



Innovation Research Acceleration Program: Infrastructure Build Out Program Guidelines

December 2022



Contents

| | | |
|-----------|-------------------------------------------------------|-----------|
| 1 | Overview | 3 |
| 1.1 | Introduction | 3 |
| 1.2 | Program Purpose | 3 |
| 2 | Timing | 5 |
| 3 | Eligibility | 5 |
| 3.1 | Eligible Applicants | 5 |
| 3.2 | Eligible Projects | 5 |
| 3.3 | Eligible Support | 6 |
| 4 | Assessment Criteria | 6 |
| 4.1 | Stage 1: Expression of Interest (EOI) | 7 |
| 4.2 | Stage 2: Detailed Application | 8 |
| 5 | Assessment Process | 10 |
| 5.1 | Stage 1: EOI Assessment | 10 |
| 5.2 | Stage 2: Detailed Application Assessment | 10 |
| 5.3 | Decision Making | 11 |
| 6 | Reporting and Data | 12 |
| 6.1 | Monitoring | 12 |
| 6.2 | Evaluation | 12 |
| 7 | Important Terms and Conditions | 12 |
| 8 | Communication | 13 |
| 8.1 | Successful Applicants | 13 |
| 8.2 | Deed of Agreement | 13 |
| 8.3 | Complaints | 13 |
| 9 | Controls | 14 |
| 9.1 | Probity Advice | 14 |
| 9.2 | Government Information (Public Access) Act 2009 (NSW) | 14 |
| 9.3 | Conflicts of Interest | 14 |
| 9.4 | Privacy | 14 |
| 9.5 | Disclaimer | 14 |
| 10 | Contact Details | 15 |

Innovation Research Acceleration Program: Infrastructure Build Out Program Guidelines

1 Overview

1.1 Introduction

A strong research and development (R&D) capability is a critical driver for innovation in the State's economy. Research and innovation infrastructure, including high-tech facilities, equipment, and staff, underpins the state's ability to turn R&D into new industries, technologies and services.

Studies have shown the beneficial impact that research and innovation infrastructure access can have for technology focused companies and researchers. The types of equipment and expertise available through shared facilities are often cutting edge, and expensive, and out-of-reach for a research organisation or company to own outright.

In acknowledgement of the benefits of harnessing our competitive advantages in science and technology, the NSW Government recently released the [NSW 20 Year R&D Roadmap](#), a key evidence-based policy linked to the NSW [Industry Development Framework](#). The Roadmap lays out an array of technologies and applications where NSW has a competitive advantage, presenting opportunities to translate leading capabilities from one sector to another, and to develop more complete capabilities across supply chains in NSW. The Roadmap also identifies capabilities that NSW needs for strategic reasons, such as areas where local capacity is needed to manage risks and maintain sovereign capacity.

The Infrastructure Build Out Program (Build Out) is a competitive program which is part of the Innovation Research Acceleration Program (IRAP) in the Future Economy Fund. The IRAP delivers a series of infrastructure support grants to enable the delivery of, and equitable access to, necessary research and innovation infrastructure.

Build Out will invest up to \$31 million in 2022-23 in research and innovation infrastructure for shared facilities, equipment and technical expertise and initiatives. This will be considered in two funding streams.

In the Quantum Technologies Funding Stream, approximately \$10 million of the Build Out funding will be used to support shared facilities, equipment and technical expertise and initiatives that would underpin quantum technologies, as part of the NSW Government's Quantum Technologies Action Plan being developed under the Roadmap. The General Funding Stream (\$21 million) will support shared facilities, equipment and technical expertise and initiatives in all other industries listed in Table 1.

Applicants will be asked to select a stream in the Expression of Interest (EOI) form. In both streams funding will be provided for proposals ranging between \$500,000 to \$10 million and will be assessed against the same eligibility and assessment criteria.

1.2 Program Purpose

The objective of the Build Out program is to increase both the scale and excellence of research and innovation in NSW by supporting openly accessible research and innovation infrastructure in NSW.

Applicants will be applying to deliver initiatives that build and support new, shared research and innovation infrastructure including pilot or scale-up facilities or builds on and supports existing shared research and innovation infrastructure in NSW. Infrastructure **must** be open access to both public and private technology developers and researchers and support collaborative R&D and innovation.

For the purposes of Build Out, research and innovation infrastructure refer to facilities, equipment and resources that are needed to perform research, including experts needed to run the infrastructure. This is in line with the Commonwealth Department of Education’s definition for [National Research Infrastructure](#).

Build Out supports critical research and innovation infrastructure proposals that align to the industry, technology and innovation needs of the state (see Table 1). Proposals must align with:

- one of the technology themes identified in the NSW 20-Year R&D Roadmap, and
- one of the priority industries, or
- one of the technologies, or
- one of the focus precincts

listed in the NSW Industry Development Framework.

Shared facilities, equipment, resources, expertise and supporting investment and activities should contribute to the below outcomes:

- **Outcome 1** - Increase the availability and use of open-access research and innovation infrastructure (e.g., facilities, equipment, resources and expertise).
- **Outcome 2** - Increase collaborative R&D and innovation within the NSW innovation community (academia, industry, government, non-government organisations and students).
- **Outcome 3** – a) Increase R&D output, translation and other commercial outcomes and/or b) contribute to a robust talent pipeline of technical skills and career pathways.

Initiatives could include a range of equipment or systems or people programs that will increase the delivery and accessibility of research and innovation infrastructure for researchers and technology developers, and demonstrate stronger outcomes for commercial activities, such as supporting start-ups, SMEs and large firms in product development.

Table 1. Infrastructure Build Out Program research and innovation infrastructure themes

| 20-Year R&D Roadmap | The NSW Industry Development Framework |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Software • Artificial intelligence • Data analytics • Quantum computing and devices • Blockchain • Robotics • Communications, Sensing, Internet of Things • Semiconductors • Biochemical technologies • Cell technologies • Genetic and molecular technologies • Nanotechnology • Smart materials • Circular economy • Nuclear science • Renewable energy generation • Energy storage • Power to X | <p>Priority industries</p> <ul style="list-style-type: none"> • Agriculture and agrifood • Resources • Defence and aerospace • Clean energy and waste • Medical and life sciences • Digital systems and software • International education • Visitor economy <p>Core enabling technologies</p> <ul style="list-style-type: none"> • Digital technology • Advanced manufacturing • Biotechnology <p>Focus precincts</p> <ul style="list-style-type: none"> • Aerotropolis • Westmead • Tech Central • Renewable Energy Zones • Hydrogen Hubs • Special Activation Precincts • Regional Job Precincts |

2 Timing

Assessment and notification timelines

Stage 1: Expression of Interest

Opening 14 December 2022 and closing 10:00 AM (AEDT) 15 February 2023

Stage 2: Detailed Application (invite only)

Opening April 2023

For each stage, applicants will have at least six (6) weeks to complete and submit their EOIs and Proposals and the Infrastructure Assessment Panel will have at least six (6) weeks to assess EOIs and Proposals.

Note: dates may be subject to change.

3 Eligibility

3.1 Eligible Applicants

To be eligible for the Infrastructure Build Out Program support, applicants must be:

- a university or publicly funded research organisation (PFRO), or their collaborative entities, or
- an openly accessible research facility that has NOT been supported by [National Collaborative Research Infrastructure Strategy](#) funding, or
- a private entity that operates openly accessible research and innovation infrastructure, or
- a consortium-based application, that includes industry organisations or firms, universities and PFROs, public sector organisations or other organisations. *Consortia can include a NSW-based NCRIS facility if the expenditure (Section 3.2) is not designated to a NSW-based NCRIS facility.*
- be located in NSW or be planning a major research/innovation presence located in NSW. Applicants must be based in NSW before entering into a Deed of Agreement with DEIT.
- have an Australian Business Number (ABN).

Ineligible applicants include:

- consortia or partnerships with businesses that are insolvent.

The NSW Department of Enterprise, Investment and Trade (DEIT), at its sole discretion, can take publicly available information about an applicant into account that may cause a business to be ineligible for support, such as any personnel or business activities that could cause reputational damage or other risk to the NSW Government. DEIT may seek clarification from applicants in relation to its application, including seeking further information on the eligibility or assessment criteria.

DEIT reserves the right to assess the applicant's management, its Directors, Officers and entities or individuals that exercise control over an applicant against a fit and proper persons eligibility criterion.

3.2 Eligible Projects

Build Out grants may be provided for any of the below which are directly targeted at driving innovation, and where it can be demonstrated that the activity will increase the use and application of research and innovation infrastructure to support research and commercial outputs and outcomes:

- new equipment and technology to assist R&D, innovation and commercialisation in multiple user organisations

- major equipment upgrades or replacement, or equipment to increase the ‘industry offering’ of the facility
- laboratory facilities improvement to facilitate industry access
- employment of, or training for, highly skilled technical experts where it can be shown that this enhances end-user access or other outcomes from the use of equipment
- business development managers or industry application scientists employed by a university, research infrastructure facility or consortium to assist SMEs and companies to navigate the research and commercialisation pathways and access infrastructure
- specialised technologies and systems to facilitate researcher and industry access
- industry-focused collaborative programs driving access to infrastructure and commercialisation, which can be joint across facilities.

Projects must align to the themes identified in the NSW 20-Year R&D Roadmap and support or enable one of the priority industries, technologies or focus precincts listed in the NSW Industry Development Framework (Table 1). To support the development of a NSW Quantum Technologies Action Plan, a specific Quantum Technologies funding stream is being run as part of Build Out for research and innovation infrastructure that underpins this technology field.

Funds can only be spent outside of NSW for the purchase of equipment to bring to NSW, or where a small portion of funding is required to support back office operational expenses in other jurisdictions to support the NSW-based facility. Other than these two items, proposals that propose spending grant funding on partners, activities or items outside of NSW will not be eligible.

Projects will be considered ineligible where Build Out supports a project that has already received NSW Government funding for the same outputs and/or outcomes.

DEIT may seek clarification from any applicant in relation to its application, including seeking further information on the eligibility or assessment criteria.

3.3 Eligible Support

The support considered for successful projects under Build Out will be in the form of a grant to be provided in accordance with a Deed of Agreement entered into with DEIT.

Grants provided for projects would be:

- a minimum of \$500,000
- a maximum of \$10,000,000
- paid over a maximum of 48 months or until 30 June 2027.

Specified expenditure of NSW funds must align with conditions outlined in Section 3.2.

Applications can include co-funding proposals and potential leveraging opportunities. If other in-kind assistance is sought, these should be included in proposals where feasible, and will be considered during the assessment process.

4 Assessment Criteria

Applicants are encouraged to collaborate on proposals with university and/or industry partners where appropriate and can apply as a consortium of organisations. For this reason, the process to apply for Build Out funding is a two-step process.

Eligibility will be reviewed by the Build Out Secretariat (Office of the Chief Scientist & Engineer (OCSE)) and an eligibility report will be provided to the Infrastructure Assessment Panel. The Infrastructure

Assessment Panel will assess all eligible EOIs against the EOI assessment criteria. Shortlisted projects will be invited to submit Detailed Applications.

Once Expressions of Interest (EOI) are assessed, the Infrastructure Assessment Panel may suggest or require applicants to collaborate or join bids if there is sufficient synergy amongst similarly targeted proposals. Any advice regarding this will be communicated to you by the Build Out Secretariat (OCSE), who will be the primary point of contact for enquiries or issues throughout the process.

4.1 Stage 1: Expression of Interest (EOI)

EOI applications will include:

- a brief overview of the proposal (including the approach for ensuring open access) and how it meets the Eligibility Criteria in Section 3 (eligible applicants, eligible projects and eligible support)
- details of how it will contribute to the three Build Out Outcomes
- the impact/rationale for the Build Out investment, including a description of the project without funding
- details of consideration and/or engagement with potential Build Out partners and proposal development. The EOI timeframe is designed to support the ecosystem collaboration opportunities.
- details of the expertise or industry knowledge that makes the organisation/s uniquely qualified to deliver the public infrastructure investment and/or program and track record of current facilities, projects or similar work/collaborations or for industry delivered proposals

The EOI will be submitted via SmartyGrants and assessed against the criteria below.

Table 2. Infrastructure Build Out Program EOI Assessment Criteria

| Criteria | Description |
|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EOIs will be assessed according to the criteria outlined below: | |
| Project impact (60%) | <ul style="list-style-type: none"> • Why NSW needs the proposed research and innovation infrastructure and how the state will benefit from the investment i.e., is the proposed research and innovation infrastructure duplicative of existing facilities? • How it aligns to the industry, technology and innovation needs as identified in the NSW 20-Year R&D Roadmap and one of the priority industries, technologies or focus precincts listed in the NSW Industry Development Framework (Table 1) • How it will contribute to the three Build Out Outcomes: <ul style="list-style-type: none"> • Outcome 1 - Increase the availability and use of open-access research and innovation infrastructure (e.g., facilities, equipment, resources, and expertise). • Outcome 2 - Increase collaborative R&D and innovation within the NSW innovation community (academia, industry, government, non-government organisations and students). • Outcome 3 – a) Increase R&D output, translation, and other commercial outcomes and/or b) contribute to a robust talent pipeline of technical skills and career pathways. • Ensures open-access to the research and innovation infrastructure for researchers, startups, and industry |
| Deliverability (40%) | <ul style="list-style-type: none"> • Capacity and capability (track-record, expertise and industry knowledge) of the applicant and any partners to deliver the proposal • Whether the total funding sought and provided through the grant, partners, participants, and other funding sources is sufficient to undertake the initiative |

DEIT may seek clarification from any applicant in relation to its application, including seeking further information on the eligibility or assessment criteria.

After the EOI assessment process, eligible applicants may be encouraged to collaborate or prepare a joint bid for the Detailed Application stage, such as, if there are seen to be synergies or duplication between separate EOIs. DEIT may contact applicants where these potential opportunities have been identified and seek consent to share information with other applicants to facilitate these potential collaborations.

Only applications that are invited to, can submit a Detailed Application.

Important information when submitting EOIs:

Applicants need to:

- submit the online application form, ensuring all questions are answered or indicated not applicable.
- clearly identify in their application (including attachments) any information that the applicant requests be treated as confidential.
- sign their application. If applying as a consortium, the lead applicant must sign and have at least one of the core participants sign (by the head of the organisation or their authorised delegate). If all core participants' representatives have not signed the application, the signatories must acknowledge that the application is made with the knowledge and on behalf of all core participants.

Where an application is not lodged through the SmartyGrants form, DEIT reserves the right to deem the application as non-conforming and can consider it at its absolute discretion.

Late proposals will not be considered except where DEIT is satisfied that the integrity and competitiveness of the program has not been compromised.

4.2 Stage 2: Detailed Application

Shortlisted applicants that are invited to submit a Detailed Application that addresses the following as a minimum:

- details of the project scope and how it addresses the Eligibility (Section 3) and Assessment Criteria (Section 4) in these Guidelines
- a copy of a feasibility study or similar information, and a project plan for the project, including any supporting quotes or technical documents
- benefits of the proposal and how the project will increase research and innovation scale and excellence, industry access, workforce pipeline, collaboration, or economic outcomes
- completed data sheet (a template will be provided) for the project, including project cost estimates and sources of major inputs, cash flow projections, underlying assumptions for the project's lifecycle, and information on quantifiable benefits the project will create over the first four years (at a minimum)
- details of how the proposal would be implemented (e.g., proposed operating model), the requirements for successful implementation and identified risks and their mitigants and/or controls (a template will be provided)
- evidence of applicant financial viability if statements are available, for example a signed statement from an external accountant. An audited financial statement must be provided for the last financial year
- financing and funding arrangements that might be relevant for consideration under the project
- confirmation of any co-contributions or commitments from partners to deliver the project, from the applicant and other sources (including letters of support)

- evidence of experience in delivering projects similar in scope and scale to the project or otherwise demonstrating capability and capacity to deliver the project

This information will be assessed alongside the targeted questions in the Detailed Application.

Detailed Applications will be assessed on the extent to which proposals address the Assessment Criteria outlined below.

The application form seeks responses to the following criteria. Applications must outline answers to the questions related to these criteria to enable your application to be assessed (unless indicated not applicable) and include information listed in Section 3.2. As this is a competitive grants process, the assessment will be a comparative assessment of your application against all other eligible applications.

Table 3. Infrastructure Build Out Program Detailed Application Assessment Criteria

| Criteria | Description |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applications will be assessed according to the criteria outlined below: | |
| Project impact (60%) | <ul style="list-style-type: none"> • Why NSW needs the proposed research and innovation infrastructure and how the state will benefit from the investment • How the proposal meets Outcome 1: <ul style="list-style-type: none"> ○ Increase the availability and use of open-access research and innovation infrastructure (e.g., facilities, equipment, resources, and expertise) • How the proposal meets Outcome 2: <ul style="list-style-type: none"> ○ Increase collaborative R&D and innovation within the NSW innovation community (academia, industry, government, non-government organisations and students) • How the proposal meets Outcome 3: <ul style="list-style-type: none"> ○ a) Increase R&D output, translation, and other commercial outcomes and/or ○ b) contribute to a robust talent pipeline of technical skills and career pathways • Ensures open access to the research and innovation infrastructure for researchers, startups, and industry • The long-term impacts of this investment for NSW and why this proposal will support the NSW economy into the future |
| Deliverability (40%) | <ul style="list-style-type: none"> • Expertise or industry knowledge that makes the organisation/s uniquely qualified to deliver this public infrastructure investment and/or program • Track record of current facilities, projects or similar work/collaborations or for industry delivered proposals • How the proposal would be implemented, the requirements for successful implementation and identified risks and their mitigants and/or controls. • The suitability of the project plan, technical plans and/or cost estimates supporting the project • Vision for this research and innovation infrastructure investment beyond the funding timeframe • Co-investment and strengths of the proposal in terms of bid partners and proposed participants • That the total funding sought and provided through the grant, partners, participants, and other funding sources is sufficient to undertake the initiative. <p><i>In the case that an identified potential leveraging opportunity is not successful, this scenario should be clearly described in the program application material as an Optional Activity Stream.</i></p> |

Important information when submitting Detailed Applications:

For the Detailed Application, applicants need to:

- submit the online application form via SmartyGrants, ensuring all questions are answered or indicated not applicable
- clearly identify in their application (including attachments) any information that the applicant requests be treated as confidential.
- sign their application. If applying as a consortium, the lead applicant must sign and have at least one of the core participants sign (by the head of the organisation or their authorised delegate). If all core participants' representatives have not signed the application, the signatories must acknowledge that the application is made with the knowledge and on behalf of all core participants.

Where an application is not lodged through the SmartyGrants form, DEIT reserves the right to deem the application as non-conforming and can consider it at its absolute discretion.

Late proposals will not be considered except where DEIT is satisfied that the integrity and competitiveness of the program has not been compromised.

5 Assessment Process

The assessment of applications will be led by the independent Infrastructure Assessment Panel, supported by the OCSE as Secretariat to Build Out.

If towards the end of the assessment process, the Infrastructure Assessment Panel determines there is an excess of funds in the Quantum Technologies Funding Stream, then the excess funding can be repurposed to the other stream if there are eligible and fundable applications.

5.1 Stage 1: EOI Assessment

Once the EOIs have closed, OCSE will review EOIs for eligibility and provide a report to the Infrastructure Assessment Panel on the eligible and ineligible applications. The OCSE, on behalf of the Infrastructure Assessment Panel, may seek further information on individual EOIs in relation to eligibility.

The Infrastructure Assessment Panel will:

- identify any conflicts of interest in relation to any eligible EOIs and sign a confidentiality agreement.
- assess all eligible applications against the EOI Assessment Criteria in these guidelines (Section 4).
- develop a shortlist of EOI applicants that will be invited to submit a Detailed Application, and in doing so may require or suggest conditions for applicants, such as combining bids.

5.2 Stage 2: Detailed Application Assessment

The Infrastructure Assessment Panel will:

- assess each Detailed Application against the eligibility and assessment criteria set out in these guidelines on a merit basis;
- may seek clarification from applicant(s) during the assessment process;
- make recommendations to the Minister for Science, Innovation and Technology on which proposals to fund, the amount of funding, and any specific funding conditions.

When making their recommendations, the Infrastructure Assessment Panel may take the following into consideration:

- the total funding available
- the assessment criteria outlined in the Build Out Guidelines for Applicants

- a competitive assessment of applications based on the extent to which each application meets the Assessment Criteria
- the requested amount against the scope of the project i.e., could the applicant effectively deliver the proposed project with less funding
- whether the requested funding amount is too large compared to the project as a whole
- whether a reduction could pose significant risks to the success of a project. Advice may be sought from applicants to understand the potential impact if a decision was made to award less funding than was applied for
- whether applicants have sufficient or additional resources or avenues available to raise additional capital other than the Build Out funding, that could assist with the success of their project
- whether a decrease of funding will impact the acceleration of R&D and commercialisation.

Infrastructure Assessment Panel

The Infrastructure Assessment Panel will:

- be chaired by an independent person with experience in research organisation leadership,
- comprise members with industry and research expertise relevant to delivering Build Out outcomes (1, 2 and 3) set out in Build Out outcomes, and
- draw on advice or expertise as required. Expertise could include individuals with significant subject-matter expertise specific to the opportunities identified by applicants, but who are not conflicted.

An independent probity advisor will be present to provide guidance to DEIT and the Infrastructure Assessment Panel on integrity, fairness and accountability, and ensure transparency of the Program's administration. Further information about probity controls is at Section 9.

DEIT – OCSE

During the assessment process, the OCSE may ask applicants to provide additional information to assist in the assessment process. Advice may be sought from other NSW Government agencies or other sources to assist in the assessment of projects as required. The OCSE may seek to negotiate amendments to the application to maximise the public benefits from the project.

5.3 Decision Making

The Infrastructure Assessment Panel will provide its recommendations to the Minister for Science, Innovation and Technology. The Minister for Science, Innovation and Technology will consider recommendations from the Infrastructure Assessment Panel. The Minister makes final decisions on whether to fund projects.

The final decision by the Minister will be recorded in writing and any departure from the Infrastructure Assessment Panel's recommendation will be documented with reasons for the variation and published. Records relating to the decision will be managed in accordance with the requirements of the *State Records Act 1998*.

The Infrastructure Assessment Panel recommendations will include what proposals to fund, the amount and type of funding, and any specific funding conditions. Assessment will be merit based against the assessment criteria and competitive, and the NSW Government may choose not to award or recommend funding under this program.

The Infrastructure Assessment Panel will provide advice on the most appropriate portion of the Build Out funding to be allocated to the proposals within streams to best deliver the objective of the program.

6 Reporting and Data

6.1 Monitoring

Reporting of successful projects will be outlined in the Deed of Agreement and will involve 6-monthly and/or annual reporting, dependent on the size of the grant and the nature of the proposed activity. Templates will be provided for these reports and will require information such as:

- progress against agreed project milestones and outcomes
- project costs
- contributions of participants directly related to the grant
- performance measures, including, but not limited to:
 - number of users of the infrastructure (by type of user) and type of interaction with users (e.g., student support, training purposes, commercial deals)
 - number of new and/or enhanced companies, products or services that the infrastructure has delivered and/or contributed to
 - export of products and or services supported by the infrastructure
 - research and/or commercialisation income
 - industry engagement
 - number of skilled technical jobs established or supported
 - number of students trained in using the infrastructure

6.2 Evaluation

DEIT will evaluate Build Out to measure the extent to which the Program's outcomes and objectives have been achieved and may use information from applications and reports for this purpose. DEIT may also interview applicants or related consortia and ask for more information to understand how the Program impacted projects and to evaluate how effective the program was in achieving its outcomes. This could include information about revenues, costs, employment, and other matters. DEIT may contact applicants up to three years after receipt of final grant payments associated with the Program for more information to assist with this evaluation.

7 Important Terms and Conditions

Applicants should note:

- The NSW Government will publicly announce funding for individual applications within 45 days of entering into the funding agreement with successful applicants. It may also use information provided to create case studies.
- Requests for variations or changes to the project may be considered with regard to probity principles being upheld.
- Successful applicants will be required to pay back unspent grant funds or where the corresponding spending was not in accordance with the Deed of Agreement.

- Successful applicants may be required to participate in program evaluation after the project has commenced.
- In accordance with the Deed of Agreement, the successful applicant will be required to provide evidence of how projects have resulted in measurable benefits consistent with the Program's objectives and outcomes, particularly on research and development outcomes.
- All recipients of NSW Government funding should acknowledge this financial support in accordance with the Funding Acknowledgement Guidelines for Recipients of NSW Government Grants available at nsw.gov.au/branding/sponsorship-and-funding-acknowledgment-guidelines
- You must seek our written consent prior to any significant public announcement, marketing, press announcements, or official launch in relation to the Program.
- The grant will be payable upon the execution of the Deed of Agreement. Invoices for grant payments will be submitted and paid in a single tranche, or as dictated by the Deed of Agreement.
- Payments will be GST inclusive. Grants are assessable income for taxation purposes, unless exempted by a taxation law. It is recommended applicants seek independent professional advice about taxation obligations or seek assistance from the Australian Taxation Office. The NSW Government does not provide advice on individual taxation circumstances.
- DEIT reserves the right to undertake an audit of Build Out funding and support within seven years from date of the Deed of agreement. Tracking and reporting will be a requirement of the deed of agreement, which will include regular performance reporting.

8 Communication

8.1 Successful Applicants

It is intended that successful applicants will be notified via email and/or letter within 30 days of the final determination. If you are successful, we will advise you of any specific conditions attached to the grant including a request to keep the grant confidential for a period of time, if an announcement is likely to be made by the NSW Government.

Unsuccessful applicants will be notified via email and/or letter of the outcome of their application and will be offered a feedback information session within 30 days of the final determination.

8.2 Deed of Agreement

Successful applicants who accept the offer of a grant will be required to enter into a formal Deed of Agreement with the NSW Government relating to the grant. The Deed of Agreement will specify obligations that relate primarily to the recipient's accountability for the grant, including using the grant for activities occurring in NSW, the return of unspent grant funds and reporting on the use of the grant for the duration of the term. The NSW Government makes no binding funding or support commitment to an applicant unless and until both parties sign the Deed of Agreement, including the lead applicant identified in the proposal.

While successful applicants are required to be compliant with all relevant laws and regulations, they will be specifically requested to comply with the *Work Health and Safety Act 2011 (NSW)*.

8.3 Complaints

If an applicant has a complaint, this should be raised with DEIT by emailing communications@enterprise.nsw.gov.au or via the website

<https://www.investment.nsw.gov.au/contact-us/>. DEIT will handle all complaints in line with its Complaints Handling Policy or the Terms and Conditions of the Program.

9 Controls

9.1 Probity Advice

DEIT will make sure that the grant opportunity process is fair according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities, and other inappropriate conduct.

An independent probity advisor has been engaged as part of this Program to provide guidance to the OCSE on any issues concerning integrity, fairness and accountability that may arise throughout the application, assessment, and decision-making process. This will ensure decisions are made with integrity, fairness, and accountability, while delivering value for money for NSW.

9.2 Government Information (Public Access) Act 2009 (NSW)

Applicants should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009* (NSW). Information that is deemed to be commercially sensitive may be withheld. The *Government Information (Public Access) Act 2009* (NSW) makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

9.3 Conflicts of Interest

Conflicts of interest for DEIT will be handled as set out in the DEIT NSW Code of Ethics and Conduct.

9.4 Privacy

We treat applicants' personal information according to the DEIT Privacy Management Plan available at [investment.nsw.gov.au/privacy](https://www.investment.nsw.gov.au/privacy) and the *Privacy and Personal Information Protection Act 1998* (NSW).

This includes letting applicants know:

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

An applicant's personal information can only be disclosed to someone for the primary purpose for which it was collected unless an exemption applies.

9.5 Disclaimer

DEIT does not guarantee or warrant, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

DEIT recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness and

relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

The Guidelines are subject to change at any time at the sole discretion of DEIT.

10 Contact Details

Any enquiry about the assessment process or the outcome of an application for Build Out should contact us through: www.investment.nsw.gov.au/contact-us/