Ministers’ foreword

The role of the Education Investment Fund (EIF) is to build a modern, productive, internationally competitive Australian economy by supporting world leading, strategic capital infrastructure investments that will transform Australian tertiary education and research.

In the 2011-12 Budget, the Australian Government announced $500 million for a Regional Priorities Round of the EIF to give students, staff and researchers in regional Australia access to world class teaching, training and research facilities. The Government believes that every student should have access to a world class education no matter where they live. The Regional Priorities Round will support regional higher education and vocational institutions to improve their infrastructure, and help improve the quality of training and education regional students receive.

The Regional Priorities Round of the EIF will also support the research needs of local communities, where that research is integral to a teaching and learning project. While the Regional Priorities Round of the EIF is being conducted differently from previous EIF funding rounds, to reflect its particular focus and purpose, projects that include a relevant research component are welcome. It is expected that future rounds of the EIF will return to the established practice of inviting applications for funding for projects that create or develop higher education, VET or research infrastructure, including from research institutions beyond universities.

The Government seeks innovative project applications from eligible institutions, no matter where they are located, that can demonstrate sustainable educational, training and research benefits to regional students and communities. We particularly encourage applications to support collaborative projects that will have benefits across more than one institution and operate across sectors. This could, for example, include co-locating higher education and VET operations to ensure long term operational sustainability in small population centres.

We also encourage applicants to consider the use of new technologies to enhance education, training and research, and establishing partnerships, including with providers based in metropolitan areas, to expand the choice of courses available to students based in regional Australia.

Successful projects will be announced in 2012. We invite all eligible institutions to apply.

Senator Chris Evans  
Minister for Tertiary Education, Skills, Jobs and Workplace Relations

Senator Kim Carr  
Minister for Innovation, Industry, Science and Research
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1 INTRODUCTION

1.1 THE EDUCATION INVESTMENT FUND

The Education Investment Fund (EIF) is one of three Nation-building Funds established by the Nation-building Funds Act 2008. The role of the EIF is to build a modern, productive, internationally competitive Australian economy by supporting world leading, strategically focused infrastructure investments.

These Guidelines set out the eligibility requirements, evaluation criteria and the application process for the EIF Regional Priorities Round, with funding of $500 million. The purposes of this round, set out in section 2 below, will be met by concentrating investment in the higher education and vocational education and training (VET) sectors.

Consistent with other nation-building funds, applications for funding will be assessed by an independent advisory board. For EIF, this is the EIF Advisory Board (the Board). The Board will assess applications against the EIF evaluation criteria and advise the relevant Minister(s) which applications satisfy the evaluation criteria. The Government will then decide which of those applications satisfying the evaluation criteria should be funded taking into account the Board’s assessments and other factors such as current macroeconomic circumstances.

All projects funded under the Nation-building Funds Act 2008 must adhere to overarching principles that directly inform the EIF evaluation criteria detailed in section 5 of these Guidelines. Projects must:

- address national infrastructure priorities,
- demonstrate high benefits and effective use of resources,
- efficiently address infrastructure needs, and
- achieve established standards in implementation and management.

1.2 LEGISLATIVE AUTHORITY

The legislative basis for the operation of the EIF is the Nation-building Funds Act 2008 and the Nation-building Funds (Consequential Amendments) Act 2008 (hereafter referred to as the EIF legislation).

These Guidelines are not intended to cover every aspect of the EIF legislation. It is the responsibility of all interested parties to familiarise themselves with the EIF legislation and to seek their own independent legal and other advice as they see fit. At any particular time, due to changes in the EIF legislation or any EIF legislative instrument mentioned in these Guidelines, or for other reasons, there may be inconsistencies between these Guidelines and the EIF legislation or EIF legislative

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1 The Nation-building Funds are the Education Investment Fund (EIF), the Building Australia Fund (BAF) and the Health and Hospitals Fund (HHF).
instruments, in which case the EIF legislation or EIF legislative instruments (as the case may be) shall prevail to the extent of any inconsistency.

1.3 USE OF FUNDING

EIF funding under the Regional Priorities Round is primarily available for projects that create or develop higher education teaching and learning infrastructure or VET infrastructure.

EIF funding under the Regional Priorities Round is also available for research-related capital costs that are integral to a proposed teaching and learning or VET infrastructure project. Funding for projects which support research-related activities is only available where such a connection is established.

The purposes for which funding can be used include but are not limited to:

- constructing a new building or purchasing, refurbishing or extending existing infrastructure. This might include:
  - building activities required to design and construct new facilities or refurbish existing premises,
  - direct building costs associated with the construction of new facilities, and the upgrading of existing premises (for example building, plumbing and electrical costs),
  - purchase of an existing property, and/or
  - purchase of land.

- purchasing, refurbishing or installing equipment essential to a project and any subsequent commissioning of that equipment.

- purchasing or refurbishing equipment that supports and enables teaching and learning, for example, technical equipment or information and communications technologies.

Non-capital costs equivalent to not more than 5% of the funding sought may be considered for activities that are required to set up any structures needed to manage the infrastructure, for example professional fees (other than those relating to the design of the infrastructure), governance structures, and legal fees related to the establishment of a business. Funding is not available for operational costs or minor capital works, maintenance projects, recurrent funding, or any projects outside the tertiary education sector.

An amount of up to 5% of funding sought may be considered to cover construction contingency and an amount to cover cost escalation, based on construction industry standards, of no more than 5% may also be included.

Funding for staff or student accommodation will only be provided where it can be demonstrated that the accommodation is integral to achieving the outcomes of a broader teaching and learning or VET project and it can be demonstrated that the accommodation cannot be funded from other sources (such as by partnering with private sector organisations or from the applicant’s own funds).
Funding is to create or develop infrastructure. Funding will not be provided for infrastructure that has already been purchased or completed, or for servicing debt associated with past infrastructure expenditure.

Funding for the Regional Priorities Round is strictly limited to a five year period, from financial year 2011-12 to the end of financial year 2015-2016.

2 THE EIF REGIONAL PRIORITIES ROUND

The purpose of the Regional Priorities Round is to:

- improve tertiary education participation and attainment,
- improve access to world class tertiary education infrastructure,
- build sustainable regional institutions and communities,
- support regional skills needs,
- support research that is integrated with regional teaching and learning or VET needs, and
- develop linkages within regions and connect regions nationally and globally.

It is expected that projects funded through the Regional Priorities Round will contribute to regional economic growth and development.

Infrastructure funded through the round is to support students located in:

- regional, rural or remote areas of Australia, and
- regional cities (including, but not limited to Hobart, Darwin, Newcastle, Wollongong and Geelong).

Infrastructure funded through the Regional Priorities Round is expected to be located predominantly in the regions identified above unless there are exceptional circumstances where it can be demonstrated that locating infrastructure elsewhere, such as Sydney, Melbourne, Brisbane, Perth, Adelaide or Canberra, offers the most efficient and effective way of supporting students in these regions.

Collaborative projects that bring together higher education providers, VET providers and other stakeholders such as industry and local government to address the long term needs of regions are particularly encouraged.

The Regional Priorities Round has two components:

1. $480 million to be allocated to higher education institutions and VET providers via a competitive round.
2. $20 million in seed funding to be allocated for a multi-partner campus on the mid north coast of New South Wales.
These program Guidelines cover administrative arrangements for the first component. Any application received for the second component may be separately referred to the Board for consideration and advice.

All projects funded through the Regional Priorities Round must be assessed by the Board as satisfying the EIF evaluation criteria.

2.1 COMPETITIVE ROUND FOR HIGHER EDUCATION INSTITUTIONS AND VET PROVIDERS

$480 million will be allocated through a competitive round for higher education and VET infrastructure.

2.2 ELIGIBLE APPLICANTS

This section of the Guidelines contains information relating to eligibility requirements for the competitive round of the EIF Regional Priorities Round that is derived from a separate legal document. Applicants should not rely on the currency or accuracy of this section of the Guidelines and must, before making any enquiries or submitting an application, consult the following EIF legislative instrument to ascertain if they are eligible to apply for funding: Specification of Higher Education Institutions, Research Institutions and Vocational Education and Training Providers No. 1 of 2011, which is available on the Federal Register of Legislative Instruments, at: www.comlaw.gov.au.

To be eligible for funding the applicant must be a higher education institution or a VET provider.

In accordance with the broad definitions of these terms in section 4 of the Nation-building Funds Act 2008, the EIF legislative instrument, Specification of Higher Education Institutions, Research Institutions and Vocational Education and Training Providers No. 1 of 2011, defines these terms as follows:

2.2.1 Higher Education Institutions

All Table A, Table B and Table C providers under the Higher Education Support Act 2003 and all self-accrediting and non self-accrediting entities approved under the Higher Education Support Act 2003 and registered on the Australian Qualifications Framework Register at the time of application.

2.2.2 Vocational Education and Training Providers

All Registered Training Organisations (RTO) as defined in Division 2 of the National Vocational Education and Training Regulator Act 2011, excluding any school in a State that provides a level of secondary education, where the terms ‘school’, 'State' and 'secondary education' are as defined in section 4 of the Schools Assistance Act 2008.
2.3 ASSESSMENT OF ELIGIBILITY

Applicants should ensure that they carefully read the sector specific eligibility information (sections 2.2.1 – 2.2.2) to ensure that they are eligible to apply for funding.

Where an applicant is found to be ineligible the applicant will be advised within 10 working days of the deadline for submission of hard copy applications.

Applicants may seek a review of the eligibility decision. Requests for review must be submitted in writing to the Regional Priorities Round mailbox at EIFRegionalPrioritiesRound@deewr.gov.au within five working days of notification that the application is ineligible.

Written requests for review must include: the applicant’s trading and legal name, the project name, the contact details and reference number for the applicant and the reasons why the applicant’s eligibility should be reviewed.

Please note that the review will only reconsider an applicant’s eligibility in circumstances where an error has been made in the assessment of the application against the eligibility requirements.

Where the process results in a change in the original decision supporting the applicant’s eligibility claim, the Department of Education, Employment and Workplace Relations will advise the applicant of this in writing. The Department will implement all actions necessary to ensure that the application is considered in the same way as all other eligible applications in the competitive EIF Regional Priorities Round.

Where the review confirms the original decision, the Department will advise the applicant of this in writing including details of the reasons for the decision. If the applicant is not satisfied with the outcome of the review the applicant may take further action as outlined in section 8.6 of these Guidelines.

2.4 MINIMUM PROJECT VALUE

The minimum total project value is:

- $5 million for VET projects in VET providers, and
- $15 million for higher education projects in higher education institutions.

There is no upper limit to the amount of Australian Government funding a single project can receive however applicants should note that:

- total funding of $480 million is available for the competitive round, and
- applicants are required to demonstrate that a project provides good value for money and will result in improvements consistent with the proposed level of the EIF investment.
3 NOMINATION OF SECTOR AND MAXIMUM NUMBER OF APPLICATIONS

Each applicant may submit **ONE (1)** application in each sector in which they are eligible (see section 2). Multi sector providers may submit two applications in total – one higher education and one VET application. Applicants may also collaborate as partner institutions on other applications which are not submitted in their name.

The creation or development of infrastructure at more than one location can be included in a single application provided that the multiple elements can be demonstrated to form part of a project which includes a coordinated and cohesive approach to delivering outcomes that are consistent with the purpose of the round.

Applicants must indicate in which sector, either higher education or VET, they are applying. Where an applicant considers that an application encompasses more than one sector, they must nominate the sector to which the greatest benefits will accrue from the proposed project. The sector-based evaluation criteria (see section 5 of these Guidelines) provide further guidance on the selection of sectors. All applicants should consult the relevant sections of these Guidelines and the application forms and associated documents before nominating a sector.

While giving due regard to the sector nominated by the applicant, the Minister, the Board or the Department may re-allocate the application to the other sector if it is considered more appropriate in their absolute discretion to do so. If this occurs, the applicant will be notified and will be given an opportunity to provide additional information which enables their application to be assessed against the specific requirements of the sector.

4 APPLICATION PROCESS

The competitive component of the Regional Priorities Round has two stages.

At any time during either stage the Board or the Department may seek supplementary information from applicants where they think it necessary to do so.

Supplementary information is information which, in the opinion of the Board or the Department, elaborates or clarifies the formal application, but which does not alter it in any material aspect.

The Board may obtain advice to assist it in its deliberations. This may include advice from the Departments, other Australian Government agencies, state and territory government agencies or officials or professional contractors with relevant expertise.

4.1 STAGE 1 – EXPRESSION OF INTEREST (EOI) STAGE

Eligible applicants are invited to submit an EOI against the EIF evaluation criteria detailed in section 5 using the Stage 1 EOI form. EoIs will be reviewed by the Board taking into account the EIF evaluation criteria. The Board will provide advice to the Tertiary Education Minister on the merits of each proposal. The Board may choose to group EoIs based on their relative merit.
Taking into account the advice of the Board, the Tertiary Education Minister will determine which EoIs should be developed for Stage 2.

The Department will invite those applicants to submit a Stage 2 application and will also provide written feedback on their EoIs as necessary.

Stage 1 applicants not invited to participate in Stage 2 will be advised of this outcome in writing at the conclusion of Stage 1.

4.2 STAGE 2 – APPLICATION STAGE

Selected applicants will be invited to develop their EoIs into detailed Stage 2 applications addressing the evaluation criteria outlined in section 5 of these Guidelines and using the Stage 2 application form. Stage 2 applications must be developed from projects set out in the EoIs and cannot be a wholly new proposal.

The Board will assess Stage 2 applications against the EIF evaluation criteria and advise the Tertiary Education Minister which applications satisfy the evaluation criteria. In providing their advice, the Board may choose to group applications based on their relative merit.

The Government will then decide which of the applications should be funded taking into account the Board’s assessment and other factors such as current macroeconomic circumstances.

Stage 2 applicants will be advised of the outcome of their application(s) in writing at the conclusion of Stage 2.

4.3 FORMS

Stage 1 applications must be made using the EoI form available through the Tertiary Education Online Service Portal (TED Online). A link to TED Online will be available on the Regional Priorities Round website (www.deewr.gov.au/eifrpr) when the Round opens.

Following the assessment of the EoIs selected applicants will be invited to submit a Stage 2 application. This form will also be made available on TED Online.

Instructions to assist applicants complete both forms will also be made available on the EIF website.

It is important to ensure sufficient information is provided and all parts of the forms are completed. Failure to do so may result in exclusion of the application.

4.4 KEY DATES AND SUBMISSION INFORMATION

EOIs must be submitted:

- electronically, via TED Online, by 3.00 pm Australian Eastern Daylight Time (AEDT) on Friday 4 November 2011; and
- by posting or delivering ten (10) hard copies of the EoI (identical to that submitted electronically) which must be received by the Department of
Education, Employment and Workplace Relations by 5.00 pm AEDT on Friday 11 November 2011.

Stage 2 applications must be submitted:

- electronically, via TED Online, by 3.00 pm Australian Eastern Daylight Time (AEDT) on Wednesday 7 March 2012; and
- by posting or delivering ten (10) hard copies of the application (identical to that submitted electronically) which must be received by the Department of Education, Employment and Workplace Relations by 5.00 pm AEDT on Wednesday 14 March 2012.

Hard copies of the application forms are to be posted to:

EIF Regional Priorities Round  
Higher Education Infrastructure Branch  
Department of Education, Employment and Workplace Relations  
Loc Code C148CW1  
GPO BOX 9880  
CANBERRA ACT 2601

Or hand delivered to:

EIF Regional Priorities Round  
Higher Education Infrastructure Branch  
Department of Education, Employment and Workplace Relations  
Loc Code C148CW1  
50 Marcus Clarke Street Mailroom  
CANBERRA ACT 2601

Hard copies of applications must be double sided, two hole punched, and must NOT be bound. Hard copy forms must be signed by the applicant’s Chief Executive Officer or equivalent.

Electronic and hard copy applications must be received by the deadlines. If either the electronic application or the hard copies of the applications are not received by the deadlines, the application will be considered as a late application (see section 4.5 below).

All enquiries regarding applications must be submitted by email to EIFRegionalPrioritiesRound@deewr.gov.au

4.5 LATE APPLICATIONS

Late EoIs or Stage 2 applications will not be considered except in exceptional circumstances and only when it is agreed by the Department and the Board that there is sufficient time to adequately assess such EoIs or Stage 2 applications.

Exceptional circumstances are considered to be those beyond the control of the applicant, which includes where an EoI or Stage 2 application is late due solely to mishandling by the Department. An applicant must provide any evidence requested by the Department to support its claim that failure to meet the deadline was for
reasons beyond its control. The Department reserves the right to decide in its absolute discretion whether or not to seek further evidence on this issue.

The Department’s decision with respect to the consideration of late applications will be final. No correspondence will be entered into in relation to the decision other than to inform the applicant of the Department’s decision.

4.6 FEEDBACK

On request through the EIF mailbox at EIFRegionalPrioritiesRound@deewr.gov.au feedback on unsuccessful Stage 1 or Stage 2 applications may be provided at the conclusion of Stage 2. Feedback will not be provided prior to the announcement of successful projects by the Tertiary Education Minister.

4.7 RELATIONSHIP TO OTHER PROGRAMS

Applications for projects that could be funded under other existing funding programs should be directed to those programs. In particular it is important to note the relationship between the EIF and the Health and Hospitals Fund. Further information can be found in section 8.1 below.

Applicants should consult the relevant program guidelines in order to determine the potential eligibility of their projects under alternative programs. It is the responsibility of the applicants to ensure that their applications are submitted to the correct programs by the relevant due dates.

Applicants may submit proposals that were unsuccessful, or that build on or complement applications that were successful, in previous EIF rounds noting that the Regional Priorities Round is independent of any considerations, discussions or commitments made in relation to these other funding rounds and that all applications for funding under the Regional Priorities Round must comply with the requirements set out in these Guidelines and will be considered in accordance with these Guidelines.

Applicants may not submit proposals that seek to duplicate Australian Government funding already provided, or to be provided, under the EIF or any other Australian Government or State and Territory Government program. Proposals that have received, or are under consideration for funding from those programs are not excluded from consideration under the Regional Priorities Round of the EIF, except in relation to the Health and Hospitals Fund as outlined in section 8.1 below, but EIF funding must deliver benefits additional to those realised from other funding programs.
5 EVALUATION CRITERIA

This section of the Guidelines contains information relating to the evaluation criteria for the EIF Regional Priorities Round, which is derived from a separate legal document. Applicants should not rely on the currency or accuracy of this section of the Guidelines and must, before making any enquiries or submitting an application, consult the following EIF legislative instrument: *Education Investment Fund (EIF) Evaluation Criteria No. 1 of 2011*. It is available on the Federal Register of Legislative Instruments at: [www.comlaw.gov.au](http://www.comlaw.gov.au).

Applicants should give clear, succinct, evidence-based information in response to each of the criteria below. Note that the specific requirements vary depending on the sector nominated by the applicant institution for that application.

All projects funded under the *Nation-building Funds Act 2008* must address the following overarching principles: address national infrastructure priorities; demonstrate high benefits and effective use of resources; efficiently address infrastructure needs; and demonstrate they achieve established standards in implementation and management. The evaluation criteria outlined in this section are designed to test applications against these requirements. Evaluation criteria are weighted equally in the assessment process.

When funding is sought for a project that is part of a broader development, applicants are encouraged to focus their responses to the evaluation criteria primarily on the project for which EIF funding is sought, rather than on the larger development. For example, if EIF funding is sought for a building that is part of a precinct development, responses to the evaluation criteria should focus on the EIF project (the building) rather than the broader project (the precinct). Applicants may still briefly discuss the relationship to the broader development if this provides context for why EIF funding is being sought.
Principle 1: Address national infrastructure priorities

5.1 EXTENT TO WHICH THE PROJECT WILL ADDRESS NATIONAL HIGHER EDUCATION AND VOCATIONAL EDUCATION AND TRAINING (VET) INFRASTRUCTURE PRIORITIES

The Board must be satisfied that the project involves the creation or development of tertiary education infrastructure consistent with the Australian Government’s priorities for tertiary education and/or research.

The Board must also be satisfied that the organisation has given due consideration to issues of social inclusion.

In assessing this criterion, the Board may consider the extent to which the proposed infrastructure project will contribute to the following relevant priorities:

5.1.1 Higher education (teaching and learning) priorities

- Increasing higher education participation and attainment rates (particularly for Indigenous and low socio-economic students) in regional, rural or remote areas of Australia and/or regional cities.
- Increasing access to world class higher education infrastructure in regional, rural or remote areas of Australia and regional cities.
- Contributing to economic growth and development.
- Building sustainable institutions and communities.
- Building human capital including meeting identified skills needs.
- Connecting regions to national and international teaching and learning opportunities.
- Contributing to the achievement of state and territory higher education priorities.
- Contributing to the achievement of higher education priorities identified by local communities evidenced through support from local and regional bodies such as Regional Development Australia (RDA) Committees and Local Government and/or alignment with the priorities or goals of the RDA regional plan.

5.1.2 VET priorities

- Increasing VET participation rates and access to world-class VET infrastructure in regional, rural or remote areas of Australia and regional cities.
- Attaining the targets of the Council of Australian Governments (COAG) as set out in the VET National Skills and Workforce Development Agreement (the Skills Agreement), including to halve the proportion of 20-64 year olds without qualifications at Certificate III level and above by 2020, and to double the number of higher qualification completions (diploma and advanced diploma) by 2020.
- Delivering the outputs specified in the Skills Agreement including:
  - Increasing the number of course completions by Indigenous Australians in VET; and
  - Increasing the number of enrolments by Indigenous Australians in higher level VET qualifications.
- For the working age population, ensuring the attainment of an appropriate level of foundation skills and the depth and breadth of vocational skills and capabilities to enable effective labour market participation.
- Contributing to the achievement of COAG targets to Close the Gap in Indigenous disadvantage as agreed in the National Indigenous Reform Agreement.
- Improving responsiveness to demand for skills development and/or address skill shortages in regional Australia.
- Providing students with a stimulating and rewarding tertiary education experience.
- Engaging effectively with other training providers (such as Trade Training Centres) and other education sectors (such as higher education) to provide a continuum of high quality learning opportunities throughout an individual’s life.
- Contributing to the achievement of state and territory training priorities.
- Contributing to the achievement of VET priorities identified by local communities evidenced through support from local and regional bodies such as Regional Development Australia (RDA) Committees and Local Government and/or alignment with the priorities or goals of the RDA regional plan.

5.1.3 Research priorities (to be addressed only if the teaching and learning project has a research-related component)
- Directly contributing to teaching and learning or VET activities.
- Playing a pivotal role in the national research and innovation system through the creation of world leading research capabilities.
- Progressively increasing the number of research groups performing at world-class levels.
- Developing greater domestic and international research collaborations and outcomes.
- Connecting regions with national or international research opportunities
- Improving access to high quality research infrastructure.
- Supporting research in areas of regional and national importance.
- Enhancing or creating synergies between the research sector and communities, industry and commerce.
- Contributing to the:
5.2 EXTENT TO WHICH THE PROJECT IS CLEARLY ALIGNED WITH THE ORGANISATION’S PRIORITIES AND STRATEGIC DIRECTIONS

The Board must be satisfied that the intended outcomes of the infrastructure are clearly aligned with the strategic directions and aspirations of the organisation.

In assessing this criterion, the Board may consider the extent to which:

- The infrastructure enhances existing strengths within the organisation or allows the organisation to develop new areas of expertise or develop strategic collaborations to deliver an expanded range of course offerings.
- The infrastructure supports a long term, strategic commitment to tertiary education.
- The infrastructure is consistent with the organisation’s long term, strategic infrastructure planning.
- The infrastructure is consistent with the organisation’s Mission-based Compact (for universities only).
**Principle 2:**
Demonstrate high benefits and effective use of resources

### 5.3 EXTENT TO WHICH THERE WILL BE A POSITIVE IMPACT ON ENHANCING CAPACITY

The Board must be satisfied that the project will deliver the Australian Government’s objective of strategically enhancing the capacity of Australia’s tertiary education system.

In assessing the project’s impact on the capacity of the organisation, the Board may consider the relative degree to which the project will impact on:

- Access to tertiary education.
- Numbers of domestic students enrolled.
- The quality and breadth of the teaching, training, and/or research at the organisation.
- Advances in pedagogy and curriculum.
- Meeting skills needs.
- Developing linkages with local industry and organisations such as local government.

In assessing the project’s impact on the capacity of the sector, the Board may consider the extent to which the project will:

- Improve collaborations and pathways between school, VET and higher education.
- Enhance the long term sustainability of tertiary education provision in the region.
- Provide increased access to significant educational infrastructure by those outside the organisation.
- Provide national or international leadership in teaching and/or training.
- Provide outreach and demonstration activities aimed at optimising the outcomes of the infrastructure.
- Improve links between institutions and other organisations in the region to provide pathways and meet skills needs.
Principle 3: Efficiently address infrastructure needs

5.4 EXTENT TO WHICH THE PROJECT WILL RESULT IN IMPROVEMENTS CONSISTENT WITH THE LEVEL OF INVESTMENT

The Board must be satisfied that projects represent good value for money, have a clear public benefit, and will deliver improvements that are both significant and strategic.

In assessing this criterion, the Board may consider the extent to which a project will result in improvements consistent with the level of investment through:

- Expected teaching and learning, research and/or training outcomes.
- Expected social and economic outcomes.
- Expected environmental outcomes.
- The nature, composition and usage of the proposed infrastructure and, where relevant, individual components of the infrastructure.

The Board may also consider whether funding from the EIF is required in order for the creation or development of this infrastructure to proceed.

5.5 PROJECT DETERMINATION

The Board must be satisfied that the project is a strategic and highly effective way of meeting the proposed outcomes and delivering long term, sustainable education and training solutions.

In assessing this criterion, the Board may consider the extent to which:

- The nature and location of the proposed infrastructure enables the most efficient and effective delivery of the intended tertiary education outcomes.
- Expanding course provision by linking with other providers has been considered.
- Enhanced distance and e-learning delivery or sharing / co-locating VET and higher education infrastructure has been considered.
- New information and communications technologies such as the National Broadband Network have been considered.
- Establishing partnerships to leverage existing infrastructure has been considered.
- Improved utilisation of an institution’s existing infrastructure has been considered.
- A range of options for achieving the intended outcomes of the infrastructure investment has been explored.
- A compelling, evidence-based case has been made as to why this approach represents the most effective and strategic option.
- There is evidence that the type of infrastructure proposed makes a positive impact on teaching, research and/or training and outcomes.
- If funding for staff or student accommodation is sought, evidence that the accommodation cannot be funded from other sources (such as by partnering with private sector organisations or from the applicant’s own funds).

5.6 EXTENT OF COLLABORATION

The Board must be satisfied with the nature and extent of any collaboration. Collaboration will be well-regarded where it is directly relevant to the project and where it clearly enhances the outcomes of the investment.

In assessing this criterion, the Board may consider the extent to which:

- The infrastructure will lead to new, sustainable collaborations and/or build on current collaborations in regions between higher education institutions, VET providers and other stakeholders such as industry and local government.
- The project will result in the creation or development of nationally significant infrastructure.
- The infrastructure will be shared between organisations.
- Reasonable access to the infrastructure is provided to other organisations.
- Organisations from more than one sector are involved.
- Organisations from more than one geographical location are involved.
- The governance structure of the collaboration(s) is clearly defined.

If no collaboration is proposed the Board may consider the extent to which:

- there is a satisfactory explanation for this, and
- the organisation has plans to seek collaborative partners as appropriate in the future, and
- the organisation has identified who else is active in this space in Australia (and, where relevant, internationally).

5.7 EXTENT OF CO-INVESTMENT

The Board must be satisfied with the nature and extent of any co-investment. Co-investment, both cash and in-kind, will be well regarded where it is relevant and where it increases the efficiency and effectiveness of the investment.

In assessing this criterion, the Board may consider the extent to which:

- organisations from more than one sector are involved, and/or
- organisations from more than one geographical location are involved.

If no co-investment is proposed the Board may consider:

- whether there is a satisfactory explanation for this, and
- whether the organisation has plans to seek co-investment as appropriate in the future.
5.8 PROJECT READINESS

The Board must be satisfied with the degree of readiness of the project.

In assessing this criterion, the Board may consider the extent to which:

- The organisation has or can readily acquire the expertise to:
  i) develop and ii) make best use of the proposed infrastructure.
- Implementation plans, construction timetables and risk management plans are satisfactory for projects of this scale.
- Key stakeholders have been consulted in relation to the proposed infrastructure.
- Relevant authorities have been consulted where planning/ building approvals will be required.

5.9 CAPACITY OF THE ORGANISATION TO SUPPORT, MAINTAIN AND INTEGRATE NEW INFRASTRUCTURE INTO ONGOING BUSINESS OPERATIONS

The Board must be satisfied that the organisation has the capacity to integrate the facilities funded into their ongoing business operations. The ability to maintain and operate the facilities beyond the period of EIF funding must be evident.

In assessing this criterion, the Board may consider:

- The financial viability of the organisation and the project.
- The governance structures relating to the proposed infrastructure.
- Capacity to fund to operation and facilities in an ongoing manner.
- Facilities management capabilities within the organisation.
- Previous experience in managing projects of this scale and scope.
- The application of environmentally sustainable building management practices.
6 ROLES AND RESPONSIBILITIES

6.1 MINISTERS

6.1.1 The Tertiary Education Minister and the Research Minister

The EIF program is administered by the Tertiary Education Minister and the Research Minister. The Ministers are responsible for:

- determining the objectives for any funding round, in advance of the opening of the round,
- making legislative instruments in relation to eligibility requirements and evaluation criteria,
- issuing program guidelines for any funding round,
- making appointments to the Board and determining the terms of reference and charter of the Board,
- referring matters for consideration by the Board,
- considering advice from the Board on which projects satisfy the relevant EIF evaluation criteria
- making recommendations to the Finance Minister on which projects should be funded
- announcing successful projects.

In relation to the Regional Priorities Round, the Tertiary Education Minister is responsible for making recommendations to the Finance Minister on which projects should be funded and announcing successful projects.

Where an application has a research-related component, the Tertiary Education Minister will consult with the Research Minister before making a recommendation to the Finance Minister on which projects should be funded.

The Minister’s decisions with respect to successful projects are final.

6.1.2 The Finance Minister

In accordance with the EIF legislation, the Finance Minister must:

- authorise any EIF payments, and
- not authorise any EIF payments unless the Tertiary Education Minister has recommended such authorisation, following advice from the Board that the project satisfies the relevant EIF evaluation criteria.

6.2 THE BOARD

6.2.1 Role

The Board is established by the Nation-building Funds Act 2008. The role of the Board in relation to the Regional Priorities Round is to:
• ensure a rigorous and robust application of the evaluation process,
• advise the Tertiary Education Minister in relation to the making of grants, and
• advise the Tertiary Education Minister on matters referred to it by the Tertiary Education Minister.

As part of the Regional Priorities Round application and assessment process, the Board:

• assesses projects against the EIF evaluation criteria,
• requests further information from applicants if required,
• makes comparative assessments of projects within sectors and,
• advises the Tertiary Education Minister as to which projects satisfy the EIF evaluation criteria.

The Board operates in accordance with its charter and terms of reference. The charter includes provisions specifying the Board’s: composition, responsibilities, handling of confidential information, declaration and management of conflicts of interest, committees and sub-committees communications, and sourcing of specialist and technical advice.

The Board applies the EIF evaluation criteria when giving advice to the Tertiary Education Minister on matters referred to it by the Minister relating to the creation or development of higher education or VET infrastructure.

6.2.2 Membership

The current membership of the Board can be found at:
http://www.deewr.gov.au/HigherEducation/Programs/EIF/Pages/AdvisoryBoard.aspx

6.3 THE DEPARTMENTS

In relation to the Regional Priorities Round, the Department of Education, Employment, and Workplace Relations will:

• Provide advice to the Tertiary Education Minister.
• Manage the funding round.
• Request further information from applicants if required.
• Provide administrative support to the Board.
• Provide supporting information to the Board.
• Negotiate, monitor and manage funding agreements for successful projects.

The Department of Innovation, Industry, Science and Research will:

• Provide advice to the Research Minister.
• Provide administrative support to the Board.
• Provide supporting information to the Board.
7 FUNDING ARRANGEMENTS

This section provides information about funding and budget issues to assist applicants to develop their applications. It does not cover all of the funding issues that will be covered in the funding agreement with the Australian Government.

7.1 CONDITIONS OF FUNDING

Funding is provided in accordance with the EIF legislation and subject to the requirements outlined in the Financial Management and Accountability Regulations Act 1997 (FMA Act) and the Financial Management and Accountability Regulations 1997 (FMA Regulations).

Australian Government funding will be provided to:

- non-state entities or TAFEs that are part of a dual sector university through a funding agreement which will set out the terms and conditions of the funding in accordance with standard Australian Government requirements; or
- state entities (for example TAFE institutes) through a project agreement, consistent with the requirements of the Intergovernmental Agreement on Federal Financial Relations (IGA).

In addition to the outcomes of the project to be achieved, the payment arrangements, financial and reporting requirements and acquittal of grants processes, the following are some key conditions that may be included in the agreements:

- funding must be spent within agreed timeframes set out in the funding or project agreements,
- as the Australian Government funding is primarily for capital works, payments will be staged against agreed milestones for funding agreements or in accordance with the IGA,
- subject to the following dot point, Australian Government funding agreements will require the funding recipient to retain use and ownership of the project consistent with EIF objectives for a reasonable period,
- where the recipient is not the owner of the infrastructure it is a requirement that a Purposes Agreement, additional to the funding agreement, be entered into by the Commonwealth, the recipient and the owner to ensure that the infrastructure is used consistent with the EIF objectives for a reasonable period,
- all Australian Government monies must be placed in a high interest bearing account where feasible and interest earned must be both expended on the project and reported to the department,
- the distribution of financial benefits arising from the projects will be clearly articulated,
- any building or refurbishment plans will need to demonstrate that they will meet the regulatory requirements of state or territory and local government for that location,
- EIF funding recipients will be expected to participate in the national evaluation program and report at regular intervals,
• funding recipients may be required to provide securities in relation to their performance of the funding agreement, including in some instances bank guarantees or performance bonds,
• funding recipients will assume responsibility for the proper and professional completion of all building or refurbishment works required to establish the project,
• the grant must be spent in accordance with the conditions of the funding agreement,
• certification may be required where it is claimed that a project will deliver environmental benefits such as the achievement of a Green Building Council of Australia star rating, and
• any unexpended funds including interest accrued on grant monies at the end of the project are to be returned to the Australian Government.

The list above is indicative only and is not intended to be exhaustive. In finalising the terms of the funding agreement, the funding agreement takes precedence if it is inconsistent with these Guidelines.

A template DEEWR funding agreement can be viewed at:

All funding agreements with successful non-government applicants will be negotiated based on this template.

For TAFE projects a template project agreement can be viewed at:

All Project Agreements between the Commonwealth and relevant State or Territory Government will be negotiated based on this template.

7.2 TIMEFRAMES AND PROGRESS PAYMENTS

Specific timing requirements, including an implementation plan, must be provided as part of an application. Where applications are successful an agreed implementation plan and payment schedule will be negotiated and included in the funding or project agreement with the Australian Government.

7.3 PERFORMANCE REPORTING

Monitoring and reporting requirements will be specified in the funding or project agreement and will be tailored to suit the individual project.

Grant recipients will be required to provide regular progress reports, at least quarterly, annual progress reports, and a final report on the conduct of the project as specified in the funding agreement. Grant recipients are required to take a risk-mitigation based approach to project management and to advise the program delegate if they are experiencing significant issues.

Reports will, among other things, detail project outcomes, short and long-term benefits/gains (quantitative and qualitative) and overall financial performance. This
will support an evaluation of the overall benefits delivered by the project and in turn the EIF. The Department may select institutions or funded projects for site visits and/or program audits.

7.4 VARIATION TO FUNDING AGREEMENTS OR PROJECT AGREEMENTS

Requests to vary the funding agreement or project agreement (for example, extensions to a project’s timeframe or changes in scope) must be made to the program delegate specified in the relevant agreement. Where a significant change of scope is requested the EIF Advisory Board may need to assess if the project still meets the evaluation criteria and advise the responsible Tertiary Education Minister accordingly. Approval of variations to an agreement is at the discretion of the relevant Minister or the Minister’s delegate. All variations to agreements would be by written agreement of the parties.

7.5 GOODS AND SERVICES TAX (GST)

The total funding payable to the funding recipient by the Australian Government does not generally include an amount to cover GST. Applicants are advised to consider the likely implications of the A New Tax System (Goods and Services Tax) Act 1999 (GST Act) on the funding provided by the Australian Government.

Applicants are encouraged to seek their own advice on the treatment of funding under the agreement.

Where GST is payable, the Australian Government will increase the funds payable to the funding recipient by the amount of GST that is payable for the purposes of the GST Act. For example, if payment due at a particular milestone is $1.0 million and GST is payable on this amount, then the Australian Government will increase the payment amount provided to the funding recipient to $1.1 million.

8 ADDITIONAL INFORMATION

8.1 RELATIONSHIP TO THE HEALTH AND HOSPITALS FUND

The Australian Government’s infrastructure program announced in the 2008-09 Budget included the establishment of the Health and Hospitals Fund (HHF) and the EIF. The HHF supports health infrastructure investments and the EIF supports infrastructure investments in higher education, research and VET.

There is potential for projects to be relevant to both Funds. The following guiding principles provide the basis for managing the relationship between the Funds.

Guiding Principles:

1) The role of the HHF is to invest in major health infrastructure programs that will make significant progress towards achieving the Commonwealth’s health reform
targets. The HHF is used for strategic investments in the health system that will underpin major improvements in efficiency, access or outcomes of health care.

2) The role of the EIF is to build a modern, productive Australian economy by supporting world leading, strategically-focused infrastructure investments that will transform Australian tertiary education and research.

3) Funding applications cannot be put forward for consideration under both the HHF and the EIF. Where an application is received for consideration under the HHF or the EIF and either it is not clear which fund process should consider it, or the relevant Advisory Board, Minister or Department in receipt of the application forms a view that the application has been submitted to the incorrect fund, Departments will consult to determine the appropriate Fund to direct the application to, based on:

a) Funding applications which are intended to provide infrastructure that predominantly and in the first instance improves health outcomes are to be considered for funding under the HHF. For example, the following kinds of activities may be considered health-related:

i) university-based laboratories or equipment for the predominant purpose of health or medical research,

ii) a clinical school based in a hospital,

iii) medical research infrastructure in a medical research institute primarily used for health research activity.

b) Funding applications which are intended to provide infrastructure that predominantly and in the first instance improves educational outcomes are to be considered for funding under the EIF. For example, the following kinds of activities may be considered education-related:

i) university-based laboratories or equipment which are predominantly used for educational purposes,

ii) nursing teaching school based in a university,

iii) medical research infrastructure in a university primarily used for educational activities.

4) Where an application does not clearly fall predominantly into one of categories 3(a) or (b), it could be considered for joint funding through both the HHF and the EIF. Such an approach would require the assessment and endorsement of the proposal by both Advisory Boards and be subject to the agreement of all relevant Ministers. The relevant Departments will collaborate to effect that outcome.

N.B.: Whilst giving due regard to the fund to which an applicant has submitted an application, the Board, the Department and/or the Tertiary Education Minister have the right to re-allocate any application to another fund if that fund is considered more appropriate. If this occurs, the applicant will be notified and will be given an opportunity to provide additional information that will enable their application to be
assessed against the evaluation criteria of the alternative fund. An application that has been re-allocated to another fund will be taken to have satisfied any participation requirements of that fund.

8.2 CONFIDENTIAL INFORMATION

Copies of applications and any supporting documentation may be provided to the parties mentioned in section 6 of this document for the purposes noted in section 5 and 8. State and Territory governments and consultants may also be consulted with regard to applications.

The Australian Government gives no undertaking to keep confidential any information contained in an application or provided by a funding recipient unless that information, when first disclosed to the Australian Government, is clearly identified by the applicant or funding recipient and is accompanied by a request from the applicant or funding recipient that the Australian Government should treat the information as confidential, including reasons for the request. The Australian Government reserves the right to accept or refuse a request to treat the information as confidential and will use the criteria set out in the Department of Finance and Deregulation’s Financial Management Guidance No. 3 on confidentiality in procurement, July 2007 as a guide when determining whether to accept a claim for confidentiality.

8.3 FREEDOM OF INFORMATION

All documents in the possession of DEEWR with regard to the EIF are subject to the Freedom of Information Act 1982 (“FOI Act”). Decisions regarding requests for access will be made by the authorised FOI decision-maker in accordance with the requirements of the FOI Act.

The decision-maker will consult with officers within the Departments and relevant third parties before deciding whether any exemptions apply and whether to provide access to the documents or to parts of the documents.

All FOI requests are to be referred to the FOI Team Leader, Litigation and External Review Branch, Legal and Investigations Group, in DEEWR’s National Office.

By post:

FOI Team Leader  
Administrative Law Team  
Legal and Investigations Group  
C148CW2  
GPO Box 9880  
CANBERRA ACT 2601

By email:

foi@deewr.gov.au
8.4 THE PRIVACY ACT 1988

DEEWR are bound in administering the EIF program by the provisions of the Privacy Act 1988. Section 14 of the Privacy Act contains the Information Privacy Principles (IPPs) which prescribe the rules for handling personal information.

Persons, bodies and organisations contracted by DEEWR to assist in the implementation and administration of the EIF program must abide by the IPPs and the Privacy Act when handling personal information collected for the purposes of that program. In brief, those persons, bodies and organisations must ensure that:

- personal information is collected in accordance with IPPs 1-3,
- suitable storage arrangements, including appropriate filing procedures are in place,
- suitable security arrangements exist for all records containing personal information,
- access to a person’s own personal information held by the organisation is made available to the person at no charge,
- records are accurate, up-to-date, complete and not misleading,
- where a record is found to be inaccurate, the correction is made,
- where a person requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment are noted on the record,
- the personal information is only to be used for the purposes for which it was collected, unless an exception under IPP 10 applies, and
- personal information is only disclosed in accordance with IPP 11.

8.5 PRIVACY COMPLAINTS AND ADVICE

Complaints about breaches of privacy should be referred to:

Privacy Contact Officer
Litigation and External Review Legal Branch
Legal and Investigations Group
DEEWR
C148CW2
GPO Box 9880
CANBERRA ACT 2601

Privacy complaints can be made directly to the Federal Privacy Commissioner, however the Federal Privacy Commissioner will generally prefer that the relevant Department be given an opportunity to deal with the complaint in the first instance.

8.6 REVIEW OF DECISIONS AND EXTERNAL REVIEW

If an applicant or proponent is dissatisfied with the way their application or proposal was dealt with by DEEWR they can approach the Commonwealth Ombudsman’s office for external review of the administrative actions of the Department.
Applicants or proponents may be able to seek judicial review of decisions under the *Administrative Decisions (Judicial Review) Act 1977* or the common law, and should seek their own advice in relation to this.

### 8.7 CONSTRUCTION AND OCCUPATIONAL HEALTH AND SAFETY (OH&S) COMPLIANCE

Construction projects funded by the Australian Government may be required to comply with relevant Australian Government policies and schemes to promote good workplace relations and safety practices in the construction industry. Relevant schemes include:

- the National Code of Practice for the Construction Industry (the Code and the Australian Government Implementation Guidelines for the National Code of Practice for the Construction Industry, revised 2009 (the Guidelines), and
- the Australian Government Building and Construction OHS Accreditation Scheme (the Scheme).

The Code and Guidelines apply to all construction activity undertaken by, or on behalf of funding entities irrespective of the value of a project. The Code and Guidelines also apply to all construction projects indirectly funded by the Australian Government through grant and other programs where:

- the value of the 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
- the Australian Government contribution to a project is $10 million or more, irrespective of the proportion of Australian Government funding.

The Scheme applies to Australian Government funded construction projects where:

- the value of the Australian Government contribution to the project is at least $5 million and represents at least 50 per cent of the total construction project value, or
- the Australian Government contribution to the project is $10 million or more irrespective of the proportion of Australian Government funding; and
- the head contracts for building work are greater than $3 million (GST inclusive).


### 8.8 FURTHER INFORMATION

All enquiries must be submitted by email to EIFRegionalPrioritiesRound@deewr.gov.au