



Active Transport Fund

Frequently Asked Questions

October 2024

The application process

How do I submit my application?

All applications must be submitted through the department's [online portal](#).

Is there a requirement to consult with the department before lodging an application?

No, there is no requirement for proponents to consult with the department prior to lodging an application. If a proponent has any questions about the program or application process they can contact the department by emailing ActiveTransportFund@infrastructure.gov.au.

What documents do I need to provide with my application?

Applications must include:

- A fully completed application form addressing all criteria required.
- Supporting evidence demonstrating how the project directly addresses a focus area.
- Mandatory evidence demonstrating that co-contribution funding has been secured for the project such as official letters and budget papers and any supporting evidence that will assist with the assessment of the application.

What type of supporting documentation can I submit with my application?

Focus area supporting evidence:

Applications should outline how project outcomes address the focus area and relevant target area. Supporting evidence demonstrating how the project directly addresses a focus area must be provided.

Examples of supporting evidence may include:

- Safety plans, road safety audits and infrastructure asset reports
- Existing Net Zero plans or strategies
- Analysis that shows the project will increase cyclist or pedestrian numbers, increase use of public transport or remove cars from roads
- Active Transport Strategies
- Urban Strategies to connect communities and increase liveability

Examples of supporting documentation or evidence is varied and can include a structural report of the asset, detailed risk assessment, preliminary design for construction, project plan, council plans identifying the project need, road safety audit or consultation summaries with impacted stakeholders.

Co-contribution evidence:

Evidence must be provided to demonstrate that co-contribution funding for the project has been secured prior to submitting an application. Examples of acceptable co-contribution evidence include official letters and budget papers.

Why do I need to provide evidence to support the application?

Providing evidence to support the application validates the responses, ensures the accuracy of the information provided and enables a thorough merit assessment to be made.

Why is it a requirement to have funding secured prior to submitting the application?

All projects approved under ATF require a co-contribution from the proponent and/or other source. Co-contribution funding must be secured prior to submitting the application to ensure that projects approved by the Minister are ready to commence according to timeframes set out in the application. This also avoids project delays caused by budget approval processes.

What will the department be looking for in an application?

Eligible ATF applications will be assessed against three criteria.

- Strategic Fit
- Project impact and benefits
- Project Deliverability

The department will consider each application on its merits based on how well you can demonstrate it meets the criteria, how it compares to other projects and whether it provides value of relevant money.

Eligible projects

Eligible projects must:

- Be for the upgrade of an existing or construction of a new bicycle or walking pathway
- Directly address at least one focus area, and be supported by evidence
- On a publicly owned road asset or corridor that is accessible to the public
- Be a whole and complete project (not reliant on other works)

Projects must have the primary purpose of 'construction' (as defined in section 4(2) of the NLT Act) of a road-based asset (which meets the definition of a 'road' as defined in section 4(1) Road of the NLT Act and the National Land Transport Regulations 2022). Construction can include both the upgrade and/or replacement of a road-based asset. However, maintenance or design only projects are ineligible under the program.

A pathway is a road-based asset as defined in section 4(1) Road of the NLT Act and the National Land Transport Regulations 2022. Pathways must be on a road asset or corridor, but may be a separated pathway within that corridor.

Definition of a road

The definition of a 'road' as defined in the [National Land Transport \(NLT\) Act](#) and [the NLT Regulations 2022](#)) is listed below.

Definition of a road according to the NLT Act:

road:

- (a) subject to paragraph (b), includes any of the following associated with a road:
 - (i) traffic signs;
 - (ii) traffic control equipment;
 - (iii) street lighting equipment;
 - (iv) a bridge or tunnel, including a bridge or tunnel for the use of pedestrians;
 - (v) a path for the use of persons riding bicycles;
 - (va) a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
 - (vi) any other thing that is specified in the regulations for the purposes of this definition;

Definition of a road according to the NLT Regulations 2022:

Additional things included in the definition of *road*

For the purposes of the definition of **road** in subsection 4(1) of the Act, the following things are specified to the extent they are not otherwise a road:

- (a) a path for the use of pedestrians;
- (b) a path for the use of persons using any form of transport;
- (c) a bus stop;
- (d) a bus station or interchange;
- (e) a facility for passengers to enter or exit road vehicles;
- (f) a facility for the transfer of cargo or passengers from one road vehicle to another;
- (g) a car park;
- (h) a facility off the road used by road vehicles (for example, a rest area);
- (i) amenities for the use of persons who travel on a road (for example, shelter, toilets, seating, waste receptacles, drinking-water facilities and eating facilities);
- (j) a facility for the care or management of livestock travelling on a road;
- (k) a facility for charging electric or hydrogen fuel cell road vehicles;
- (l) technology relating to road transport.

Note: This section specifies things only to the extent they are not already a road within the meaning of the Act.

Funding

How much Australian Government funding can I seek under the Program?

The Australian Government will contribute up to a maximum of \$5 million under the ATF for each project.

For **projects submitted by state and territory governments**, the ATF will contribute up to 50% of the total project cost, regardless of project location, up to the cap of \$5 million per project, unless otherwise agreed by the Minister.

For **projects submitted by Local Government Authorities (LGAs)**, the Australian Government recognises that some LGAs, particularly those in regional areas, may be limited in their ability to provide a 50% co-contribution. Alternative funding co-contributions can be sought as part of the application.

Where an alternative co-contribution is sought, justification must be provided to demonstrate the need for an alternative arrangement.

Note that these percentages only apply to the ATF funding, not other Australian Government funding used as a co-contribution.

Can I use other Australian Government program funding towards my co-contribution?

Yes, funding co-contributions for the ATF may be sourced from other Australian Government programs, such as Roads to Recovery or Financial Assistance Grants. If a project is eligible for more than one type of Australian Government funding, it can apply for all relevant funding, but must secure other funding before applying for the ATF.

The Australian Government will only fund activities for a project under the ATF once.

What is considered untied Australian Government funding?

Untied funding is money paid by the Australian Government to States, Territories and LGAs to spend according to local priorities. Proponents can use untied funding if the project meets the eligibility criteria for that funding.

Can I submit more than one application under the ATF?

Yes, applicants can apply for multiple projects, using a separate application form for each project.

Each project must be whole and complete and not reliant upon other projects, however applicants can indicate if a project is related to another project (for instance if two applications are submitted, which could use the one construction crew to build both projects if both are approved).

How do I know if the location of my project is considered regional?

The definition of regional is taken from the [Australian Statistical Geography Standard](#). Urban projects are those located in Major Cities of Australia and regional projects are those in any of the other remoteness categories (Inner Regional, Outer Regional, Remote and Very Remote).

Is there a certain percentage of projects that will get allocated to regional councils?

No. The ATF is application-based and merit-assessed, open to all state and territory governments and LGAs. This means those projects with the highest assessment scores will be recommended to the Minister for approval. The ATF does not allocate percentages of projects based on location.

Are procurement costs for approved ATF projects considered as eligible costs?

Tendering costs for approved projects are considered eligible costs under the ATF, for example procuring a contract to deliver the project or procuring materials used directly for this project only. However, ancillary procurement costs, such as the cost of a probity advisor or for procurement-related travel expenses, are considered ineligible costs.

Please note that proponents must keep financial records for each project and be able to accurately report on costs.

Assessment process

How will my application be assessed?

The department will assess and score all eligible applications against the assessment criteria using the responses provided in the application form and the information, evidence and analysis provided to support each application.

Who approves applications for funding?

Upon completion of assessment of applications, the department will recommend top scoring projects to the Minister for approval, taking into account the program budget.

The Minister or their delegate will make the final decision on projects funded.

When will I know if my application has been successful?

Following the Minister's decision to approve projects, the department will contact all applicants to advise of the outcome of their application/s.

Will I be contacted by the department if any further information is required?

The department may contact applicants to clarify information provided in the application, however for probity reasons and to avoid bias, new or additional information will not be sought or considered after the assessment process has commenced.

My project was unsuccessful. Can I resubmit an application?

Unsuccessful applicants will be offered feedback on their applications. Should a future tranche be opened, applicants would need to reapply for funding for a project that was unsuccessful, as costs for projects can change significantly and other factors can shift over time.

Will there be a reserve list of applications?

No. A reserve list will not be kept as costs for projects can change significantly over time and confirmation of co-contributions can also change.

Successful applicants

When must approved projects be completed?

Construction only projects must be complete within 36 months, and design and construct projects within 48 months, of receiving the funding offer.

In the case of unforeseen factors such as adverse weather events, it may be possible to vary the timeframe for a project, up to 31 December 2028 subject to agreement by the department. Variations will be considered on a case-by-case basis.

All projects must be physically and financially completed by 30 June 2029.

Can I commence a project before the department advises that my project has been approved?

For design and construct projects, design may commence prior to approval of a project, however only design work undertaken after approval will be eligible for funding.

Commencing construction for any project prior to signed acceptance of the funding offer will result in the withdrawal of the funding offer or non-payment for costs incurred.

If my project becomes delayed due to factors outside my control, can the project completion date be extended?

The department recognises that unexpected events, such as adverse weather events, may affect delivery of a project. In these circumstances, proponents must advise the department of any risks and request a project

variation of the timeframe within four weeks of the time the proponent is made aware of any impacts on the delivery of the approved project.

The variation request must also be submitted prior to the completion of the construction of the project to be considered. All variation requests are considered on a case-by-case basis by the department and must be approved prior to any change in work.

How will funding be provided to local government proponents?

Where projects are led by an LGA, payments will be made through the relevant state/territory government to the relevant LGA. The state/territory government may have additional requirements of the LGA before funding can be paid, such as the provision of an invoice.

Can funding be withdrawn or cancelled at any time of the project?

The department considers the term *withdrawal* to refer to a project that can no longer proceed and has had no Australian Government funding paid towards it. Conversely, the Department considers the term *cancellation* to refer to a project that can no longer proceed where Australian Government funding has been paid.

A proponent may request to withdraw a project using the department's Project Withdrawal Form prior to the awarding of a construction contract where:

- cost estimates have significantly exceeded previous estimates
- the parties are unable to agree on a timetable
- there have been significant delays to commencement or completion of the project, and/or
- there are significant changes required to the scope of a project.

In circumstances where funding has been paid towards a project, the Department will work with the proponent to understand the circumstances of the project and review the eligibility of the costs incurred on a case-by-case basis. This will include an assessment of milestone payments that have been made, with consideration given to whether reimbursement of Australian Government funding is required.

The maximum amount of Australian Government funding contribution for a cancelled project is the amount of the funds already paid or the percentage of the funding contribution already incurred, whichever is the lower amount.

The department may request the withdrawal or cancellation of a project under specific circumstances, and will contact the proponent to discuss this if required.

Does the requirement for public tender for all projects over \$100,000 dollars apply to local governments?

Proponents must procure all elements of the project through a competitive process, or seek a tender exemption from the Department's website. If a procurement does not exceed \$100,000, a tender exemption is not required.

Under the ATF, proponents must comply with the rules and guidelines in their state or territory for the expenditure of public money and the procurement of good and services.

Milestones and reporting

Can I change the funding payable in my milestone schedule?

Proponents may request a different milestone schedule for a project. These requests will be considered by the department on a case by case basis.

I have completed a milestone early, am I able to make a claim for payment before its due date?

If a milestone is met in advance of the due date, where the relevant milestone report and evidence has been provided to the department and it demonstrates that the milestone has been met, the department will seek to make the associated payment as part of the next payment process.

Will I still be required to report quarterly for projects that have not yet commenced?

Yes, quarterly reporting is required before the project has commenced to ensure the department is made aware of progress in planning and any changes to project timeframes or other aspects of the project as set out in the funding offer.

Can LGAs report directly to the department?

In the Federation Funding Agreement – Infrastructure there is a requirement for LGAs to report through state and territory governments. LGA proponents must report through their relevant State or Territory government, using the department's Reporting Form available at: [Active Transport Fund - Resources | Infrastructure Investment Program](#)

Do we have to report if the co-contribution funding is increased?

If there is material change to a project cost the proponent must inform the department as soon as practicable, including changes to the funding sources for the project, such as the granting of further funding from other sources or changes to the co-contributor.

What evidence do proponents need to submit for each milestone payment?

Mandatory evidence for milestones can be found under section 5.2 of the [Program Guidelines](#).