

## [Building Early Education Fund – Australian Capital Territory]

### FEDERATION FUNDING AGREEMENT – EDUCATION AND SKILLS

Table 1: Formalities and operation of schedule

<b>Parties</b>	Commonwealth Australian Capital Territory (ACT)																								
<b>Duration</b>	This Schedule is expected to expire on 30 June 2029, or on completion of the initiative (whichever is later), including completion of construction, final performance reporting and processing of final payments against milestones.																								
<b>Purpose</b>	This Schedule will support the delivery of capital infrastructure projects through the Building Early Education Fund (the Building Fund) to build new early childhood education and care (ECEC) centres or services (used interchangeably) and increase the capacity of existing ECEC centres or services, to be operated by high-quality not-for-profit providers, Aboriginal Community Controlled Organisations (ACCOs) and state or local governments. All funding must be used to increase total ECEC capacity or to bring forward planned increases in total ECEC capacity, additional to current capacity.																								
<b>Estimated financial contributions</b>	The Commonwealth must provide a capped total financial contribution to the ACT of up to \$10.0 million in respect of this Schedule to establish new or expanded ECEC centres which will, where possible, be on or near school sites. This funding is expected to support the creation of around 130 ECEC places. Co-contributions from the ACT or third parties may also be used to support projects funded under this Schedule. The ACT will provide a co-contribution of \$3.0 million toward project costs and an in-kind contribution of \$4.7 million for planning and development costs. Funding in each financial year will be contingent on the cost of projects, and milestones reached by each project.																								
<p><b>Table 1 - ACT</b></p> <table border="1"> <thead> <tr> <th>(\$ million)</th> <th>2025-26</th> <th>2026-27</th> <th>2027-28</th> <th>2028-29</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td><b>Estimated total budget</b></td> <td>~</td> <td>~</td> <td>~</td> <td>~</td> <td><b>13.0</b></td> </tr> <tr> <td><i>Less estimated National Partnership Payments</i></td> <td>5.0</td> <td>4.0</td> <td>1.0</td> <td>0.0</td> <td>10.0</td> </tr> <tr> <td><b>Balance of non-Commonwealth contributions</b></td> <td>~</td> <td>~</td> <td>~</td> <td>~</td> <td><b>3.0</b></td> </tr> </tbody> </table> <p>Note: Profile of State allocations have not yet been determined (as shown by ~).</p>		(\$ million)	2025-26	2026-27	2027-28	2028-29	Total	<b>Estimated total budget</b>	~	~	~	~	<b>13.0</b>	<i>Less estimated National Partnership Payments</i>	5.0	4.0	1.0	0.0	10.0	<b>Balance of non-Commonwealth contributions</b>	~	~	~	~	<b>3.0</b>
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<b>Additional Terms</b>	<b>Allocation and Use of Funding</b>																								
<b>1.</b>																									
a)	Subject to (b) below, total funding of up to \$10.0 million must be allocated to the 'Eligible Projects' jointly agreed by the Parties (or delegates), to build or expand the capacity of quality ECEC centres, prioritising areas where the ACT and the Commonwealth agree there is both an undersupply of ECEC (current or projected), and relative socio-economic disadvantage (as outlined in the criteria in <b>Appendix B</b> ).																								
b)	Ten percent of 'Eligible Projects' funding (up to \$1.0 million) is provided to the ACT as 'contingency funding' (see <b>Appendix B</b> ).																								
c)	Projects (meaning 'Eligible Projects') and allocation of contingency funding must																								

**Table 1: Formalities and operation of schedule**

	<p>meet the relevant requirements outlined in <b>Appendix B</b>. Any remaining funds available under this Schedule must be redirected to other capital projects to increase ECEC capacity.</p>
<b>2.</b>	<b>Milestones</b>
a)	Commonwealth funding for projects will be provided upon achievement of the milestones outlined at <b>Table 2</b> .
<b>3.</b>	<b>Announcement and recognition</b>
a)	The Commonwealth will engage with the ACT to identify potential opportunities for joint announcement of projects between the Australian Government and the ACT. For the purposes of Clause 21 of the Federation Agreement – Funding Education and Skills, announcement and recognition requirements for the Commonwealth's financial contributions are set out at <b>Appendix B</b> .
<b>4.</b>	<b>Quarterly reporting and payment on performance milestones</b> The ACT must provide quarterly reporting on the program by twenty Business Days after the end of each March, June, September and December, including evidence of achievement of performance milestones until all projects are delivered and operational. With the exception of the first payment, the Commonwealth will approve and make payments quarterly in arrears, based on evidence provided in quarterly reports, for any project milestones met in the quarter. Quarterly reports will contain updates on project activity, any material changes to scope, budget or delivery schedule, evidence for project milestones achieved in the relevant period against agreed milestone descriptions, total expenditure on projects and achievement of policy targets, use of contingency funding, updates on the proposed operator, and plans for upcoming announcements. The ACT will be provided a template to support reporting. The Parties' delegates will meet regularly, to support the governance of this Schedule, including to discuss any shared risk. In consultation with the State, the Commonwealth may visit the site, including with third party representatives. The ACT may also be required to respond to ad-hoc requests for short status/progress updates from the Commonwealth, and is expected to alert the Commonwealth to any material issues as they arise.
<b>5.</b>	<b>Acquittal of funds</b> The ACT must maintain records of the acquittal of all funds received from the Commonwealth under this Schedule sufficient to verify that such funds have not been used in a manner contrary to agreed fund usage.
<b>6.</b>	<b>Variations</b> For the purposes of Part 6 of the Federation Agreement – Funding Education and Skills variations to this Schedule, including to projects, project milestones, and project budgets, may, by written agreement, be made by the Parties from time to time. Following written agreement by the Parties, the Parties' delegates will update <b>Appendix A</b> .

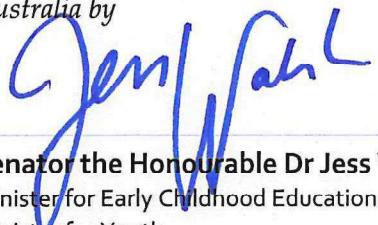
**Table 2: Performance requirements, reporting and payment summary**

Performance milestones	Report due	Payment
<b>Agreement to FFA schedule</b> Upon signing of this FFA, including acceptance of key activities, reporting and milestones. 'Eligible Projects' formula = 10% contingency + 40% of 'Eligible Projects'	On execution	\$5.0 million*
<b>Quarterly reports</b> March will be for the period 1 January to 31 March June will be for the period 1 April to 30 June September will be for the period 1 July to 30 September December will be for the period 1 October to 31 December	January, April, July, October (until project completion, including where that is after 30/06/2029)	Nil
<b>Construction commences on a project(s) OR Builder of project is contracted</b> The Commonwealth approves evidence of commencement or contractual relationship provided by the ACT, which may include Contract and photos of construction commencement. 40% of funding for each project Estimated project milestone dates are included in Appendix A.	2026-27	\$4.0 million*
<b>Final report</b> The final report should also include the Building Completion certificates/reports, and evidence a high-quality, not-for-profit Child Care Subsidy approved provider has been selected to operate the service. Where this information is not available by 31 December 2027, evidence should include a plan for reporting to the Commonwealth until all projects are completed (for example, continuation of quarterly reporting). Remaining funding for each project (10% for 'Eligible Projects') Estimated project milestone dates are included in Appendix A.	Once Certificate of Occupancy and Use is issued (estimated 2027-28)	\$1.0 million*

*\*Note: This amount represents the total funding to be paid on this milestone for all projects in a given financial year. Payment will be made on a per-project basis.*

The Parties have confirmed their commitment to this schedule as follows:

**Signed for and on behalf of the Commonwealth of Australia by**

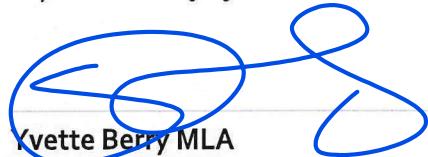


**Senator the Honourable Dr Jess Walsh**

Minister for Early Childhood Education  
Minister for Youth

23 / 12 / 2025

**Signed for and on behalf of the Australian Capital Territory by**



**Yvette Berry MLA**

Deputy Chief Minister  
Minister for Education and Early Childhood  
Minister for Homes and New Suburbs  
Minister for Sport and Recreation

**Appendix A – List of Funded Projects**

Project number	Project Title (new or upgrade)	Location	Project Description	ECEC places	Commonwealth Funding Approved	Estimated construction commencement	Estimated building completion (delivery timeframe)	State Funding	Third Party Funding
ACT 1	Whitlam School ECEC - new	Whitlam	An ECEC service co-located with Whitlam School	130	\$10.0m	March 2027	December 2027	\$3.0m + \$4.7m in-kind for planning and development costs	\$0m

## Appendix B – Building Early Education Fund – Criteria

	<p><b>'Eligible Projects'</b> (applies to total funding of up to \$10.0 million)</p> <ul style="list-style-type: none"><li>• Projects funded through this Schedule will be prioritised based on one or more of the following. These are not strict criteria as flexibility is required to provide services in areas of need based on other factors (e.g. community consultation demonstrating need) but will help the prioritisation of projects.<ol style="list-style-type: none"><li>a. Be located on or near school sites;</li><li>b. Be in areas of ECEC undersupply, including consideration of projected population growth;</li><li>c. Be in areas of relative socioeconomic disadvantage;</li><li>d. Maximise the number of ECEC places;</li><li>e. Consider existing or pending development approvals in the location to avoid crowding out other ECEC providers;</li><li>f. Prioritise projects that can increase ECEC supply as soon as practical.</li></ol></li></ul> <p><b>Agreement to projects</b></p> <ul style="list-style-type: none"><li>• All 'Eligible Projects' to be funded through this Schedule must be jointly agreed by the Parties (or delegates).</li><li>• Ministers may delegate decision-making for agreement to proposals under this FFA Schedule to officials.</li><li>• To support project selection, the ACT will provide evidence of:<ol style="list-style-type: none"><li>a. assurances that projects are eligible for funding under this Schedule, including data, project plans, project budgets, and construction timelines;</li><li>b. value-for-money (including the number of ECEC places supported by the project and what due diligence and assurance processes will be undertaken);</li><li>c. increased ECEC capacity in a timely fashion (such as projects that increase supply in underserviced areas as quickly as possible with a focus on communities experiencing vulnerability and disadvantage);</li><li>d. broad community support for the project (such as details of community consultation undertaken or planned, and/or a letter of support from the relevant local government or school); and</li><li>e. appropriate probity arrangements being used to deliver projects.</li></ol></li></ul> <p><b>Use of funding</b></p> <ul style="list-style-type: none"><li>• <i>Contingency funding</i> - Ten percent of total funding (up to \$1.0 million) is provided to the ACT as contingency.</li><li>• The purpose of this contingency funding is to mitigate cost increases/overruns of 'Eligible Projects' that cannot be met with available funding. Any additional cost increases/overruns must be met by the ACT.<ol style="list-style-type: none"><li>a. Where a project faces a cost overrun, the ACT is expected to redirect funding from projects with underspends as a first resort, and only access contingency funding where this is not possible.</li><li>b. The details of the use of contingency funding must be monitored and provided to the Commonwealth. This must include the amount of funding accessed, the project being supported with this funding, and the reasons for using this funding.</li><li>c. If any 'contingency funding' is not used to cover cost increases of 'Eligible Projects,' it must be reallocated to future capital works to build or expand ECEC</li></ol></li></ul>
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centres.

- All funding is for capital works, and cannot be used to purchase land or support operational or maintenance costs of services.

#### **Use of ECEC Centres to support effective service provision**

- Centres funded through this Schedule must be used as premises for the delivery of long day care services for children (in the age range of 0 to 5), for operation by quality not-for-profit or government providers or ACCOs which successfully apply to receive Child Care Subsidy (CCS). The ACT must provide information about the ECEC provider and delivery model to be used in each centre.
  - a. A high-quality provider is an organisation that has a strong track record of meeting the requirements under the National Quality Framework for the delivery of early childhood education and care. The provider's track record of administering CCS with integrity will also be considered.
  - b. Long day care services may also offer outside of school hours care to support operational viability, but standalone outside of school hours care services are not eligible.
  - c. Integrated services to be run by ACCOs may be supported, where the ACT can support non-ECEC components of the build.
  - d. These organisations must not be listed by the National Redress Scheme on the list of 'Institutions that have not joined or signified their intent to join the Scheme.'
- All funded centres must be approved under National Law, and eligible to receive the Child Care Subsidy.
- The Commonwealth will not own any centre funded through this FFA Schedule.
- All centres built or expanded using the Building Fund must be used to provide ECEC for the designated use period of 30 years unless otherwise agreed in writing by the Commonwealth.
- Unless agreed by the Commonwealth, any lease/rental costs charged to service providers must be no more than is reasonably required to cover maintenance and other operational costs.

#### **Application of policy targets**

The ACT will be required to consider applying relevant policy targets through procurement of the projects, such as:

- a. Targets for apprentices, including targets for women and First Nations people, in line with their own policies or the Australian Skills Guarantee;
- b. Targets to maximise opportunities for Australian businesses, in line with their own policies or consistent with the Buy Australian Plan; and
- c. Environmentally sustainable building materials and practices, and contributing to net zero.

#### **Project Management**

- The ACT will be responsible for administration of funding, project management and the due diligence and assurance processes for projects. This includes for funding allocated to projects on both government and non-government school sites.
  - a. This includes ensuring work is undertaken in accordance with relevant legislation and consistent with clause 20 of the Federation funding Agreement – Education

and Skills.

**Announcements and recognition**

- All announcements regarding projects funded by this Schedule will be made in consultation with the Parties and jointly.
- For the purposes of Clause 21 of the Federation Agreement – Funding Education and Skills, all public materials in relation to projects supported under the Fund must acknowledge the contribution of the Commonwealth.
- For all centres that receive funding under this Schedule, an official opening ceremony must be arranged within six months of the completion of the project, unless otherwise agreed by the Commonwealth.
- The Commonwealth Minister must be invited to officially jointly open all facilities funded under this Schedule.