



Funding Offer

Active Transport Fund Program

February 2025

1 Introduction

This funding offer is between the Australian Government and the proponent's organisation and covers projects under the Active Transport Fund Program (the Program). It sets out both parties' obligations in managing and delivering projects under the Program.

This funding offer must be read in conjunction with the following documents:

- The [Federation Reform Fund Act 2008 and the Federal Financial Relations Act 2009](#) provides the mechanism for payment for projects funded under the [National Land Transport Act 2014](#) (NLT Act)
- The Federation Funding Agreement – Infrastructure (FFA) and Land Transport Infrastructure Projects Schedule ([FFAS](#)) sets out how the Australian Government and State or Territory Governments will work together to deliver a national land transport system that contributes to productivity, sustainability, safety, network resilience, liveability, and housing supply and population growth as guided by the Infrastructure Policy Statement.
- The [Guidelines](#) for the Program (the Guidelines) outlines obligations for all projects funded under the Program.

Each of these documents has effect as if they were a part of this offer.

Proponents will need to complete, sign and return this funding offer to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) within 30 days as specified in the [Guidelines](#).

The Department will review the completed funding offer and advise in writing if it is approved.

In the event that the funding offer is not returned within 30 days, the Department will contact the proponent and may withdraw funding for the project.

Funding offers with Local Government Authorities (LGA), and the instrument for payment, will be shared with their state or territory government agency to assist with the management of project payments.

1 Project Details

The following information is based on the proponent's application and as approved by the delegate. If any of the details are incorrect please contact us and we will issue an amended funding offer.

Project Number:	NOM-AT1-003137
Proponent:	Shire of Cunderdin
Program:	ATF
Project Name:	Shire of Cunderdin - Design and Constuction of Shared Pathway circular route on Watts, Togo, Yilgarn & Hodgson Street, Cunderdin.
Project Scope:	This project involves the design and construction of new footpaths along Togo Avenue, Watts Avenue, Hodgson Street and Yilgarn Avenue, spanning approximately 3.25 kilometres with a width of 1.8m. These pathways will serve multiple purposes, including forming a fitness track for community use and providing safe access for students and community members traveling to school and the Cunderdin Golf Club.
Australian Government Contribution (under the Program):	\$852,182
State Government Contribution:	\$0
LGA Contribution:	\$852,183
Total Project Cost:	\$1,704,365
Funding Percentage of the Australian Government Contribution (under the Program):	50.0%

The Program will contribute a maximum of \$5 million in Australian Government funding for each project. The Australian Government funding percentage listed in the table above is a maximum percentage under the Program. If the project achieves savings, the Department cannot pay more than the funding percentage of the total project cost as agreed in this funding offer. If the project goes over budget, the Department may pay less than the maximum funding percentage.

For **projects submitted by LGAs**, the Program will contribute up to 100% of the total project cost for projects.

For **projects submitted by state and territory governments**, the Program will contribute up to 50% of the total project cost for all projects, up to the cap of \$5 million per project.

1.1 Milestone Payment Schedule

In the table below, **please complete the 'Milestone Completion Date (Forecasted)' column in blue**. All milestone dates are to be entered, regardless of whether a payment is attached.

Projects have a limited timeframe for delivery:

- **Construction only projects** must commence within 12 months of receiving this offer, and must be completed within 36 months of receiving this offer.

- **Design and Construct projects** must complete the design within 12 months of receiving this offer, construction must commence within 24 months of receiving this offer, and the project must be completed within 48 months of receiving this offer.

Proponents may request a different milestone schedule from the Department following this funding offer being agreed, which will be reviewed and approved on a case by case basis. A request to vary the milestone schedule should be submitted as soon as the proponent is made aware of a delay. The Department may seek further information from the proponent as required.

Milestones	Milestone Completion Date (Forecasted)	Milestone Completion Date (as per application form)	Last possible Date (as per Program Guidelines)	Amount payable upon acceptance of documentation
Milestone 1: Completion of pre-construction design (Maximum 10% of total Australian Government funding)		28 Feb 2026	25 Mar 2026	\$85,218
Milestone 2: Commencement of Construction Including installation of signage (Maximum 40% of total Australian Government funding)		31 Mar 2026	25 Mar 2027	\$340,873
Milestone 3: Completion of Construction (Maximum 30% of total Australian Government funding)		30 May 2028	25 Mar 2029	\$255,655
Milestone 4: Acceptance of Post-Completion Report (20% of total Australian Government funding)		30 Aug 2028	25 Jun 2029	\$170,436
Total Australian Government Funding				\$852,182

1.2 Project Contacts

We will use this contact information as the first point of contact for the project. The contacts should be familiar with the project and its current status.

Primary Contact Officer (Project Manager)	Name: Liezl De Beer Position: Project Manager Phone: (08) 9635 2700 Email: Liezl.debeer@cunderdin.wa.gov.au
Secondary Contact Officer (Project Officer)	Name: Robert Bell Position: Works and Services Manager Phone: (08) 9635 2700 Email: Robert.Bell@cunderdin.wa.gov.au
Mailbox	Email: Liezl.debeer@cunderdin.wa.gov.au

2 Obligations

This section summarises some of the proponent's key obligations in relation to the project. Please refer to the [Guidelines](#) for more details.

2.1 Project Commencement

Construction only projects

Proponents **must not** commence construction without the Department's written advice of acceptance of the signed funding offer. Commencing construction before this time may result in the withdrawal of the funding offer or non-payment for costs incurred.

For this purpose, construction includes all site works, including works required to move utilities, fabrication of major components off-site, and acceptance of any contracts

Design and construction projects

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

Following the design stage of a project, if the cost estimate for construction is within the approved project budget, it may continue onto construction. However, if the cost estimate for construction is more than the approved project budget, or if the project scope has changed significantly, the proponent may either:

- Have the project proceed to construction, with the proponent bearing any additional costs above the approved funding amounts.
- Submit a project variation request within four weeks of the time it became known the project could not be delivered according to the funding offer. The request will be considered by a delegate who holds complete discretion to approve or reject the request.
- Engage with the Department for other options, including the withdrawal or cancellation of the project, in line with the [Guidelines](#) and the [FFAS](#).

In any of these circumstances, please contact the Department within four weeks of the issue being identified, to discuss and agree an approach.

2.2 Construction Standards

All construction **must** comply with relevant standards in place at the time of construction, including construction standards, building codes and work, health and safety requirements.

2.3 Tender Exemptions

Proponents must procure all elements of the project through a competitive process, or seek a tender exemption from us on the form available at [Request for Tender Exemption](#). If the procurement required does not exceed \$100,000 a tender exemption is not required.

2.4 Milestones and Payments

Payment will be made on the basis of achievement of milestones according to the milestone payment schedule in the funding offer. All Australian Government funding is Goods and Services Tax (GST) exempt.

Milestone claim forms must be submitted for each payment using the Department's [Milestone Claim Form](#). Proponents **must** provide evidence to support the claim that the milestone has been achieved for payment to be made. The Department has the discretion to accept or reject the evidence provided, or update the requirements for evidence.

In order to reduce reporting requirements, proponents may wish to consider aligning milestones with the quarterly reporting timeframes of February, May, August and November.

Payments to LGAs will be managed by state and territory governments through the [FFAS](#).

Where projects are led by LGAs, payments will be made to the relevant state/territory government agency, which will then make payments to the relevant LGA. The state/territory government agency may have additional requirements of the LGA before funds can be paid, such as the provision of an invoice. Payment arrangements must be made directly between the LGA and state/territory government agency.

2.5 Changes to project scope, schedule or budget

The Department recognises that unexpected events, may affect delivery of the project. In these circumstances, proponents must submit a project variation request, including:

- Changing the project name
- Changing the project scope, including increasing, decreasing and re-scoping
- Extending project delivery timeframes
- Changing project budget, including any changes to Australian Government funding and co-funding contributions.

Project variations must be requested through the Department's [Project Variation Form](#) which can be downloaded from the Department's website.

Project variations must be sought as soon as practicable and within four weeks of the time that the proponent becomes aware of any changes to the approved project, and prior to the completion of the construction of the project. After the construction of a project has been completed, the Department will only consider project variation requests with valid reasons, on a case by case basis.

Where there are cost overruns on a project, the proponent must investigate other options to meet the cost increase for the project before seeking a funding increase from the Department.

Increases to funding will only be considered:

- If regular, accurate reporting has been maintained;
- Where the increase is the result of an exceptional, unforeseen circumstance that is outside the control of the funding recipient; and
- Upon formal request in writing to the Department.

Project variations must be approved prior to any change in work. For more information on project variations, please refer to section 9 of the [Guidelines](#).

2.6 Termination of Projects for Fault

The Department may terminate the project, and the agreement formed by the Department's acceptance of this funding offer, by notice where:

- (a) the proponent has failed to comply with an obligation under this funding offer and the Department believes that the non-compliance is incapable of remedy;
- (b) the proponent has provided false or misleading statements in relation to the project;
- (c) the proponent has not physically and financially completed the project by 30 June 2029; or
- (d) the Department believes on reasonable grounds that the proponent will not physically and financially complete the project by 30 June 2029.

The proponent agrees, on receipt of the notice of termination, to:

- (a) stop the performance of the proponent's obligations as specified in the notice;
- (b) take all available steps to minimise loss resulting from the termination; and
- (c) report on, and return any part of, the funding to the Department, or otherwise deal with the funding, as directed by the Department.

2.7 Cancellation or Reduction for Convenience

The Department may cancel or reduce the scope of the project, and the agreement formed by the Department's acceptance of this funding offer, by notice, due to a change in government policy.

On receipt of a notice of scope reduction or cancellation under this paragraph, the proponent agrees to:

- (a) stop or reduce the performance of the proponent's obligations as specified in the notice;
- (b) take all available steps to minimise loss resulting from that scope reduction or cancellation; and
- (c) report on, and return any part of, the funding to the Department, or otherwise deal with the funding, as directed by the Department.

In the event of reduction or cancellation under this paragraph, the Department will be liable only to:

- (a) pay any part of the funding due and owing to the proponent at the date of the notice; and
- (b) reimburse any reasonable and substantiated expenses the proponent unavoidably incurs that relate directly and entirely to the reduction in scope or cancellation under this paragraph.

In the event of reduction, the amount of funding will be reduced in proportion to the reduction in the scope.

The Department's liability to pay any amount under this paragraph is:

- (a) subject to the proponent's compliance with the agreement formed by the Department's acceptance of this funding offer; and
- (b) limited to an amount that when added to all other amounts already paid will not exceed the total amount of the funding agreed.

The Department will act reasonably in exercising its rights under this paragraph.

2.8 Reporting

Proponents have obligations to report on the status of the project as outlined below.

2.8.1 Quarterly reporting

Proponents are required to provide quarterly reports in February, May, August and November on the status of their project(s), including information on project progress, timelines (including if milestones are still on track), risks and finances (including if proponents anticipate if the project will have cost overruns or savings). State and territory governments must report using the Department's Reporting Form, which can be downloaded through the Department's online portal.

LGA proponents must report through their relevant State or Territory government, using the Department's [Reporting Form](#) which can be downloaded from the Department's website.

2.8.2 Ad-hoc reporting

If there is a material change to the project outside of the quarterly reporting period, proponents must inform the Department as soon as practicable. Ad-hoc reporting can be in the form of an email to the Department, a letter addressed to the Delegate or by submitting a new Reporting Form to highlight the issue.

Examples of incidents that ad-hoc reporting to the Department include:

- Change of senior personnel on the project, such as the project manager.
- Change to the funding sources for the project, such as the granting of further funding from other sources or changes to the co-contributor.
- Changes to the scope, timeframe or cost of the project (both increases and decreases). These must be approved by us.
- Issues that are likely to, or have recently impacted the delivery of the project (e.g. extreme weather, natural disasters or unforeseen project management issues).
- Events to be held in relation to the project or communications to be issued about the project.

If a proponent is unsure whether it needs to do an ad-hoc report for its project, please contact the Department.

2.9 Notices

A notice given by the Proponent to the Department must be in writing and sent to ActiveTransportFund@infrastructure.gov.au, or other email address as most recently updated by the Department by notice given in accordance with this paragraph.

A notice given by the Department to the Proponent must be in writing and addressed to the Proponent's primary contact officer as set out in paragraph 2.2 or as most recently updated by the Proponent by notice given in accordance with this paragraph.

2.10 Signage, Events and Publicity

2.10.1 Signage

Proponents must install signage prior to the commencement of construction of a project in accordance with the [Signage Guidelines](#) available on the Department's website. Proponents are required to submit final proofs of signs and plaques to events@infrastructure.gov.au for clearance prior to production and installation. Proponents should ensure their manufacturing timetable deadlines include sufficient time for comment and approvals (5 working days may be required) from the Department.

Where possible, signs should be reusable or recyclable, and once construction is complete, signage is to be removed and appropriately recycled during disposal.

2.10.2 Events and Publicity

If a proponent proposes to hold a works commencement ceremony, opening ceremony, or any other event in relation to the project they must inform the Department at least four weeks before the proposed event is to be held. Details of the proposed event should be sent to events@infrastructure.gov.au, and they will liaise with the appropriate Australian Government official on the proponent's behalf. If requested by the Department or Australian Government representative, proponents are expected to arrange a joint event.

Any public statement about the project is expected to acknowledge Australian Government funding, and must be cleared by the Department prior to use. A draft should be provided to media@infrastructure.gov.au at least five days prior to its proposed release.

If a proponent proposes to issue any other communications, displays, publications or advertising relating to the Project, they should acknowledge and give appropriate recognition to the contribution of the Australian Government. A draft should be provided to events@infrastructure.gov.au at least five days prior to its proposed release.

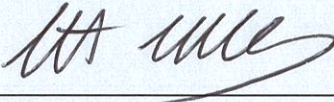
3 Declaration

This declaration must be completed by a person authorised to commit funding to this project, such as a General Manager or a financial delegate for State/Territory government-led projects.


I declare that:

- I am authorised to represent *Shire of Cunderdin* in relation to this project.
- On behalf of *Shire of Cunderdin*, I agree to abide by the terms of this funding offer, Guidelines for the Program and relevant legislation and regulations.
- I confirm that *Shire of Cunderdin* has committed the co-contribution funding amounts listed in the Project Details table for this project.

- I acknowledge that project variations must be requested and approved in advance prior to any change in work.
- I acknowledge that this funding offer, and the instrument for payment, will be shared with the relevant state/territory government to assist with the management of project payments.

Signed	
Name	Stuart Hobley
Position	Chief Executive Officer
Date	06/03/2025

Witness:

Signed	
Name	Liezl De Beer
Position	Project Manager
Date	06/03/2025

4 Returning the form

Please check that all sections of the form have been completed, including the proponent signature (digital signatures are acceptable). Once complete, this document should be returned by email to ActiveTransportFund@infrastructure.gov.au.

5 Resources

Further information on the programs, including quarterly reporting templates, templates for variations, and legislative frameworks can be found on the [Program's Resources webpage](#).