assessment will be undertaken by an appropriately qualified external consultant engaged by us and the findings of the Independent Viability Assessment will be included in the assessment.

All information provided may be subject to an Independent Viability Assessment.

7. Grant eligibility criteria

We cannot consider your Initial Application if you do not satisfy **all eligibility criteria**. The Program will not fund projects where construction has begun or where construction contracts are in place at the time of the Full Business Case.

The Program will fund projects that are for 'common-use' infrastructure or private use infrastructure that will deliver significant and sustainable benefits to the region by creating jobs and flow-on benefits to the economy.

Examples of 'common-use' infrastructure projects include freight hubs, roads, ports and terminals, medical hubs, communication infrastructure, and integrated tourism activities and assets that enhance and support Australia's regional tourism experience.

Private use infrastructure will be considered where a strong economic case has been made and where the Australian Government's investment will not crowd out private investment that would have otherwise occurred.

7.1 Where your project must benefit?

Your project must be located in Australia and in an eligible area or, if your project is located in an excluded area, you must clearly demonstrate how ongoing economic benefits flow directly into an eligible area.

In your Initial Application you will need to provide the latitude and longitude of your project location.

A mapping tool is available on <http://maps.infrastructure.gov.au> to assist you in determining the location of your project.

The excluded areas for the purposes of the Program are the Urban Centre and Locality (UCL) cities over 1 million people for Sydney, Melbourne, Brisbane, Perth and Adelaide as defined by the Australian Bureau of Statistics' Australian Statistical Geography Standard. For the city of Canberra, the excluded area is only the part of the Canberra-Queanbeyan Significant Urban Area that is located within the Australian Capital Territory.

7.2 Who is eligible to apply for a grant?

To be eligible you must be a legal entity, have an Australian Business Number (ABN) or Australian Company Number (ACN), and be one of the following entities:

- a private sector business, i.e. for-profit businesses that are not owned or operated by the Government
- a State or Territory Government
- a local governing body as defined by the *Local Government (Financial Assistance) Act 1995*

- a not-for-profit organisation that has been established for at least two years. As a not-for-profit organisation you must demonstrate your not-for-profit status through one of the following:
 - Australian Charities and Not-for-profits Commission's (ACNC) current registration
 - State or Territory Incorporated Association status
 - Constitutional documents and/or Articles of Association that demonstrate the not-for-profit character of the organisation.

For the purposes of the Program, we also consider the following organisations to be local governing bodies:

- Anangu Pitjantjatjara, Maralinga, Gerard, Nepabunna and Yalata local governing bodies in SA
- Cocos (Keeling) Islands Shire Council
- The Lord Howe Island Board
- Norfolk Island Regional Council
- The Outback Communities Authority
- The Shire of Christmas Island
- The Silverton and Tibooburra villages in NSW
- The Trust Account in the NT.

The Department will undertake appropriate verification checks on all applicants such as through the Australian Securities & Investments Commission (ASIC) registers and relevant state agencies that oversight integrity of public administration (such as Independent Commission Against Corruption (ICAC) in New South Wales and the Crime and Corruption Commission (CCC) in Queensland). This information will be provided to the Ministerial Panel for consideration when deciding those projects that will be selected to proceed to Full Business Case.

7.3 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- an individual, partnership or trust (however, an incorporated trustee may apply on behalf of a trust) that is not a registered private sector business
- public or private schools
- a Regional Development Australia Committee.

7.4 Additional contributions and your contributions

Additional contributions refers to the cash contribution (excluding in-kind contributions) from you or sources other than Australian Government grant funding. Additional contributions must be a minimum ratio of 1:1, which means the Australian Government will contribute a maximum of 50 percent of all project costs.

You must provide advice in your Initial Application as to whether the additional contributions are confirmed or sought. If confirmed, you must supply evidence of confirmation.

If additional contributions are not yet confirmed (i.e. sought), applicants must provide advice as to when confirmation is expected. If you are successful at Stage One, confirmation of sought funding must be provided with the Full Business Case.

Any organisation can provide the additional contributions including:

- you as the applicant
- local government
- state or territory governments

- not-for-profit organisations
- private sector companies
- individuals
- Aboriginal Benefits Account (not considered Australian Government funding).

7.5 Eligible projects

Projects must be for 'common-use' infrastructure or private use infrastructure that will deliver significant and sustainable benefits to the region by creating jobs and flow-on benefits to the economy.

Your project must be a capital project involving the construction of new infrastructure, or the upgrade or an extension of existing infrastructure. The upgrade or extension of existing infrastructure will only be eligible where you can demonstrate significant increase in benefit.

Your project may include a number of strategically linked projects which together form a Package of Works that will deliver economic benefits to a region or regions.

To be eligible your project must be ready to **commence within 12 weeks** of executing the Grant Agreement. We consider commencement to be taking steps to allow construction to commence. You must acquit your project by 30 June 2022.

7.6 What can the grant money be used for?

You can only spend the grant and additional funding on eligible activities directly related to the project. If your application is successful, these activities will be defined in your Grant Agreement.

You can use the grant or additional funding for the following activities:

- purchase of materials
- purchase of land or existing infrastructure where the purchase is not the sole activity of the project
- external labour hire
- plant and equipment hire
- construction activities
- external consulting costs directly related to the delivery of the construction.

7.7 What the grant money cannot be used for?

You cannot use the grant or additional funding for the following activities:

- repair or replacement of existing infrastructure where there is no demonstrated significant increase in benefit
- ongoing operating costs including utilities and staffing
- soft infrastructure, including computer software or hardware that is not an integral part of the funded capital project
- project overhead items including office equipment, vehicles or mobile capital equipment (examples include trucks and earthmoving equipment and the applicant's internal plant operating costs)
- business case development and feasibility studies.

7.8 Additional eligibility requirements

In order to be eligible you must also:

- provide the relevant mandatory attachments outlined in section 8.3

- declare you can comply with special regulatory requirements as outlined in section 10.3

8. Grant merit criteria

8.1 Purpose of the Initial Application process

The objective of the Initial Application process is to allow eligible applicants to submit projects for consideration without committing significant resources to developing a Full Business Case.

The Initial Application should provide enough information and supporting documents to ensure that the project will be able to deliver the Program outcomes and be completed within the timeframe of the Program.

8.2 Merit criteria assessment

To submit a competitive Initial Application you will need to address each of the three merit criteria:

1. Create jobs
2. Drive economic growth
3. Build stronger regional communities.

We will assess your Initial Application against each merit criterion using the scoring indicated. The application form asks questions that relate to the merit criteria below.

To be successful, Initial Applications must meet a minimum benchmark against each of the three merit criteria.

Merit criterion 1 – Create Jobs

Job creation as a result of your project including direct employees during and post construction and indirect employees post construction (20 points). You should define, quantify and provide evidence to support your answers.

You should quantify the total number of jobs during and post construction including:

- increasing the number of jobs
- increasing Indigenous employment
- increasing youth employment - youth is defined as 16 to 24 years

Merit criterion 2 – Drive Economic Growth

The economic benefit your project will deliver to the region during and beyond the construction phase (20 points). You should define, quantify and provide evidence to support your answers.

You must provide evidence of how your project will increase economic activity, improve productivity, provide wider access to markets or provide fairer and more equitable economic outcomes. Examples of how your project could demonstrate these economic benefits include:

- increasing the establishment of new businesses, the relocation of a business or part of a business from an ineligible area to an eligible area or the production of goods and services in the region (this includes direct and indirect opportunities created through the project)
- providing transformational growth in existing sectors through combined benefits, e.g. tourism, agriculture, manufacturing, communication
- the use of local suppliers and goods
- increased use of Indigenous enterprises and suppliers
- improved accessibility for businesses to markets and supporting services

- support from state or territory or local governments. This can be in the form of letters of support for the project, the project being included in regional or state strategic plans, co-contribution to the project, etc.

You must provide details on the impact your project may have on other businesses or sectors of the economy, whether they be positive or negative.

Merit criterion 3 – Build Stronger Regional Communities

How your project will increase a regional community’s resilience (10 points). You should define, quantify and provide evidence to support your answers.

You must provide evidence of how your project will increase the regional resilience to economic fluctuations by strengthening and building capacity, including:

- improving the productivity and skills of the region
- increasing the attractiveness and liveability in the region
- increasing connectivity including access to education and government services
- increasing the diversity of jobs available in a region.

8.3 Attachments to the Initial Application

We require the following documents with your Initial Application.

INITIAL APPLICATION	
Applicant type	Document
Mandatory Documents (must be submitted for your application to be eligible)	
All applicants	Evidence of a current ABN or ACN
Not-for-profit organisations	Evidence of your not-for-profit status <ul style="list-style-type: none"> • Current Australian Charities and Not-for-profits Commission’s (ACNC) Registration, or • Incorporated association certificate, or • Constitutional documents and/or Articles of Association that demonstrate the not-for-profit character of the organisation.
For incorporated trustees applying on behalf of a trust	Trust documents showing the relationship of the incorporated trustee to the trust.
All applicants	If additional contributions are confirmed, letters evidencing the cash or in-kind contribution confirmed from each contributing organisation or individual. They must: <ul style="list-style-type: none"> • be on the organisation’s letterhead, • be signed and dated by an authorised person, and • set out the value and timing of contributions and any conditions attached. If additional contributions are not yet confirmed (i.e. sought), applicants must provide advice as to when confirmation is expected. If the applicant is successful at Stage One, confirmation of sought funding must be provided with the Full Business Case.

INITIAL APPLICATION	
Applicant type	Document
All applicants	Project Management Plans, commensurate with stage of development of the project, which should include: <ul style="list-style-type: none"> • Scope • Proposed Implementation methodology • Timeframes • Budget/Cost Estimates • Details of Regulatory Approvals • Procurement Plan • Risk Management Plan • Evaluation Plan
Supporting Documents (evidence to support claims made against the merit criteria for assessment)	
All applicants	Evidence and/or assumptions of how the infrastructure will: <ul style="list-style-type: none"> • Create jobs • Drive economic growth • Build stronger regional communities

You must attach supporting documentation to the Initial Application form consistent with the instructions provided within the on-line form.

8.4 Assessment score loading

We may apply a loading to your total merit criteria assessment score consistent with your remoteness classification. Very remote projects will receive the highest loading and inner regional projects the lowest loading. The loading accounts for the challenges which may be faced in outer regional and remote areas.

Your project location (latitude and longitude) determines your remoteness classification. The criteria for the remoteness classification are based on the Australian Bureau of Statistics' Remoteness Structure¹ under the Australian Statistical Geography Standard.

Your project may include multiple site locations. Where there is mix of regional and remote site locations, you must nominate a project location based on where the majority of the benefit from your project will flow and substantiate your nominated location with evidence to be considered for the loading.

8.5 Who will approve the Initial Applications

Following an assessment of the eligible Initial Applications, we will provide a recommendation to the Ministerial Panel. The Ministerial Panel will consider the recommendation and supporting information, and make decisions on projects to proceed to Full Business Case in consultation with the Investment, Infrastructure and Innovation Committee of Cabinet or Cabinet.

Copies of the Initial Application, supporting documents, outcomes of our assessment and any other information that we consider relevant may be provided to the Ministerial Panel.

¹ <http://www.abs.gov.au/websitedbs/d3310114.nsf/home/remoteness+structure>

In addition to the Initial Application, supporting material and recommendation, the Ministerial Panel, and the Investment, Infrastructure and Innovation Committee of Cabinet or Cabinet may take other factors into account when making decisions on projects to be funded, including, but not limited to:

- the broader regional reach of the Program
- the broader regional reach of the project
- other similar existing or planned infrastructure in the region to ensure that there is genuine demand and/or no duplication of facilities or services
- other infrastructure or planned infrastructure projects in the region, and the extent to which the proposed project supports or builds on those projects and the services that they offer
- the likelihood of the project proceeding without RGF funding
- the Australian Government's priorities.

The Ministerial Panel's decision is final in all matters. There is no appeal mechanism for decisions on whether or not to invite a project to proceed to Full Business Case.

Should a project that is invited to Full Business Case not be successful at the end of the value with relevant money assessment, the Ministerial Panel may reconsider unsuccessful Initial Applications and invite a Full Business Case at a later stage.

8.6 Notification of Initial Application outcomes

You will be advised of the outcomes of your Initial Application, following a decision by the Ministerial Panel. If you are successful, you will be invited to submit a Full Business Case, which will include documentation that will inform a value with relevant money assessment.

Unsuccessful applicants may request feedback within one month of being notified of the decision.

9. Full Business Case criteria

The second stage is the submission of a Full Business Case.

Only projects selected by the Ministerial Panel as a result of the Initial Application process will be eligible to submit a Full Business Case for a value with relevant money assessment.

Projects will need to be investment ready with all additional funding confirmed, required regulatory and/or development approvals identified, local, state or territory government support confirmed and will need to demonstrate robust planning, in order to commence following execution of a Grant Agreement.

Project cost estimates must be GST exclusive.

The Program will not fund projects where construction has begun or where construction contracts are in place at the time of submitting the Full Business Case.

The Full Business Case stage will commence when a successful Stage One applicant is invited to submit a Full Business Case. Applicants will have three months from the date of notification to submit a Full Business Case. Extensions to this timeframe will only be given in extenuating circumstances.

Applicants invited to submit a Full Business Case should not vary the project in scope or location from the information provided in their Initial Application.

9.1 Purpose of the Full Business Case

The objective of the Full Business Case is for eligible applicants to submit project and proponent information and supporting documents to allow us to undertake a value with relevant money

assessment. On completion of the assessment, we will make a recommendation to the Minister regarding formal Ministerial Approval of the projects.

The value with relevant money assessment will assess:

- project viability and sustainability
- applicant viability.

9.2 Value with relevant money criteria assessment

The value with relevant money assessment will include consideration of:

Project viability and sustainability

An assessment against this criterion is intended to identify and consider the complexity of the project, risks associated with its delivery and ongoing management and the capability of the applicant to deliver and maintain the project.

Key considerations will include, but may not be limited to:

- how rigorously the project has been scoped and costed by the applicant
- how rigorously the applicant has assessed delivery risks and treatments for these risks
- how the applicant proposes to maintain the project in the future.

Eligible Applicant viability

Assessment is intended to establish the financial stability of the eligible applicant and their capacity to meet costs associated with the delivery of the project. This consideration does not apply to local, state and territory governments.

Key considerations may include the eligible applicant's level of liquidity (its ability to pay its debts when they fall due) and solvency (does it have enough assets to cover liabilities).

9.3 Who will approve the Full Business Case

Following the value with relevant money assessment, we will provide a recommendation to the Minister for Regional Development, Territories and Local Government.

The Minister will consider whether the proposal will make proper use of Commonwealth resources, as required by Commonwealth legislation, and whether any specific requirements will be imposed as a condition of funding, should funding be approved.

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

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

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

9.4 Notification of Full Business Case outcomes

You will be advised of the outcomes of your Full Business Case assessment, following a decision by the Minister. If you are provided a grant, you will also be advised about any specific conditions attached to the grant.

Unsuccessful applicants may request feedback within one month of being notified of the decision.

9.5 Attachments to the Full Business Case

We require the following documents with the Full Business Case

FULL BUSINESS CASE	
Applicant type	Document
All applicants	<p>Project Management Plans which should include:</p> <ul style="list-style-type: none"> • Scope • Implementation methodology • Timeframes • Budget/Cost Estimates (GST exclusive) • Confirmation of additional contributions, if not confirmed at the Initial Application stage • Regulatory Approvals • Procurement Plan • Risk Management Plan • Evaluation Plan
All applicants	Asset Maintenance/Management Plan which includes evidence of how you will maintain the asset in a viable and operational state for at least the period identified at section 10.5
All applicants	Five year cash flow.
All applicants	<p>Evidence of use of the project post completion including:</p> <ul style="list-style-type: none"> • Commitments from other users of the facility • Relevant approvals.
All applicants except local, state and territory governments	Audited Financial Statements for the two most recent consecutive years signed by an approved Auditor.
All applicants except local, state and territory governments	Identify grants previously received from governments or evidence of ability to manage third party funding.

You must attach supporting documentation to the Full Business Case form consistent with the instructions provided within the form.

10. Successful grant applications

10.1 The Grant Agreement

If you are successful, you must enter into a legally binding Grant Agreement with the Commonwealth represented by the Department. We will use the Commonwealth Standard Grant Agreement. A draft Grant Agreement is available on www.grants.gov.au. Standard terms and conditions for the Grant Agreement will apply and cannot be changed. A schedule may be used 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. Where the project is a Package of Works, all elements of the Package will be included in the Grant Agreement.

It is recommended that applicants familiarise themselves with the conditions of the Grant Agreement or consider seeking independent advice on the implications of Grant Agreement conditions and their capacity to meet these conditions if funding is approved.

We will work with successful applicants to have Grant Agreements executed within four weeks of funding approval ('execute' means both you and the Commonwealth have signed the Grant Agreement). The offer may lapse if both parties do not execute the Grant Agreement within this time.

Successful applicants should not make financial commitments based on approval of funding until the Grant Agreement has been executed.

We will develop the Grant Agreement on the information you provided in your application. Should you propose any changes to these details, we will review these against the Initial Application and Full Business Case to ensure they do not impact the project as approved by the Minister.

We will not make any grant payments until there is an executed Grant Agreement in place.

Once the Grant Agreement is executed, we expect you to commence the project **within 12 weeks**.

10.2 Specific conditions

There may be specific conditions attached to the funding approval as a result of the assessment process or further considerations by the Minister. These will be identified in the offer of funding or during Grant Agreement negotiations.

10.3 Special regulatory requirements

You are required to be compliant with all relevant laws and regulations. Wherever the Australian Government funds building and construction activities, the following special regulatory requirements apply.

- Building Code 2016² (Building Code)
- Australian Government Building and Construction WHS Accreditation Scheme³ (WHS Scheme).

To be eligible, you must declare in your application that you comply with these requirements. You will need to declare you can meet these requirements in your Grant Agreement with the Commonwealth.

10.3.1 Building Code

The Building Code is administered by relevant state and territory administrations under relevant state or territory legislation on behalf of the Fair Work Building and Construction Commission⁴.

The Building Code applies to all construction projects indirectly funded by the Australian Government through grants and other programs where:

- the value of Australian Government contribution to a project is at least \$5 million and represents at least 50 per cent of the total construction project value, or
- regardless of the proportion of Australian Government funding, where the Australian Government contribution to a project is \$10 million or more.

² <http://www.fwbc.gov.au/building-code>

³ <http://www.fsc.gov.au/sites/fsc/needaccredited/accreditationscheme/pages/theaccreditationscheme>

⁴ <https://www.fwbc.gov.au/>

10.3.2 WHS Scheme

The WHS Scheme is administered by the Office of the Federal Safety Commissioner⁵.

The Scheme applies to projects that are indirectly funded by the Australian Government where:

- the head contract under the project includes building work of \$4 million or more (GST inclusive) AND:
 - the value of the Australian Government contribution to the project is at least \$6 million (including GST) and represents at least 50 per cent of the total construction project; or
 - the Australian Government contribution to a project is \$10 million (including GST) or more, irrespective of the proportion of Australian Government funding.

10.4 How the grant will be paid

The Grant Agreement will state the:

- description of the project to be delivered, including the Package of Works as relevant
- maximum grant amount we will pay
- amount, timing and requirements of each milestone payment
- the contributions you must make to the project.

We will not exceed the maximum grant amount under any circumstances. If you incur extra eligible expenditure, you must pay it yourself.

A payment schedule will be negotiated with you. Grant funding will be paid:

- as you achieve agreed milestones, and
- on our acceptance of satisfactory progress reports, which will include evidence of achievement of any special conditions.

We will retain up to ten percent of the total grant funding for the final payment. We will pay this when you submit a satisfactory final report.

Under exceptional circumstances the Program Manager may allow alternative payment arrangements.

10.5 Maintaining project benefits

In your Grant Agreement, you will be required to operate and maintain your project for the purpose of the project for a minimum of five years after project completion.

10.6 Grant Agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a project variation, including:

- changing project milestones
- extending the timeframe for completing the project
- changing project activities.

The Program does not allow for an increase to the agreed amount of grant funds or extensions to milestones beyond the funding appropriation timeframe.

If you want to propose changes to the Grant Agreement, you must put them in writing before the Grant Agreement end date. Contact the Program Manager for further information. We will not consider changes after the Grant Agreement end date.

⁵ <http://www.fsc.gov.au/sites/FSC>

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the Program policy objective and any relevant policies of the Department
- changes to the timing of grant payments
- availability of Program funds.

11. Announcement of grants

Once your Grant Agreement is executed, your grant will be listed on the GrantConnect website at www.grants.gov.au within 21 days after the date of effect as required by Section 5.3 of the *CGRGs*.

12. Delivery of grant activities

12.1 Your responsibilities

You must submit progress and financial reports in line with the timeframes in the Grant Agreement. We will provide sample templates for these reports. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed project milestones
- unforeseen risks and time delays
- additional contributions
- eligible expenditure of grant funds.

You will also be responsible for:

- meeting the terms and conditions of the Grant Agreement and managing the activity efficiently and effectively
- complying with record keeping, reporting and acquittal requirements as set out in the Grant Agreement
- participating in a grant program evaluation as specified in the Grant Agreement.

12.2 Our responsibilities

We will:

- meet the terms and conditions set out in the Grant Agreement
- provide timely administration of the grant
- evaluate the grantee's performance.

We will monitor the progress of your project by assessing the reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

12.2.1 Progress report

Progress reports must:

- include the evidence showing you have completed the agreed project activities
- show the total expenditure incurred to achieve the milestone
- identify unforeseen risks and time delays and strategies to address these

- be submitted within four weeks of the milestone due date or completing a milestone (you can submit reports ahead of time if you have completed the milestone).

We will only make grant payments after we receive satisfactory progress reports.

Before any payment can be made, successful applicants will be required to provide a tax invoice for the amount (GST exclusive) of the payment.

When you complete the project, you must submit a completion report.

12.2.2 Completion report

Completion reports must:

- include the agreed evidence as specified in the Grant Agreement
- provide an audited financial statement of project expenditure
- include an evaluation of the project, including the outcomes achieved
- be submitted within three months of completing the project.

Before final payment can be made, successful applicants will be required to provide a tax invoice for the amount (GST exclusive) of the payment.

12.2.3 Ad hoc reports

We may ask you for ad-hoc reports on your project. These may include reports to confirm progress, or to explain any significant delays or difficulties in completing the project.

12.3 Grant payments and GST

Payments will be made as set out in the Grant Agreement.

In accordance with subsection 9-17(3) of the A New Tax System (Goods and Services Tax) Act 1999 (Cth), payments made by a government-related entity to another government-related entity do not attract GST.

In accordance with the terms of Australian Taxation Office ruling GSTR 2012/2, if payments to other entities who are registered or required to be registered for GST with the Australian Taxation Office are payments in consideration for a taxable supply, those payments will attract a GST component.

When we make your grant payments we will provide you with a recipient created tax invoice (RCTI).

If you receive a grant, you should consider speaking to a tax advisor about the effect of receiving a grant before you enter into a Grant Agreement. You can also visit the Australian Taxation Office website at www.ato.gov.au for more information.

We do not provide advice on tax implications of grants.

12.4 Compliance visits

We may visit the project during the project period to review your compliance with the Grant Agreement. We may also inspect the records you are required to keep under the Grant Agreement. We will provide you with reasonable notice of any compliance visit.

12.5 Keeping us informed

You should let us know if anything is likely to affect your project 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 project, carry on business and pay debts.

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.

12.6 Evaluation

We will evaluate the Program to measure how well the outcomes and objectives have been achieved. Your Grant Agreement requires you to provide information to help with this evaluation.

12.7 Acknowledgement and publicity

We will also require you to notify us of events relating to your project and provide opportunity for the Minister or their representative to attend. These requirements are clearly identified in the Grant Agreement.

12.8 Branding and Recognition

Successful applicants will be required to comply with a range of branding and recognition requirements. These requirements are clearly identified in the Grant Agreement and guidance is provided on our website at www.regional.gov.au.

13. Probity

The Australian Government will make sure that the Program 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.

Note: These guidelines may be changed from time-to-time by us. When this happens the revised guidelines will be published on the GrantConnect website at www.grants.gov.au.

13.1 Complaints process

The Department's Complaints Management procedures apply to complaints about the Program. All complaints about a grant process must be lodged in writing by either:

- using the online feedback and complaints form at <https://infrastructure.gov.au/utilities/feedback.aspx>;
- email to: clientservice@infrastructure.gov.au;
- mail to: Director, Governance Section
Department of Infrastructure, Regional Development and Cities
GPO Box 594
CANBERRA ACT 2601

Any questions you have about grant decisions for the Program should be sent to rgf@regional.gov.au.

If you do not agree with the way we have 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 us.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: www.ombudsman.gov.au

13.2 Conflict of interest

Any conflicts of interest could affect the performance of the grant. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee 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 in, an organisation, which is likely to interfere with or restrict the applicant 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 funding under the Program.

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

If you later identify that there is an actual, apparent, or potential conflict of interest or that one might arise in relation to a grant application, you must inform us in writing immediately. Committee members and other officials including the decision maker must also declare any conflicts of interest.

The Program Manager will be made aware of any conflicts of interest and will handle them as set out in Australian Government policies and procedures. 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. We publish our conflict of interest policy on the Australian Public Service Commission website.

13.3 Privacy: confidentiality and protection of personal information

We treat your personal information according to the 13 Australian Privacy Principles and the *Privacy Act 1988*. This includes letting you know:

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

You are required, as part of your application, to declare your ability to comply with the *Privacy Act 1988*, including the Australian Privacy Principles and impose the same privacy obligations on any subcontractors you engage to assist with the activity. You must ask for the Australian Government's consent in writing before disclosing confidential information.

Your personal information can only be disclosed to someone else if you are given reasonable notice of the disclosure; where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law; if it will prevent or lessen a serious and imminent threat to a person's life or health; or if you have consented to the disclosure.

The Australian Government may also use and disclose information about grant applicants and grant recipients under the Program in any other Australian Government business or function. This includes giving information to the Australian Taxation Office for compliance purposes.

We may reveal confidential information to:

- employees and contractors of our department or other Commonwealth agencies 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
- a House or a Committee of the Australian Parliament.

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

- Public Service Act 1999
- Public Service Regulations 1999
- Public Governance, Performance and Accountability Act 2013
- Privacy Act 1988
- Crimes Act 1914
- Criminal Code Act 1995

We will treat the information you give us as sensitive and therefore confidential if it meets all of the four 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
4. you provide the information with an understanding that it will stay confidential.

The Grant Agreement will include any specific requirements about special categories of information collected, created or held under the Grant Agreement.

13.4 Freedom of information

All documents in the possession of the Australian Government, including those about the Program, 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, Regional Development and Cities
GPO Box 594
CANBERRA ACT 2601
Tel: (02) 6274 6495
Fax: (02) 6275 1347

By email: FOI@infrastructure.gov.au

14. Enquiries and feedback

For further information or clarification, you can contact us on 1800 044 938 or at rgf@regional.gov.au.

We may publish de-identified questions you ask us with our answer on our website as Frequently Asked Questions.

You can also contact the Commonwealth Ombudsman⁶ with a complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

⁶ <http://www.ombudsman.gov.au/>

Appendix A. Definitions of key terms

Term	Definition
Application form	The document issued by a <i>Program Delegate</i> that applicants use to apply for funding under the <i>Program</i> .
Approved Auditor	means a person who is: <ol style="list-style-type: none"> registered as a company auditor under the Corporations Act 2001 (Cth) or an appropriately qualified member of the Institute of Chartered Accountants in Australia or of CPA Australia; not a principal, member, shareholder, officer, agent, subcontractor, employee or related entity of the Recipient or of a related body corporate (the terms 'related entity' and 'related body corporate' have the same meaning as in section 9 of the Corporations Act 2001 (Cth)); and not the Recipient's Qualified Accountant
Conflict of Interest	The exercise of a power or making of a decision by a person in a way that may be, or may be perceived to be, influenced by either a material personal interest (whether financial or non-financial) or a material personal association.
Department	The Department of Infrastructure, Regional Development and Cities
Eligible application	An application or proposal for <i>grant funding</i> under the <i>Program</i> that a <i>Program Delegate</i> has determined meets the eligibility requirements in accordance with these <i>guidelines</i> .
Eligible Applicant	An entity that meets the requirements of section 7.2 and has submitted an Initial Application or Full Business Case.
Eligible activities	The activities undertaken by a successful applicant in relation to a project that are eligible for funding support. This is decided by the Program Delegate in accordance with these guidelines and the Grant Agreement.
Initial Application	Method of showing your interest in applying for this grant, to allow Australian Government consideration under Stage One of the Assessment process.
Grant Agreement	A legally binding contract between the Commonwealth and a successful applicant for grant funding.
Full Business Case	Method of providing project and proponent information for this grant, to allow Australian Government approval under Stage Two of the Assessment process.
Grant funding or grant funds	The funding made available by the Commonwealth to successful applicants under the Program.
Infrastructure	Physical structures and facilities (e.g. buildings, roads, power supplies) needed for the operation of a community.

Term	Definition
Minister	The Minister for Regional Development, Territories and Local Government
Ministerial Panel	The panel of Ministers that make decisions on projects to be funded.
Not-for-profit (NFP)	An organisation that does not operate for the purpose of profit, personal gain or other benefit of particular people, when it is in operation or when it is wound up. Whilst a NFP is allowed to generate profits, the profits must be used to carry out its purpose (e.g. charitable purpose) and cannot be distributed to owners, members or private people.
Package of Works	A number of strategically linked projects which together will deliver economic benefits to a region or regions for which you are applying for funding.
Program	The Regional Growth Fund
Program Owner	An employee of the Department who has been authorised by the <i>Minister</i> , or is otherwise duly authorised, to carry out the relevant functions in respect of the Program (and all initiatives under the Program).
Program funding or Program funds	The funding made available by the Commonwealth for the Program in any given financial year. This is the funding specified in the Portfolio Budget Statement (as varied by any Portfolio Additional Estimates Statement or by the Minister) for that year.
Program Guidelines	Means these guidelines that are given by the Minister to the Department to provide the framework for the administration of the <i>Program</i> , as in force from time to time.
Project	A project described in an application for Regional Growth Fund grant funding.
Project location	Where the project is undertaken, as determined by its latitude and longitude.
Project period	The time between the project start date and project end date as detailed in the Grant Agreement.
Successful Applicant	An entity that has been offered grant funding and has entered into a Grant Agreement with the Commonwealth in relation to the grant.
Us / We	Department of Infrastructure, Regional Development and Cities
You	Project proponent / applicant
Value with relevant money	The processes, actions and behaviours employed by the Australian Government and grant recipients which result in public resources being used in an efficient, effective, economical and ethical manner.