



SHIRE OF MORAWA
ORDINARY COUNCIL MEETING
ATTACHMENTS

Thursday, 20 July 2023



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

Confidential Agenda Attachments

Shire of Morawa

Ordinary Council Meeting

20 July 2023

List of Attachments

11.1 Chief Executive Officer

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Ordinary Council Meeting 20 July 2023

Attachment 1- 11.1.2a Notice of Annual General Meeting, Western Australia Local Government Association

Item 11.1.2- Voting Delegates for Western Australian Local Government Association (WALGA) Annual General Meeting

Notice of Annual General Meeting

**and procedural information
for submission of Member motions**

**Crown Perth
Monday, 18 September 2023**

**Deadline for submission of motions:
5:00pm on Friday, 4 August 2023**

2023 WALGA Local Government Convention and Annual General Meeting

Local Government Convention 2023

The annual WA Local Government Convention (LGC23) will be held on Sunday-Tuesday, 17-19 September 2023 at Crown Perth. Themed **Local Futures**, this year's Convention will explore how Local Governments can enact and drive change for the benefit of their communities and the diversity of solutions that can emerge when you start local. Further information about the LGC23 can be found on our website [here](#).

Annual General Meeting

The Annual General Meeting (AGM) for the Western Australian Local Government Association (WALGA) will be held from 2:00pm on **Monday, 18 September 2023**. All Member Local Governments are entitled to register two Voting Delegates (and up to two Proxies) to vote at the AGM. Voting Delegates and Proxies may be Elected Members or officers.

Attendance at the AGM is **free** for all Elected Members and officers from Member Local Governments. Voting Delegates and Proxies must be registered in advance by their Chief Executive Officer via the booking link sent directly via email.

Please note: registration as a Convention Delegate is separate to registration as a Voting Delegate for the purposes of the AGM. For information about registering as a Convention Delegate, please visit our website [here](#).

Submission of Member Motions

Member Local Governments are invited to submit motions for inclusion in the Agenda for consideration at the AGM. Motions should be addressed to the Chief Executive Officer of WALGA and submitted via email to associationgovernance@walga.asn.au. A template motion can be found on our website [here](#).

The closing date for submission of motions is **5:00pm on Friday, 4 August**.

Guidelines for Member Motions

The following guidelines should be followed by Members in the formulation of motions:

- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the AGM or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- AGM motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.

Please note: any Member motions proposing amendments to the [Association Constitution](#) must be received by **5:00pm Monday, 26 June** to satisfy the 60-day constitutional notification requirement.¹

Criteria for Motions

Prior to the finalisation of the Agenda, the WALGA President and Chief Executive Officer will determine whether motions submitted by Members abide by the following criteria:

Motions will be included in the Agenda where they:

1. *are consistent with the objects of the Association (refer to clause 3 of the [Constitution](#));*
2. *demonstrate that the issue/s raised will concern or are likely to concern a substantial number of Local Governments in WA;*
3. *Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;*
4. *Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws); or*
5. *Are clearly worded and unambiguous in nature.*

Motions will not be included where they are:

6. *Consistent with current Association advocacy/policy positions as per the [Advocacy Positions Manual](#) (as the matter has previously been considered and endorsed by WALGA).*

Motions of similar objective:

7. *Will be consolidated as a single item.*

Members submitting motions will be advised of the determinations.

Special Urgent Business

No Member motion shall be accepted for debate at the AGM after the closing date unless it complies with clause 8 of the [AGM Standing Orders](#). The motion must be relating to special urgent business and must be approved for debate by an absolute majority of Members at the AGM. Where practicable, prior notice of the motion should be provided to the President.

Please direct all enquiries relating to the registration of Voting Delegates or the submission of Member motions to Kathy Robertson, Executive Officer Governance on (08) 9213 2036 or at kr Robertson@walga.asn.au.



President Cr Karen Chappel JP
WALGA President



Nick Sloan
Chief Executive Officer

¹ [Association Constitution](#), section 29(2)(b)

Ordinary Council Meeting 20 July 2023

Attachment 1- 11.1.3a Shire of Morawa Local Recovery Plan

Item 11.1.3- Local Government Cyclone Seroja Funding Programs

LOCAL OPERATIONAL RECOVERY PLAN

SHIRE OF MORAWA

RECOVERY NARRATIVE

About our community

The Shire of Morawa was founded on broadacre farming which forms the backbone of its economy. Over the last two decades Morawa has established itself as a sub-regional centre for the North Midlands, assisted by the 'SuperTowns' Royalties for Regions investment of the 2010's and the developing Midwest mining and resource industry. Whilst agriculture remains the key industry, local government, health and education are also a major employers and tourism is a growing but still minor industry.

The Shire covers 3,528km² of the Yarra Yarra Catchment which encompasses broadacre and pastoral farmland, mining lease, reserves and uncrowned land. At the 2021 Census, the Shire of Morawa had a population of 660. 10.9% of the population identify as Aboriginal or Torres Strait Islander.

The Morawa townsite is home to retail, commercial, service, hospitality businesses, and the Shire's administration offices. Key services include a hospital, aged care facility and medical centre, as well as a District High School, the WA College of Agriculture, and a CBH grain receival facility. Other localities in the Shire include Canna, Gutha, Koolanooka, Merkanooka and Pintharuka.

Key challenges for Morawa include a stagnant/declining population, driven by fluctuations in industry and expanding economies of scale in agriculture, and the attraction and retention of appropriately qualified and skilled workforce and contractors, as well as general community fatigue.

The Morawa community is generally resilient and well versed in responding to changing weather and climate conditions.

Severe Tropical Cyclone Seroja

Severe Tropical Cyclone (STC) Seroja crossed the Western Australian coast south of Kalbarri on 11 April 2021, as a Category 3 system with wind gusts of up to 170 kilometres per hour. STC Seroja is the strongest system on record in the Midwest Gascoyne Region. The cyclone impacted a population of almost 50,000 people and an area of more than 170,000 square kilometres and more than 16 local government areas.

The Morawa district experienced widespread damage across built and natural assets including significant impact on the townsite. 23 primary producer farm properties were impacted and 107 townsite homes were damaged (30 severely). The district was without communication and power (583 properties) for some days with some areas experiencing up to 4 weeks delay in power restoration.

State and nation-wide events, community priorities, and existing vulnerabilities continue to influence recovery. These include the complexity of insurance; sharing of data at local, state, and federal levels; limited workforce accommodation; shortages in skilled tradespeople; COVID-19 restrictions; and seasonal weather patterns.

Local Recovery Coordination

The Shire of Morawa has responsibility for coordinating recovery in its district under the *Emergency Management Act 2005*. The Shire and the Local Emergency Management Committee (LEMC) worked with district recovery staff to organise a Local Recovery Planning Workshop to inform this Recovery Plan. The workshop was conducted on the 3 May 2022.

Key recovery stakeholders in attendance:

- Shire of Morawa elected members and staff
- Community members and organisation
- Local business and industry representatives
- Department of Fire and Emergency Services
- Department of Communities
- Department of Education
- St John Ambulance
- Red Cross
- Rural Aid

STRATEGIC PRIORITIES

The community and Shire of Morawa have developed a new Strategic Community Plan for 2022-2032. The aspirations and strategic focus areas outlined in the plan will contribute to community recovery, and many priorities identified in the recovery planning process were also identified in the strategic community planning process.

The following strategic priorities are identified in both plans.

Natural environment

- Develop a greening plan

Economy

- Incentivise and support small business
- Advocate for strong support systems and services for businesses
- Enhance partnerships and alliances
- Attract workforce and small business owners

Built environment

- Enhance and upgrade older buildings
- Improve access to fit for purpose housing

Human and social

- Champion inclusion and engagement
- Invest in socialisation and belonging
- Foster positivity and celebrate wins
- Enhance health service provision

LOCAL OPERATIONAL RECOVERY PLAN

SHIRE OF MORAWA

	KEY DAMAGE AND IMPACTS	RECOVERY OBJECTIVES	RECOVERY TASK/ACTIVITY	PARTNERS	MEASURES OF SUCCESS
HUMAN AND SOCIAL ENVIRONMENT	Groups, Institutions & Social Connection <ul style="list-style-type: none"> Damage to community infrastructure prevented use (e.g., speedway lights, golf club, bowling green, basketball and bowling club fences). CCTV and gymnasium inaccessible due to Node 1 outage. Morawa DHS and Morawa Ag College closed in preparation. Psychosocial and Wellbeing <ul style="list-style-type: none"> Concern for others was for immediate family members and neighbours. Morawa Desert Blue Connect office had an increase in referrals post-cyclone. Level of preparedness appears to have played a role in sense of wellbeing. "We will get by" culture a barrier to accessing support - people that may benefit from support aren't accessing services. Cultural / Heritage <ul style="list-style-type: none"> Damage to the Masonic Lodge 	Building Resilience Improved emergency preparedness of households and businesses	S1 Facilitate the delivery of preparedness training to assist community members to develop plans for their families, homes and businesses	Shire of Morawa DFES Red Cross	Initial preparedness training delivered by Feb 2023 (DFES/Red Cross)
			S2 Capture lessons learnt from Seroja to develop a local guide to provide advice to community members on things to consider and actions to take before, during and after an emergency event.		Localised emergency preparedness resources completed by May 2023 for distribution with 2023/2024 rates notices.
		Supporting volunteers and community groups	S3 Connect community groups with support and assistance for sustainability, such as: <ul style="list-style-type: none"> volunteer attraction and retention succession planning for volunteers strengthen networks with key agencies and funding providers 	Shire of Morawa Department of Local Government, Sport and Cultural Industries Volunteering WA	Ongoing sustainability of community clubs and organisations
		Mental Health and wellbeing <ul style="list-style-type: none"> Increased social connection for vulnerable community members Encourage and support positive culture of community engagement 	S4 Develop a buddy program to support and connect vulnerable people/community members to provide a readymade support network in an emergency.	Shire of Morawa Local health care providers Desert Blue Connect Morawa Community Resource Centre Community groups	Local Emergency Management Arrangements updated to include arrangements for vulnerable persons Secure funding for programs in 2023/24
			S5 Seek out community building and community development programs to foster positive community initiatives and increased collaboration and participation		

LOCAL OPERATIONAL RECOVERY PLAN

SHIRE OF MORAWA

	KEY DAMAGE AND IMPACTS	RECOVERY OBJECTIVES	RECOVERY TASK/ACTIVITY	PARTNERS	MEASURES OF SUCCESS
LOCAL ECONOMY	Tourism, Industry and Small Business <ul style="list-style-type: none"> Shortage of suitable housing stock in town for workers Concern about reduced visitation due to cyclone impacts and access to services/sites. Difficulty obtaining goods and services (fuel, food etc.). Limited LG resources and fatigue levels of LG employees. 	Sustain, grow and diversify the local economy	Refer Strategic Community Plan		
	Primary Production <ul style="list-style-type: none"> Most primary producers experienced impacts to infrastructure and subsequent impacts on farm activity Recovery was delayed due to prioritisation of farming activities Ongoing delays in insurance settlement and repair of infrastructure 	Prioritise activities to support the recovery of local businesses	<ul style="list-style-type: none"> Work with accommodation providers to ensure cyclone workers are prioritised Ensure all damaged tourist infrastructure has been repaired Facilitate interaction with local businesses to ensure they have business continuity plans in place 	<ul style="list-style-type: none"> Shire of Morawa Local business community Small Business Development Corporation Midwest Chamber of Commerce 	<ul style="list-style-type: none"> Accommodation is available for reconstruction workers Tourist visitation returns to pre-cyclone levels and tourism spend is captured in Morawa Key local businesses have business continuity plans

	KEY DAMAGE AND IMPACTS	RECOVERY OBJECTIVES	RECOVERY TASK/ACTIVITY	PARTNERS	MEASURES OF SUCCESS
NATURAL ENVIRONMENT	Plants and animals <ul style="list-style-type: none"> Landscape damage throughout the Shire Loss of significant trees means loss of habitat Loss or damage to some trees in public spaces. 	Cultural Heritage Management	N1 Develop a cultural site register which includes condition reports for culturally significant sites. This can be used as a baseline reference for measuring impact of future disaster events.	Shire of Morawa Department of Planning Lands and Heritage Yamatji Marlpa AC	
	Hazardous vegetation <ul style="list-style-type: none"> Perceived and actual increase to fuel loads because of defoliation. Perceived and actual increase to risk of structurally compromised (uprooted/defoliated) trees and widespread debris. 	Access and enjoyment of natural spaces and recovery of biodiversity <ul style="list-style-type: none"> Restore nature-based tourism assets. Create culture of pride and community ownership of natural environment. 	N2 Regenerate Widimia Trail and catchment including improving eroded walk trails, moving fallen trees, manage weeds and other enhancement activities. N3 Coordinate community tree-planting activities to propagate native species, rehabilitate roadside vegetation and replant other key sites. Engage with schools and community groups.	Shire of Morawa NACC Morawa Schools and Ag College Morawa FIG Yamatji Marlpa AC Trillion Trees Volunteer groups	Develop management plan for Widimia Trail Implement priority bushfire risk mitigation prior to November 2023 Secure funding for other priority revegetation projects in 23/24 No. of trees planted, no. ha rehabilitated, no. of people engaged in community rehabilitation events/initiatives.

LOCAL OPERATIONAL RECOVERY PLAN

SHIRE OF MORAWA



	KEY DAMAGE AND IMPACTS	RECOVERY OBJECTIVES	RECOVERY TASK/ACTIVITY	ACTIVITY PARTNERS	MEASURES OF SUCCESS
BUILT ENVIRONMENT	Public and Private infrastructure <ul style="list-style-type: none"> Damage to private and public infrastructure; in town and on farms. 33 residences deemed uninhabitable. Some properties still tarped Concerns about unmanaged asbestos in community Difficulty accessing building contractors, engineers, materials and an inflation of costs associated with rebuild. Concern that damaged buildings will be abandoned. Further assessments are ongoing to validate and identify additional needs 	Rebuild support <ul style="list-style-type: none"> Increase rate of repair and rebuild to cyclone damaged housing. Maintain resident numbers and increase accommodation capacity of town. Restore sense of community pride. Develop community knowledge of cyclone building standards. 	B1 Collaborate with the Recovery Hub, DLGSCI and DMIRS to engage with owners of unrepaired dwellings and assist in progressing the clean-up and repairs of older dwellings	Shire of Morawa DFES Department of Local Government, Sport and Cultural Industries Department of Mines and Industry Regulation	Ongoing renewal or demolition of unrepaired / abandoned dwellings
			B2 Coordinate a community education program focussing on design requirements for a cyclonic classification of buildings.	Shire of Morawa Department of Mines and Industry Regulation	No. of resources distributed, no. of engagements with online content, training sessions held
			B3 Develop “Volunteer from Afar” program to engage people outside the community to assist in rebuild and revegetation activities	Shire of Morawa Volunteer WA Rotary Australia	Identify potential projects and partners during 2022 Undertake at least one partnership project in 2023
			B4 Assist Morawa Speedway Association to apply for funding for repair / replacement of speedway lights (uninsured).	Shire of Morawa Morawa Speedway Assoc. Department of Local Government, Sport and Cultural Industries	Funding application submitted to DLGSCI and other relevant funding sources.
	Essential services <ul style="list-style-type: none"> Debris on roads and damage to road signs. Significant damage to utility infrastructure with Ongoing supply and reliability issues to power and telecommunication 	Disaster / emergency Infrastructure <ul style="list-style-type: none"> Stable and reliable emergency power and telecommunications access. Fit-for-purpose community emergency facilities. 	B5 Upgrade telecommunications tower to improve resilience	Shire of Morawa LEMC DFES	Meeting with key communications providers by Dec 2022 to progress advocacy.
			B6 Identify a suitable facility for use as an emergency evacuation centre and undertake necessary upgrades to improve resilience and accessibility.	Shire of Morawa Department of Communities	Identify suitable facility and required works by Dec 2022 Secure funding for necessary works in 23/24
		Insurance advocacy	B7 Continue regional advocacy for reported insurance challenges and issues	Shire of Morawa MidWest Development Commission State Recovery Controller	Improved settlement of insurance claims

This plan was developed with funding support through the Commonwealth-State Disaster Recovery Funding Arrangements and the support of the following organisations:

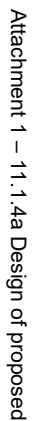


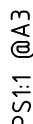
Department of Fire and Emergency Services
Department of Communities

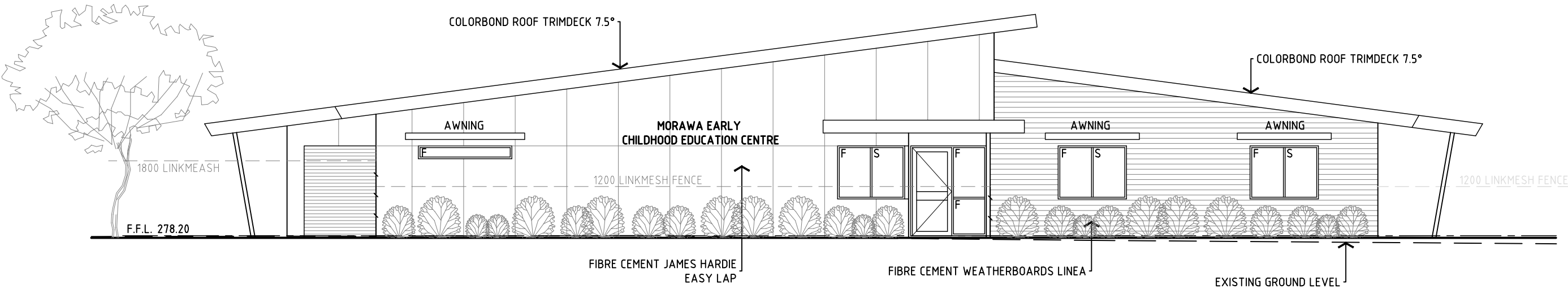


Ordinary Council Meeting 20 July 2023

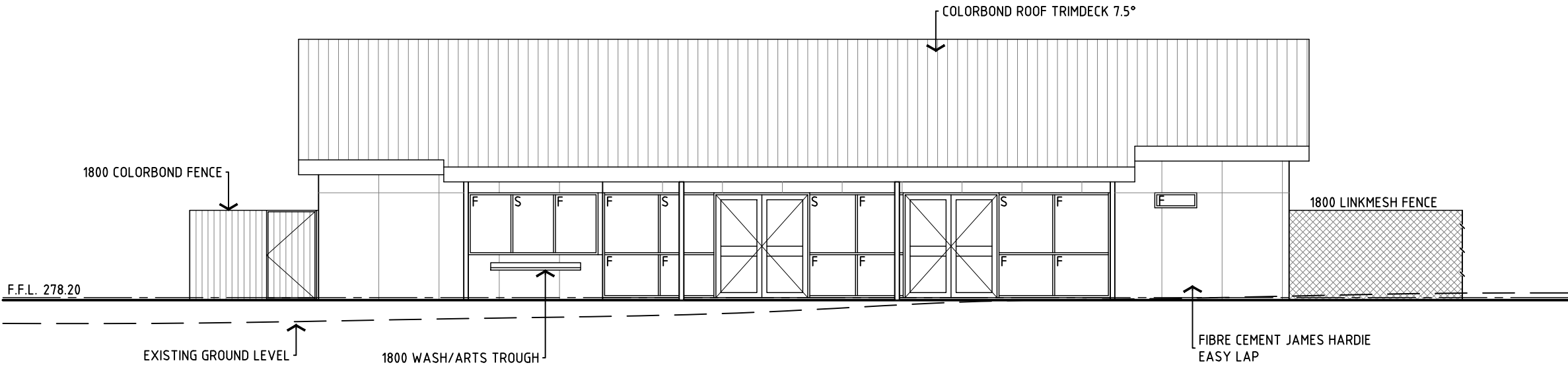
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| <i>Attachment 1-</i> | <i>11.1.4a Design of proposed Morawa Early Childhood Education and Family Centre</i> |
| <i>Attachment 2-</i> | <i>11.1.4b Opinion of Probable Cost Morawa Early Childhood Education and Family Centre</i> |
| <i>Attachment 3-</i> | <i>11.1.4c Grant Opportunity Guidelines for Growing Regions Program</i> |
| <i>Attachment 4-</i> | <i>11.1.4d Regional Early Education and Development Inc. Service Summary</i> |
| <i>Item 11.1.4-</i> | Early Childhood Education and Care in Morawa |
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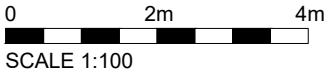


WEST ELEVATION CROOT STREET
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NORTH ELEVATION
1:100

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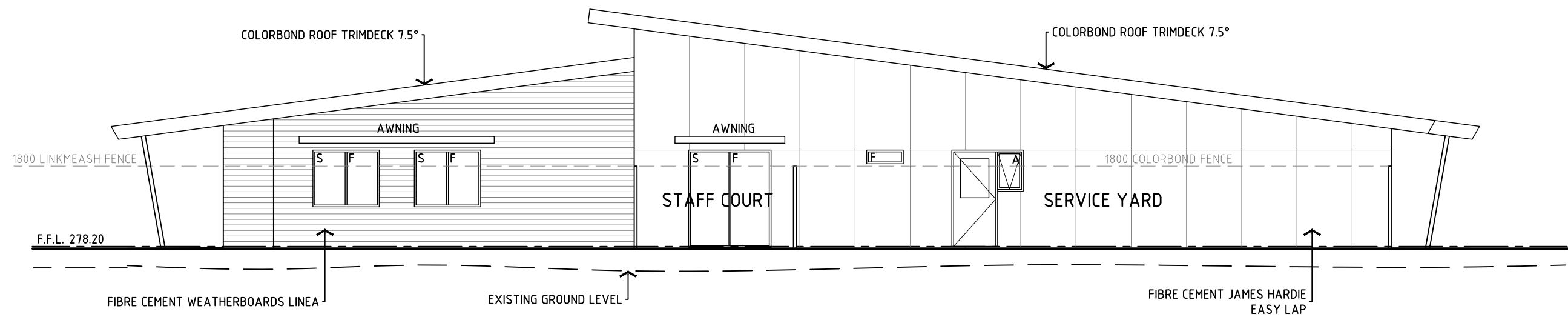


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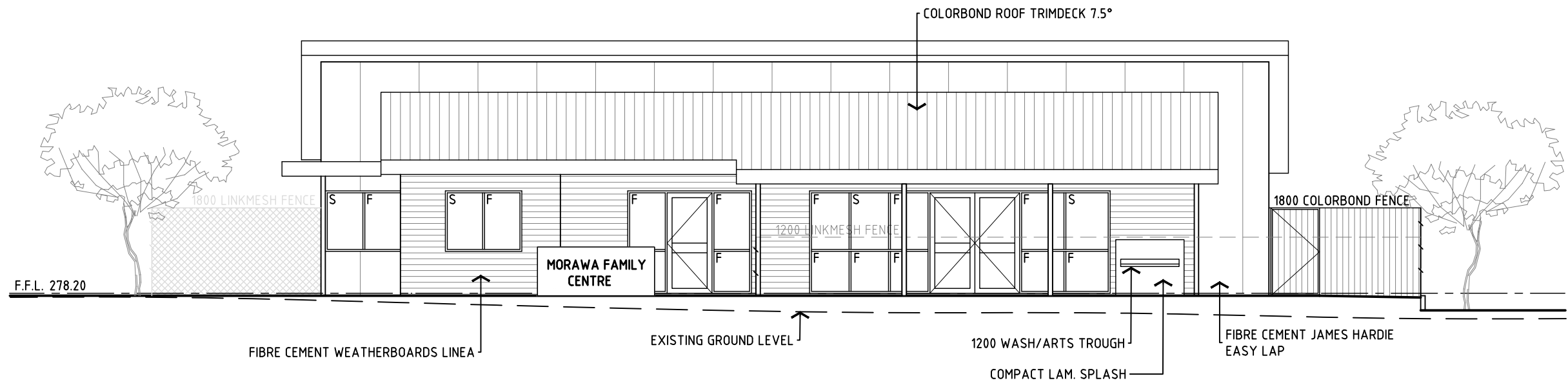
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DATE JUL 2023	SCALE@A3 1:100	A.02	of

SUITE 1, 'five' BAYLY STREET GERALDTON WA 6530 (P.O. BOX 27) TEL 08 9964 4949 FAX 08 9964 2424
EASTMAN POLETTI SHERWOOD PTY LTD ARCHITECTS ARBN 80 887 298 350 COPYRIGHT



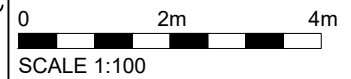


 **EAST ELEVATION**
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 **SOUTH ELEVATION PRATER STREET**
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PS1:1 @A3



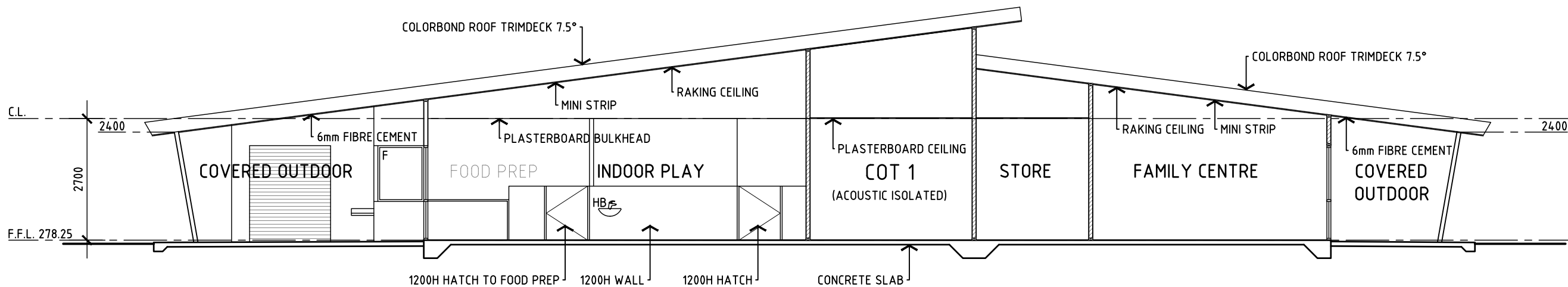
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PROJECT	PROPOSED MORAWA EARLY CHILDHOOD EDUCATION & FAMILY CENTRE CNR CROOT & PRATER ST MORAWA
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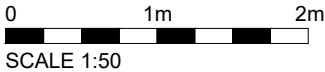


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	07/07/23	SCHEMATIC DESIGN	EPS
Rev.	Date	Amendment	INIT.

PROJECT PROPOSED MORAWA EARLY CHILDHOOD EDUCATION & FAMILY CENTRE CNR CROOT & PRATER ST MORAWA	
DRAWING SECTION	JOB No. 2317

DRAFT. BB	ARCHI. CAP	DWG No.	REV.
DATE JUL 2023	SCALE@A3 1:100	A.04	of

SUITE 1, 'five' BAYLY STREET GERALDTON WA 6530 (P.O. BOX 27) TEL 08 9964 4949 FAX 08 9964 2424
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Morawa Early Childhood Education & Family Centre
Cnr Croot & Prater St Morawa
Opinion of Probable Cost

This opinion of probable cost of construction (OPC) is based on my experience and qualifications and represent my judgement as a consultant familiar with the construction industry but shall not be a guarantee that construction costs will not vary from this OPC. It is further noted that I have no control over the cost of labour, material or equipment, the means methods and procedures of the construction process or the competitive bidding process.

The OPC is Current at 13-July-2023

The OPC is based on

Eastman Poletti Sherwood drawings A.00 to A.04 dated 07/07/2023

No specialist cost or design advice has been received for

- Electrical services
- Mechanical services
- Hydraulic services
- Structural design

The following are excluded

- Latent conditions
- Electrical upgrade

Erik Postmus MAIQS
Quantity Surveyor

655 Liberton Road Chidlow 6556
Telephone 08 9572 3200
Mobile 0419 865 741
Email gserik@hotmail.net.au

Morawa Early Childhood Education & Family Centre
Cnr Croot & Prater St Morawa
Opinion of Probable Cost
Elemental Analysis

Fully Enclosed Covered Area 381 m2
Unenclosed Covered Area 130 m2
Gross Floor Area 511 m2

ELEMENT	Elem Quant	Unit	Unit Rate	Elemental Cost		Cost/m2 FECA
Substructure	586	m ²	109.39		64,100	168.24
Columns	586	m ²	38.40	22,500		59.06
Roof	586	m ²	431.23	252,700		663.25
External Walls	256	m ²	311.72	79,800		209.45
Windows	52	m ²	1,146.15	59,600		156.43
External Doors	15	m ²	1,826.67	27,400		71.92
Internal Walls	414	m ²	125.60	52,000		136.48
Internal Screens				22,200		58.27
Internal Doors	35	m ²	694.29	24,300		63.78
Superstructure					540,500	1,418.64
Wall Finishes	1084	m ²	105.54	114,400		300.26
Floor Finishes	370	m ²	135.41	50,100		131.50
Ceiling Finishes	408	m ²	169.85	69,300		181.89
Finishes					233,800	613.65
Fittings				78,800		206.82
Special Equipment				14,500		38.06
Fittings					93,300	244.88
Sanitary Plumbing				82,600		216.80
Ventilation				15,000		39.37
Air Conditioning				72,000		188.98
Fire Protection				9,900		25.98
Electric Light And Power				72,400		190.03
Communications				19,500		51.18
Solar PV System				33,000		86.61
Security				27,300		71.65
Services					331,700	870.60
Proportion of Preliminaries					139,800	366.93
Building Cost					1,403,200	3,682.94
Site Preparation				33,000		86.61
Roads & Paving				46,700		122.57
Screen Walls and Fencing				19,400		50.92
Landscaping And Improvements				250,000		656.17
Demolition of Buildings				11,400		29.92
Siteworks					360,500	946.19
External Stormwater Drainage				20,800		54.59
External Sewer Drainage				15,000		39.37
External Water Supply				5,000		13.12
External Electric Light And Power				15,000		39.37
External Services					55,800	146.46
Proportion of Preliminaries					112,100	294.23
Net Project Cost at Perth Prices					1,931,600	5,069.82
Regional Loading				25%	482,900	
Net Project Cost					2,414,500	6,337.27
Design Contingency					120,800	
Construction Contingency					120,800	
Loose Furniture And Play Equipment					50,000	
Headworks Water & Sewer					15,000	
Professional Fees					289,800	
Gross Project Cost (at current Prices)					3,010,900	
Escalation to July 2024 5.3%					158,900	
Escalated Gross Project Cost					3,169,800	
GST					316,980	
Total including GST					3,486,780	

Morawa Early Childhood Education & Family Centre
Cnr Croot & Prater St Morawa
Opinion of Probable Cost
Trade Summary

Trade		Cost
Preliminaries		251,900
Demolition		11,400
Earthworks		35,900
Concretework		61,200
Steelwork		28,300
Metalwork		22,800
Carpentry		221,000
Joinery		42,900
Cabinetwork		61,100
Windows		81,700
Roofing		114,900
Ceilings & Linings		151,300
Ceramic Tiling		18,800
Resilient Finishes		56,500
Painting		53,800
Plumbing		109,600
Electrical Services		142,200
Mechanical Services		87,000
Paving		46,700
External-Works		20,800
Fencing and Gates		19,400
Window Treatments		9,400
Monetary Allowances		283,000
Net Project Cost at Perth Prices		<u>1,931,600</u>
Regional Loading	25%	482,900
Net Project Cost		<u>2,414,500</u>
Design Contingency	5%	120,800
Construction Contingency	5%	120,800
Loose Furniture And Play Equipment		50,000
Headworks Water & Sewer		15,000
Professional Fees	12%	289,800
Gross Project Cost (at current Prices)		<u>3,010,900</u>
Escalation to July 2024	5.3%	158,900
Escalated Gross Project Cost		<u>3,169,800</u>
GST		<u>316,980</u>
		<u><u>3,486,780</u></u>

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	ELEMENTS PR PRELIMINARIES					251,804
	TRADES PR Preliminaries					
1	Preliminaries	Item			251,804	
2	Fully Enclosed Covered Area	m2	381			
3	Unenclosed Covered Area	m2	130			
	ELEMENTS SB SUBSTRUCTURE					64,062
	TRADES EA Earthworks					
	<u>Antitermite Treatment</u>					
4	Under slab	m2	391	6.00	2,346	
5	To perimeter	m	96	6.00	576	
	TRADES CO Concretework					
	<u>N25 Concrete to:</u>					
6	Ground slab	m3	76	385.00	29,260	
7	Pad footing	m3	18	385.00	6,930	
	<u>Formwork</u>					
8	To edge of ground slab	m	96	40.00	3,840	
	<u>Reinforcement</u>					
9	SL72 mesh to ground slab	m2	391	15.00	5,865	
10	SL82 mesh to pad footing	m2	40	30.00	1,200	
11	Trench mesh to ground beams	t	180	30.00	5,400	
12	Re-entrant bar	No.	7	30.00	210	
	<u>Sundries</u>					
13	Polythene membrane	m2	469	5.00	2,345	
14	Steel trowel slab	m2	369	10.00	3,690	
15	Control joint	m	80	30.00	2,400	

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	ELEMENTS CL COLUMNS					22,435
	TRADES ST Steelwork					
16	External RHS columns	t	0.39	12,000.00	4,680	
17	In wall RHS columns	t	0.91	12,000.00	10,920	
18	base plate etc	No.	29	200.00	5,800	
	TRADES PT Painting					
	<u>External Painting to:</u>					
19	External RHS columns	m	23	45.00	1,035	
	ELEMENTS RF ROOF					252,640
	TRADES CA Carpentry					
20	Roof and ceiling framing	m2	568	160.00	90,880	
21	Canopy or awning roof	m2	18	250.00	4,500	
22	Beams	m	28	120.00	3,360	
	<u>Mouldings</u>					
23	Barge or fascia	m	105	60.00	6,300	
	<u>Linings</u>					
	6 thick Hardiflex with PVC joiners					
24	Soffit lining to canopy or awning roof	m2	18	70.00	1,260	
25	Soffit lining	m2	175	70.00	12,250	
	TRADES RF Roofing					
	<u>Roofing</u>					
	<u>Colorbond</u>					
26	Canopy or awning roof	m2	18	80.00	1,440	
27	7.5 degree pitch roof	m2	568	60.00	34,080	

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	<u>Roof Plumbing</u>				
	<u>Colorbond</u>				
28	Flashing	m	39	90.00	3,510
29	Barge capping	m	48	75.00	3,600
30	Apex fascia capping	m	21	80.00	1,680
31	Canopy or awning fascia	m	36	160.00	5,760
32	Fascia gutter	m	37	150.00	5,550
33	Stop end	No.	10	80.00	800
34	Expansion joint	No.	2	200.00	400
35	Outlet to downpipe	No.	9	95.00	855
36	Downpipe	No.	9	350.00	3,150
37	Sundries	Item			500
	<u>Insulation</u>				
38	Anticon on and including support mesh	m2	568	30.00	17,040
	<u>Sundries</u>				
39	Roof safety system	m	37	500.00	18,500
40	Automatic solar roof light	No.	6	3,000.00	18,000
	TRADES CL Ceilings & Linings				
41	Batt insulation to ceiling	m2	408	25.00	10,200
	TRADES PT Painting				
	<u>External Painting to:</u>				
42	Soffits	m2	193	25.00	4,825
43	Barge or fascia	m	105	40.00	4,200

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	ELEMENTS EW EXTERNAL WALLS					79,745
	TRADES ST Steelwork					
44	Beams	t	0.57	12,000.00	6,840	
	TRADES CA Carpentry					
	<u>Wall Framing</u>					
	<u>MGP10 Treated Pine</u>					
45	90 thick external wall	m2	256	100.00	25,600	
46	Lintel	m	43	50.00	2,150	
	<u>Linings</u>					
47	Easy lap wall cladding including sarking	m2	176	106.00	18,656	
48	Linea wall cladding including sarking	m2	81	129.00	10,449	
49	External corner	m	34	30.00	1,020	
50	Internal corner	m	21	20.00	420	
51	Flashing to base of wall	m	55	25.00	1,375	
	TRADES CL Ceilings & Linings					
52	Batt insulation to external wall	m2	256	20.00	5,120	
	TRADES PT Painting					
	<u>External Painting to:</u>					
53	Easy lap wall cladding	m2	176	30.00	5,280	
54	Linea wall cladding	m2	81	35.00	2,835	
	ELEMENTS WW WINDOWS					59,570
	TRADES JO Joinery					
	<u>Medium Density Fibreboard</u>					
55	Window reveals	m	97	40.00	3,880	

TRADES WW Windows					
<u>Aluminium Windows</u>					
56	Fixed glazed windows	m2	7	650.00	4,550
57	50% sliding windows	m2	40	700.00	28,000
58	Stainless steel security mesh	m2	16	500.00	8,000
59	Sliding door and sidelight	m2	4	750.00	3,000
60	Awning window	m2	1	800.00	800
TRADES PT Painting					
<u>Internal Painting to:</u>					
61	Window reveals	m	97	20.00	1,940
TRADES WT Window Treatments					
62	Solar block roller blinds	m2	47	200.00	9,400
ELEMENTS ED EXTERNAL DOORS					27,400
TRADES MW Metalwork					
63	Screen door	No.	1	500.00	500
<u>Roller Shutters</u>					
64	1800 wide x 2100 high	No.	1	2,500.00	2,500
TRADES JO Joinery					
<u>External Doors</u>					
<u>Solid core door and frame including hardware</u>					
65	Single door with glazed panel	No.	1	1,650.00	1,650
66	Single door	No.	1	1,450.00	1,450
67	Extra for security control	No.	1	500.00	500

TRADES WW Windows					
<u>Aluminium Glazed Doors</u>					
68	Single door	No.	2	3,500.00	7,000
69	Double door	No.	3	4,500.00	13,500
TRADES PT Painting					
<u>External Painting to:</u>					
70	Single door and frame	No.	2	150.00	300
ELEMENTS NW INTERNAL WALLS					51,980
TRADES CA Carpentry					
<u>Wall Framing</u>					
<u>MGP10 Treated Pine</u>					
71	90 thick full height wall	m2	365	100.00	36,500
72	90 thick 2700 high wall	m2	37	100.00	3,700
73	Lintel	m	21	50.00	1,050
74	90 thick 1200 high wall	m2	12	120.00	1,440
TRADES JO Joinery					
<u>Mouldings</u>					
<u>Medium Density Fibreboard</u>					
75	Capping to 1200 high wall	m	8	55.00	440
TRADES CL Ceilings & Linings					
76	Batt insulation to internal wall	m2	345	20.00	6,900
77	Acoustic insulation to wall	m2	57	30.00	1,710
TRADES PT Painting					
<u>Internal Painting to:</u>					
78	Capping to 1200 high wall	m	8	30.00	240

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	ELEMENTS NS INTERNAL SCREENS				22,200
	TRADES JO Joinery				
	<u>Toilet and Shower Screens</u>				
79	main panel	m2	8	300.00	2,400
80	Nib	No.	3	400.00	1,200
81	Door	No.	3	600.00	1,800
	TRADES WW Windows				
82	Fixed glazed viewing windows and door sidelights	m2	21	800.00	16,800
	ELEMENTS ND INTERNAL DOORS				24,220
	TRADES JO Joinery				
	<u>Internal Doors</u>				
	<u>Solid core door and frame including hardware</u>				
83	Single door	No.	16	1,000.00	16,000
84	Extra for viewing panel	No.	4	200.00	800
85	Extra for acoustic seals	m	11	150.00	1,650
86	Extra for security control	No.	2	500.00	1,000
	<u>Compact Laminate</u>				
87	Single door 1200 high	No.	3	750.00	2,250
88	600 wide x 1200 high balustrade	No.	1	600.00	600
	TRADES PT Painting				
	<u>Internal Painting to:</u>				
89	Single door and frame	No.	16	120.00	1,920

ELEMENTS WF WALL FINISHES					114,320
TRADES CL Ceilings & Linings					
<u>Plasterboard</u>					
90	13 thick wall lining	m2	536	50.00	26,800
91	13 thick MR wall lining	m2	178	55.00	9,790
92	13 thick impact resistant wall lining	m2	305	60.00	18,300
93	2 Layers 13 thick impact resistant wall lining	m2	65	110.00	7,150
94	100 wide end of wall	m	12	60.00	720
95	External angle bead	m	26	30.00	780
TRADES TL Ceramic Tiling					
<u>Wall Tiling</u>					
96	Full height to toilets	m2	80	125.00	10,000
97	Splashbacks	m2	13	125.00	1,625
TRADES FL Resilient Finishes					
<u>Vinyl</u>					
98	Dado 1000 high	m2	172	70.00	12,040
99	External corner	m	13	150.00	1,950
TRADES PT Painting					
<u>Internal Painting to:</u>					
100	Walls	m2	719	35.00	25,165

	ELEMENTS FF FLOOR FINISHES					50,058
	TRADES TL Ceramic Tiling					
	<u>Floor Tiling</u>					
101	To falls and cross falls	m2	23	170.00	3,910	
102	Cove skirting	m	29	105.00	3,045	
103	Division strip to doorway	No.	3	66.00	198	
	TRADES FL Resilient Finishes					
104	Carpet tiles	m2	13	85.00	1,105	
105	Sheet vinyl flooring	m2	320	80.00	25,600	
106	Extra for patterning	Item			2,000	
107	Door mat	m2	8	600.00	4,800	
108	Skirting	m	297	30.00	8,910	
	TRADES PT Painting					
	<u>Internal Painting to:</u>					
109	Concrete floor	m2	14	35.00	490	
	ELEMENTS CF CEILING FINISHES					69,220
	TRADES CL Ceilings & Linings					
	<u>Suspended Ceilings</u>					
110	Aluminium mini strip raking ceiling	m2	134	200.00	26,800	
111	Flush plasterboard ceiling	m2	249	90.00	22,410	
112	Bulkhead	m2	25	200.00	5,000	
113	Cornice mould	m	364	20.00	7,280	
114	Ceiling access opening	No.	15	150.00	2,250	

	TRADES PT Painting					
	<u>Internal Painting to:</u>					
115	Ceiling	m2	274	20.00	5,480	
	ELEMENTS FT FITMENTS					78,800
	TRADES MW Metalwork					
116	Set of disabled grab rails	No.	1	500.00	500	
117	Toilet roll holder	No.	7	80.00	560	
118	Paper towel dispenser	No.	6	120.00	720	
119	Soap dispenser	No.	6	120.00	720	
120	Coat hook	No.	12	50.00	600	
121	Cleaners racks	Item			600	
122	Clothes line	Item			800	
123	Mirror	m2	6	200.00	1,200	
124	Baby change station	No.	2	1,100.00	2,200	
125	Signage	Item			2,600	
	TRADES JO Joinery					
126	Pinboards	m2	24	150.00	3,600	
127	White board	m2	12	300.00	3,600	
	TRADES CB Cabinetwork					
128	bench cupboards	m	23	1,200.00	27,600	
129	Exposed back and top overhang	m	3	600.00	1,800	
130	Oven box	No.	1	1,000.00	1,000	
131	Pantry	No.	1	1,200.00	1,200	
132	Overhead cupboards	m	6	800.00	4,800	
133	Paper rack	No.	1	1,000.00	1,000	

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134	1400 wide built in cupboard	No.	1	1,500.00	1,500
135	Shelving 5 high	m	24	800.00	19,200
136	Locker- 2 tier	No.	3	500.00	1,500
137	Bag rack	No.	1	1,500.00	1,500
ELEMENTS SE SPECIAL EQUIPMENT					14,500
TRADES MW Metalwork					
138	Wall oven	No.	1	1,000.00	1,000
139	Hot plates	No.	1	600.00	600
140	range hood	No.	1	500.00	500
141	Dishwasher	No.	1	1,000.00	1,000
142	Washing machine	No.	1	1,100.00	1,100
143	Refrigerator	No.	3	1,100.00	3,300
TRADES PD Plumbing					
<u>Sanitary fixture, tapware, soil, waste, vent, cold and hot water pipework</u>					
144	Drinking fountain	No.	1	2,500.00	2,500
145	Hot water unit 315 litre	No.	1	2,500.00	2,500
146	Hot water unit instantaneous	No.	2	1,000.00	2,000

	ELEMENTS PD SANITARY PLUMBING					82,600
	TRADES PD Plumbing					
	<u>Sanitary fixture, tapware, soil, waste, vent, cold and hot water pipework</u>					
147	Junior pan	No.	3	3,100.00	9,300	
148	Senior pan	No.	4	3,000.00	12,000	
149	Wall basin	No.	6	2,700.00	16,200	
150	Vanity basin	No.	3	2,600.00	7,800	
151	Cleaners sink	No.	1	3,900.00	3,900	
152	Laundry trough	No.	1	4,000.00	4,000	
153	single bowl sink	No.	2	3,000.00	6,000	
154	Double bowl sink	No.	1	3,700.00	3,700	
155	Shower	No.	1	2,500.00	2,500	
156	1200 art trough	No.	2	4,500.00	9,000	
157	1800 art trough	No.	1	5,000.00	5,000	
158	Baby bath	No.	1	3,200.00	3,200	
	ELEMENTS VE VENTILATION					15,000
	TRADES ME Mechanical Services					
159	Ventilation	Item			15,000	
	ELEMENTS AC AIR CONDITIONING					72,000
	TRADES ME Mechanical Services					
	<u>Airconditioning</u>					
160	Wall split unit	No.	12	6,000.00	72,000	

	ELEMENTS FP FIRE PROTECTION					9,801
	TRADES MW Metalwork					
161	Fire extinguishers etc	Item			1,800	
	TRADES LP Electrical Services					
162	Detection system	m2	381	21.00	8,001	
	ELEMENTS LP LIGHT & POWER					72,390
	TRADES LP Electrical Services					
163	Light and power	m2	381	190.00	72,390	
	ELEMENTS CM COMMUNICATIONS					19,431
	TRADES LP Electrical Services					
164	Communications	m2	381	51.00	19,431	
	ELEMENTS TS Solar PV System					33,000
	TRADES MA Monetary Allowances					
	<u>Provisional Sums</u>					
165	Solar PV system with battery storage	Item			30,000	
166	Builders OHP	Item			3,000	
	ELEMENTS SS SPECIAL SERVICES					27,292
	TRADES LP Electrical Services					
167	Security system	m2	381	32.00	12,192	
168	CCTV camera	No.	6	2,000.00	12,000	
169	Monitor	No.	1	1,100.00	1,100	
170	Recorder	No.	1	2,000.00	2,000	

Morawa Early Childhood Education & Family Centre

ELEMENTS XP SITE PREPARATION					32,905
TRADES EA Earthworks					
<u>Site Preparation</u>					
171	Clear site and remove topsoil & paving etc	m2	1246	5.00	6,230
172	Remove tree	No.	2	1,200.00	2,400
<u>Filling</u>					
173	Sand fill	m3	313	40.00	12,520
174	Level and compact fill	m2	601	5.00	3,005
<u>Retaining Walls</u>					
175	Post and panel retaining wall 300 high	m	35	250.00	8,750
ELEMENTS XR ROADS & PAVING					46,680
TRADES PV Paving					
<u>Concrete paving</u>					
176	Coloured concrete paving	m2	238	120.00	28,560
177	Coloured concrete paving to outdoor play areas	m2	112	120.00	13,440
178	Extension of existing verge path	m2	39	120.00	4,680
ELEMENTS XN FENCING					19,354
TRADES FE Fencing & Gates					
<u>Colorbond Fencing</u>					
179	1800 high	m	23	125.00	2,875
180	Gate	No.	3	800.00	2,400
<u>Chainmesh Fencing</u>					
181	1200 high with rails	m	40	120.00	4,800
182	1800 high rail-less	m	81	75.00	6,075
183	1200 high gate	No.	2	500.00	1,000

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	<u>Sundries</u>					
184	2400 long x 1000 high signage wall	No.	1	2,204.00	2,204	
	ELEMENTS XL LANDSCAPING					250,000
	TRADES MA Monetary Allowances					
	<u>Provisional Sums</u>					
185	Nature play	Item			100,000	
186	Playground, sandpit and softfall	Item			100,000	
187	landscaping and reticulation	Item			50,000	
	ELEMENTS XK EXTERNAL STORMWATER DRAINAGE					20,770
	TRADES EX External-Works					
188	1800 dia x 1200 deep grated soakwell	No.	4	2,000.00	8,000	
189	Drain and grate to service yard	No.	2	500.00	1,000	
190	1850 dia x 2250 high polyethylene water tank including base preparation and fittings	No.	1	3,520.00	3,520	
191	Pump	No.	1	800.00	800	
192	100 dia PVC pipe	m	102	65.00	6,630	
193	100 dia bend	No.	3	30.00	90	
194	100 dia junction	No.	8	35.00	280	
195	Downpipe connection	No.	9	50.00	450	

	ELEMENTS XD EXTERNAL SEWER DRAINAGE					15,000
	TRADES PD Plumbing					
196	Sewer drainage	Item			15,000	
	ELEMENTS XW EXTERNAL WATER SUPPLY					5,000
	TRADES PD Plumbing					
197	Water main and connection	Item			5,000	
	ELEMENTS XE EXTERNAL ELECTRICAL					15,000
	TRADES LP Electrical Services					
198	External electrical	Item			15,000	
	ELEMENTS YY DEMOLITION					11,320
	TRADES DE Demolition					
	<u>Demolish and Remove</u>					
199	Existing building including asbestos removal	No.	1	11,320.00	11,320	
					1,930,497	1,930,497



Australian Government

Department of Industry, Science and Resources

**Department of Infrastructure, Transport,
Regional Development, Communications and the Arts**

Grant Opportunity Guidelines

Growing Regions Program – Round 1

Opening date:	5 th July 2023 (Expression of interest) 1 st November 2023 (Full application)
Closing date and time:	05:00pm Australian Eastern Standard Time on 1 st August 2023 (Expression of interest) 05:00pm Australian Eastern Daylight Savings Time on 12 th December 2023 (Full application) Please take account of time zone differences when submitting your application.
Commonwealth policy entity:	Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)
Administering entity:	Department of Industry, Science and Resources (DISR)
Enquiries:	If you have any questions, contact us on 13 28 46.
Date guidelines released:	6 May 2023
Type of grant opportunity:	Open competitive

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1. Growing Regions Program processes

The Growing Regions Program is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program which contributes to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts' (DITRDCA) Outcome 3: *Strengthening the sustainability, capacity and diversity of Australia's regions, including northern Australia, including through facilitating local partnerships between all levels of government and local communities; through investment in infrastructure and measures that stimulate economic growth; and providing grants and financial assistance.* DITRDCA works with stakeholders to plan and design the grant program according to the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#).



Stage one of the grant opportunity opens

We publish the grant guidelines on business.gov.au and [GrantConnect](#).



STAGE ONE: EXPRESSION OF INTEREST

You complete and submit an Expression of Interest (EOI)

You complete the EOI application form, addressing all the eligibility and assessment criteria in order for your application to be considered.



We assess all grant applications

We assess the EOI against eligibility criteria and notify you if you are not eligible.
We analyse all eligible EOIs against assessment criterion 1 – EOI to understand how the project aligns with the program objectives and how ready it is to proceed, and we provide this information to the multi-party Parliamentary panel (the panel).
The panel assesses your application against assessment criterion 2 - EOI and compares it to other eligible applications.



We make grant recommendations

The panel recommends which projects will be invited to submit a full application (stage two), DITRDCA approves which applications proceed.



We notify you of the outcome

We advise you of the outcome of your EOI application.
We may not notify unsuccessful applicants until all successful applicants have been notified.



STAGE TWO: FULL APPLICATION

Stage two of the grant opportunity opens

Successful applicants from the EOI stage will be invited to apply.



You complete and submit a grant application

You complete the application form, addressing all the eligibility and assessment criteria in order for your application to be considered.





1.1. Introduction

These guidelines contain information for the Growing Regions Program. The Australian Government has announced a total of \$600 million over 3 years from 2023-24 to drive regional economic prosperity by providing access to funding for capital works for infrastructure across Australia's rural and regional areas. Funding will be provided through 2 rounds.

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how we consider and assess grant applications
- how we notify applicants and enter into grant agreements with grantees
- how we monitor and evaluate grantees' performance
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the Department of Industry, Science and Resources (the department/DISR) on behalf of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA).

We have defined key terms used in these guidelines in the glossary at section 14.

You should read this document carefully before you fill out an application.

2. About the grant program

The Growing Regions Program – Round 1 (the program) will run over 3 years from 2023-24 to 2025-26. The program was announced as part of the October 2022 Budget.

The program will deliver community and economic benefits by investing in community-focused infrastructure which revitalises regions and enhances amenity and liveability throughout regional Australia.

The objectives of the program are:

- constructing or upgrading community infrastructure that fills an identified gap or need for community infrastructure
- contributing to achieving a wide range of community socio-economic outcomes
- is strategically aligned with regional priorities.

The intended outcomes of the program are:

- delivery of community-focused infrastructure which contributes to local and regional priorities
- provision of infrastructure which benefits the community by improving equity and supports diverse social inclusion
- to contribute to the achievement of broader Government priorities such as net zero emissions, gender equity, and/or First Nations priorities
- growing local economies and enhancing amenity and liveability in the regions.

Growing Regions Program Round 1 will be delivered through a two-stage selection process.

Applicants must first submit an Expression of Interest at Stage 1 and if successful, applicants will be invited to submit a full application at Stage 2. For further details see section 6.

There will be other grant opportunities as part of this program and we will publish the opening and closing dates and any other relevant information on business.gov.au and [GrantConnect](#).

We administer the program according to the [Commonwealth Grants Rules and Guidelines](#) (CGRGs)¹.

3. Grant amount and grant period

3.1. Grants available

The Australian Government has announced a total of \$600 million over 3 years for the program. For Round 1, \$300 million is available over 3 years.

- The minimum grant amount is \$500,000.
- The maximum grant amount is \$15 million.

You are required to contribute towards the project. Co-funding requirements are:

Co-funding group	Project circumstance	Total Commonwealth Government funding towards eligible project costs
Group 1	<p>Projects run by First Nations Community Controlled Organisations.(as defined in Section 14)</p> <p>or</p> <p>Projects located in 'very remote' locations per the Australian Bureau of Statistics' Remoteness Structure as detailed in the mapping tool</p> <p>or</p> <p>Projects located in areas impacted by natural disaster from 1 May 2022 onwards as defined in Australian disasters (disasterassist.gov.au) where the specific project site was directly impacted by the disaster.</p>	Up to 90 per cent of eligible project costs
Group 2	<p>Projects located in 'remote' locations per the Australian Bureau of Statistics' Remoteness Structure as detailed in the mapping tool</p> <p>or</p> <p>Projects run by the following 'low rate based' councils, determined using the ratio of Financial Assistance Grant to Net Rate Income:</p> <p>Yarrabah Aboriginal Shire Council</p> <p>Cherbourg Aboriginal Shire Council</p> <p>Shire of Woodanilling</p> <p>District Council of Orroroo Carrieton</p>	Up to 70 per cent of eligible project costs

¹ <https://www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines>

	Shire of Tammin District Council of Peterborough Shire of Wyalkatchem Shire of Wickepin Shire of Dowerin District Council of Karoonda East Murray Shire of Kellerberrin Hay Shire Council Coolamon Shire Council Lockhart Shire Council Balranald Shire Council Weddin Shire Council Murrumbidgee Council Tenterfield Shire Council Narrandera Shire Council Wentworth Shire Council Bland Shire Council Lachlan Council.	
Group 3	All remaining projects.	Up to 50 per cent of eligible project costs

You are responsible for the remaining eligible and ineligible project costs.

Contributions to your project must be cash.

Other funding can come from any source including state, territory and local government grants.

You cannot use funding from other Commonwealth grants to fund the balance of project expenditure not covered by a grant under the Growing Regions Program.

3.2. Project period

You must complete your project by 31 December 2025. We may approve extensions provided you complete your project by the program end date.

4. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

4.1. Who is eligible to apply for a grant?

To be eligible you must:

- be an incorporated not-for-profit organisation

or

- be a local government agency² or body
- and
- have an Australian Business Number (ABN), or ORIC registration
 - deliver the project in an eligible location
 - commence the project no later than 15 May 2024
 - own the land/infrastructure being upgraded or built upon, or have the landowner's permission to use the land/infrastructure.

For the purposes of the program, we also consider the following organisations to be local government bodies:

Organisation legal name	ABN
Anangu Pitjantjatjara Yankunytjatjara	77 261 612 162
Maralinga Tjarutja	90 178 229 972
Gerard Community Council Aboriginal Corporation	99 725 510 595
Nipapanha Community Aboriginal Corporation	97 841 764 643
Yalata Community Council Incorporated	93 356 134 967
Cocos (Keeling) Islands Shire Council	12 325 522 841
Lord Howe Island Board	33 280 968 043
Norfolk Island Regional Council	60 103 855 713
Outback Communities Authority	46 594 368 490
Shire of Christmas Island	94 494 925 146
Silverton Village Committee Incorporated	94 820 037 891
Alpine Resorts Victoria	33 432 219 067
Tibooburra Village Committee Incorporated	58 160 430 241

If you are applying as a Trustee on behalf of a Trust³, the Trustee must have an eligible entity type as listed above.

Joint applications are acceptable, provided you have a lead organisation who is the main driver of the project and is eligible to apply. For further information on joint applications, refer to section 7.4.

4.2. Additional eligibility requirements

We can only accept applications where you provide:

² Local Government is an entity established under state or territory local government legislation, for the purposes of governing local areas within state or territory. In the states, they are generally referred to as local councils.

³ Trusts are not legal entities in their own right – to be eligible, only the Trustee for the Trust can apply by providing the signed Trust Deed and any subsequent variations with the application form. Trustees must be an eligible entity type as stated in section 4.1. Both the Trust's and Trustee's details will be collected in the application form.

- evidence of a cash contribution from another source (for example state government), the source must provide you with formal documentation confirming the cash contribution so you can attach it to your application (see section 7.3)
- evidence to support the request for co-funding where the Commonwealth is funding 70 per cent to 90 per cent
- evidence to demonstrate eligibility of your entity type
- recent quotes for major costs as part of your EOI and your full application (if invited to apply)
- evidence that you either own the land/infrastructure being built/upgraded upon, or that you have the landowner's permission to use the land/infrastructure

We cannot waive the eligibility criteria under any circumstances.

4.3. Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- an organisation, or your project partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme'
- an employer of 100 or more employees that has not complied with the Workplace Gender Equality Act (2012)
- an individual
- a partnership
- a Regional Development Australia Committee
- an unincorporated association
- any organisation not included in section 4.1
- a trust (however, an incorporated trustee may apply on behalf of a trust)
- a Commonwealth, state or territory government body
- a non-corporate Commonwealth entity
- a non-corporate State or Territory Entity
- a non-corporate State or Territory Statutory Authority
- an international entity
- sole trader
- a for-profit organisation
- university, technical college, school, hospital or aged care
- in an ineligible location as detailed in section 5.2.

5. What the grant money can be used for

5.1. Eligible grant activities

To be eligible your project must:

- be aimed at constructing new community infrastructure or expanding or upgrading existing infrastructure for wider community benefit
- not have commenced construction
- not have received Commonwealth funding to undertake the same grant activities

- have a minimum eligible expenditure of at least \$555,556 (group 1), \$714,286 (group 2) or \$1,000,000 (group 3) depending on co-funding requirements as outlined in section 3.1.

Eligible activities must directly relate to the project and must include at least one of the following:

- constructing new community infrastructure
- expanding or upgrading existing infrastructure for wider community benefit

Examples of these activities include but not limited to:

- community hubs and centres (youth centres, men's sheds)
- art galleries/libraries/museums/cultural facilities
- aquatic/sports centres
- social and community infrastructure which encourages economic and social liveability

All activities must be strategically aligned to regional priorities and benefit the wider community. This will need to be addressed through the assessment criteria.

We may also approve other activities.

5.2. Eligible locations

Your project must be delivered in an eligible location. All eligible locations must be outside of the Greater Capital City Statistical Areas (GCCSA) as defined by the Australian Bureau of Statistics.

Use the [mapping tool](#) to determine eligibility of your project location.

5.2.1. Ineligible locations

The following are ineligible locations:

- Greater Capital City Statistical Area - Greater Sydney
- Greater Capital City Statistical Area - Greater Melbourne
- Greater Capital City Statistical Area - Greater Perth
- Greater Capital City Statistical Area - Greater Adelaide
- Greater Capital City Statistical Area - Greater Brisbane
- Greater Capital City Statistical Area - Greater Darwin
- Greater Capital City Statistical Area - Greater Hobart
- All of ACT.

5.3. Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

- For guidance on eligible expenditure, refer to appendix A
- For guidance on ineligible expenditure, refer to appendix B.

We may update the guidance on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your project.

Not all expenditure on your project may be eligible for grant funding. The program delegate (who is a manager within the department with responsibility for administering the program) makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project audit activities.

You must incur the project expenditure between the project start and end date for it to be eligible unless stated otherwise. You must not commence your project until you execute a grant agreement with the Commonwealth.

6. The assessment criteria

6.1. Stage one - Expression of Interest

You must address all assessment criteria in your application.

The application form asks questions that relate to the assessment criterion below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays character limits for each response.

Projects which are assessed as meeting all eligibility requirements will be considered by the multi-party Parliamentary panel. The panel will consider and score your application against how strongly it aligns with the regional priorities of your area as per the matrix at Appendix C, using your response against criterion 2.

6.2. Assessment criterion 1 – EOI

To what extent is your project ready to proceed and how does it align to the program objectives (non-weighted)?

You should demonstrate this through identifying:

- a. how advanced the project designs are
- b. how far you have progressed the tender process
- c. the extent to which your project fills an identified gap or need for community infrastructure
- d. the extent to which your project will contribute to achieving a wide range of community socio-economic outcomes.

6.3. Assessment criterion 2 - EOI

How does your project align with regional priorities for the area (5 points)?

You should demonstrate this through identifying:

- a. which regional priorities are being addressed and how your project addresses these priorities.

Projects will be ranked and the panel will recommend applicants to be invited to submit a full application.

If invited to submit a full application, you will be asked to provide more detailed responses and evidence to support your answers as outlined in section 7.3.

6.4. Stage two – full application

You must address all assessment criteria in your application. We will assess your application based on the weighting given to each criterion.

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays character limits for each response.

We will only award funding applications that score at least 60 per cent against each assessment criterion.

6.5. Assessment criterion 1 – full application

Contribution to economic opportunity and social and community inclusion (40 points)

Economic opportunities for a region may include increases in economic activity, improvements in productivity, wider access to markets or fairer and more equitable economic outcomes. Social and community inclusion may cover improving community connections and providing opportunities for learning and knowledge creation.

You should demonstrate this through identifying:

- a. the extent to which your project meets the needs of the community
- b. the economic benefits that your project will deliver for the community and/or region during and beyond the term of funding
- c. the social benefits that your project will deliver for the community and/or region during and beyond the term of funding.

Examples of how your project could deliver social and economic benefits may include but is not limited to:

- increasing Indigenous economic participation, including Indigenous employment and supplier-use outcomes.
- increasing access to community services and infrastructure
- supporting or protecting local heritage and culture
- increasing community volunteering
- the use of local suppliers and goods, especially those that employ the use of sustainable work practices/goods
- increasing the number or value of jobs, new businesses or the production of goods and services in the region (this includes direct and indirect opportunities created through the project)
- meeting the needs of culturally and linguistically diverse socio-economic and cultural groups, such as First Nations people.

6.6. Assessment criterion 2 – full application

Alignment with broader Government and regional strategic priorities (20 points).

You should demonstrate this through identifying:

- a. the extent to which your proposal aligns with social, economic and environmental priorities in your region, including alignment with any local, regional, state or federal plans or policies
- b. the extent to which your proposal contributes to broader Government priorities such as net zero emissions, gender equity, and/or First Nations priorities

- c. how your proposal has considered environmental impacts and any potential role of environmentally sustainable design, including nature-based solutions and circular economy principles
- d. the extent of community support for the project, including outcomes from any consultation undertaken with the local community, such as First Nations groups and diverse socio-economic and cultural groups.

The evidence you provide to support this may include, but is not limited to:

- alignment with your Regional Development Australia (RDA) regional plan, if applicable⁴, your local government regional plan, or Regional Australia Institute research
- letters of support from your RDA committee, local government organisation and/or community groups for your project
- modelling of environmental impacts and/or mitigation.

6.7. Assessment criterion 3 – full application

Capacity, capability and resources to deliver and sustain the project (40 points).

You should demonstrate this through identifying:

- a. your track record managing similar projects and access to personnel and/or partners with the right skills and experience
- b. sound project planning to manage and monitor the project, which addresses scope, implementation methodology, timeframes, budget, community consultation, and risk management
- c. how you will operate and maintain the infrastructure and benefits of the project into the future
- d. your readiness to commence the project, including access. You should describe the steps you have taken to get your project investment ready including:
 - required regulatory and/or development approvals
 - project designs and costings
 - authority from the land or infrastructure owner to undertake the project at the nominated site(s)
 - funding contributions from all sources.

The evidence you provide to support this must include, but is not limited to:

- a clear business case for the proposal, including project plans, budget and relevant approvals, timelines and procurement processes
- a cost benefit analysis commensurate to size and scale of project
- a risk management plan, which identifies risks and mitigations.

7. How to apply

Before applying you should read and understand these guidelines, the sample [application forms](#) and the sample [grant agreement](#) published on business.gov.au and GrantConnect.

⁴ Plans may be accessed by locating your local RDA through [Regional Development Australia](#)

Applicants should read all eligibility and assessment criteria closely and attach detailed evidence that supports the assessment criteria.

You will need to set up an account to access our online [portal](#). You can only submit an application during a funding round.

7.1. Stage one – Expression of Interest (EOI)

To apply, you must:

- complete and submit the Stage one - Expression of Interest (EOI) application through the online portal
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments.

7.2. Stage two – full application

If you are invited to submit a full application you must:

- complete and submit the Stage two – full application through the online [portal](#)
- address all eligibility and assessment criteria
- include all necessary attachments and information requested.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code Act 1995](#). If we consider that you have provided false or misleading information we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

After submitting your application, we can contact you for clarification if we find an error or any missing information, including evidence that supports your eligibility/merit. The acceptance of any additional information provided after the submission of your application is at the discretion of the program delegate. Additional information should not materially change your application at the time it was submitted and therefore may be refused if deemed to be purely supplementary.

You can view and print a copy of your submitted application on the portal for your own records.

If you need further guidance around the application process, or if you have any issues with the portal, [contact us](#) at business.gov.au or by calling 13 28 46.

7.3. Attachments to the application

You must provide the following documents with your application:

7.3.1. Stage one – EOI

- evidence to support a request for co-funding group (including how your site was impacted by the disaster, if required) (if applicable)
- evidence that you either own the land/infrastructure being built/upgraded upon, or that you have the landowner's permission to use the land/infrastructure
- evidence of a cash contribution from any source (for example state government), the source must provide you with formal documentation confirming the cash contribution so you can attach it to your application
- project budget
- evidence of alignment to local and regional priorities

- evidence that the project is ready to commence including approved development applications, project designs and timelines
- trust deed (where applicable).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The total of all attachments cannot exceed 20MB. We will not consider information in attachments that we do not request.

7.3.2. Stage two – full application

- a business case which must include: the budget, the project risk management plans and cost benefit analysis
- attach detailed evidence that supports assessment criteria responses as detailed in section 6 (where applicable)
- recent quotes for major costs as part of your application
- accountant declaration
- evidence of funding strategy, e.g. financial statements, loan agreements, cash flow documents
- a letter of support from each project partner (see 7.4).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The total of all attachments cannot exceed 20MB. We will not consider information in attachments that we do not request.

7.4. Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a project. In these circumstances, you must appoint a lead organisation. Only the lead organisation can submit the application form and enter into the grant agreement with the Commonwealth. The application must identify all other members of the proposed group and include a letter of support from each of the project partners. Each letter of support should include:

- details of the project partner
- an overview of how the project partner will work with the lead organisation and any other project partners in the group to successfully complete the project
- an outline of the relevant experience and/or expertise the project partner will bring to the group
- the roles/responsibilities the project partner will undertake, and the resources it will contribute (if any)
- details of a nominated management level contact officer.

You must have a formal arrangement in place with all parties prior to execution of the grant agreement.

7.5. Timing of grant opportunity processes

You can only submit an application between the published opening and closing dates. We will only accept a late application where an applicant has experienced exceptional circumstances that prevent the submission of the application. Broadly, exceptional circumstances are events characterised by one or more of the following:

- reasonably unforeseeable
- beyond the applicant's control
- unable to be managed or resolved within the application period.

Exceptional circumstances will be considered on their merits and in accordance with probity principles.

For advice on how to submit late applications [contact us](#) at business.gov.au or by calling 13 28 46.

If you are successful, you must commence your project no later than 15 May 2024.

Table 1: Expected timing for this grant opportunity

Activity	Indicative timeframe
Assessment of EOI applications	6 weeks
Panel assessment of EOI applications	4 weeks
Approval of EOI applications	2 weeks
Open for full applications	1 November 2023
Assessment of stage two applications	6 weeks
Approval and announcement of successful applicants	2 weeks
Negotiations and award of grant agreements	5 weeks
Latest start date of project	15 May 2024
Project completion date	31 December 2025
End date of grant commitment	30 June 2026

7.6. Questions during the application process

If you have any questions during the application period, [contact us](#) at business.gov.au or by calling 13 28 46.

8. The grant selection process

8.1. Assessment of grant applications – Expression of Interest (stage one)

We first review your EOI against the eligibility criteria. Only eligible applications will proceed to the assessment stage.

If eligible, we will analyse your response to assessment criterion 1 – EOI to understand how your project aligns with the program objectives and how ready it is to proceed. We will provide our analysis of this information to the panel.

The panel will assess your EOI based on how strongly your project aligns with the regional priorities for the area (assessment criterion 2 – EOI). The panel will recommend projects to be invited to apply. DITRDCA approves which EOIs will proceed to a full application.

If your EOI is successful you will be invited to submit a full application.

8.2. Assessment of grant applications – Full application (stage two)

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications

- geographical spread
- whether it provides value with relevant money.

When assessing the extent to which the application represents value with relevant money, we will have regard to:

- the overall objectives of the grant opportunity
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- the relative value of the grant sought
- extent to which the geographic location of the application matches identified priorities
- extent to which the evidence in the application demonstrates that it will contribute to meeting the outcomes/objectives of the Growing Regions Program grant opportunity
- risks, financial, fraud and other, that the applicant or project poses for the department
- risks that the applicant or project poses for the Commonwealth

If applications are scored the same, DITRDCA will consider value for money, alignment to the program objectives and geographical spread to recommend applications for funding.

8.3. Who will assess applications?

We will assess all EOIs against the eligibility criteria. We then refer all eligible EOIs to the multi-party Parliamentary panel (the panel), together with our analysis of how your project aligns with the program objectives, and how ready it is to proceed using assessment criterion 1 – EOI.

The panel will assess your EOI application against assessment criterion 2 - EOI (in line with the assessment matrix at Appendix C) and compare it to other eligible applications before recommending which projects will be invited to submit a full application. The panel will be required to perform their duties in accordance with the CGRGs.

We will assess all full applications against the selection criteria. DITRDCA will then make recommendations to the decision maker.

8.4. Who will approve grants?

The DITRDCA approves which EOIs (stage one) will be invited to submit a full application (stage two) taking into account the recommendations of the panel.

The Minister for Infrastructure, Transport, Regional Development and Local Government (the decision maker) decides which grants to approve taking into account the results of DISRs merit assessment (stage two), DITRDCA's recommendations, and the availability of grant funds.

The Minister's decision is final in all matters, including:

- the grant approval
- the grant funding to be awarded
- any conditions attached to the offer of grant funding.

We cannot review decisions about the merits of your application.

The Minister will not approve funding if there is insufficient program funds available across relevant financial years for the program.

9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we advise you of any specific conditions attached to the grant.

9.1. Feedback on your application

If you are unsuccessful, we will give you an opportunity to discuss the outcome with us.

10. Successful grant applications

10.1. The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. The grant agreement has general terms and conditions that cannot be changed. A sample [grant agreement](#) is available on [business.gov.au](#) and GrantConnect.

We will manage the grant agreement through the online portal. This includes issuing and executing the grant agreement. Execute means both you and the Commonwealth have accepted the agreement. You must not start any Growing Regions Program activities until a grant agreement is executed. We are not responsible for any expenditure you incur and cannot make any payments until a grant agreement is executed.

The approval of your grant may have specific conditions determined by the assessment process or other considerations made by the Minister. We will identify these in the offer of grant funding.

If you enter an agreement under the Growing Regions Program you cannot receive other grants for the same activities from other Commonwealth granting programs.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

We will use a standard grant agreement.

You will have 60 days from the date of a written offer to execute this grant agreement with the Commonwealth. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the Minister.

10.2. Specific legislation, policies and industry standards

You must comply with all relevant laws, regulations and Australian Government sanctions in undertaking your project. You must also comply with the specific legislation/policies/industry standards that follow. It is a condition of the grant funding that you meet these requirements. We will include these requirements in your grant agreement.

In particular, you will be required to comply with:

- State/territory legislation in relation to working with children
- Working with Vulnerable People registration
- building and construction requirements
- Workplace Gender Equality Act 2012 reporting requirements

10.2.1. Child safety requirements

You must comply with all relevant legislation relating to the employment or engagement of anyone working on the project that may interact with children, including all necessary working with children checks.

You must implement the [National Principles for Child Safe Organisations](#)⁵ endorsed by the Commonwealth.

You will need to complete a risk assessment to identify the level of responsibility for children and the level of risk of harm or abuse, and put appropriate strategies in place to manage those risks. You must update this risk assessment at least annually.

You will also need to establish a training and compliance regime to ensure personnel are aware of, and comply with, the risk assessment requirements, relevant legislation including mandatory reporting requirements and the National Principles for Child Safe Organisations.

You will be required to provide an annual statement of compliance with these requirements in relation to working with children.

10.2.2. Building and construction requirements

Wherever the government funds building and construction activities, the following special regulatory requirements apply.

- Australian Government Building and Construction WHS Accreditation Scheme ([WHS Scheme](#))⁶
- *Code for the Tendering and Performance of Building Work 2016*⁷ ([Building Code 2016](#))

These regulations are subject to the level of funding you receive as outlined below.

10.2.2.1. WHS Scheme

The WHS Scheme is administered by the [Office of the Federal Safety Commissioner](#)⁸.

The Scheme applies to projects that are directly or indirectly funded by the Australian Government where

- the value of the Australian Government contribution to the project is at least \$6 million and represents at least 50 per cent of the total construction project value; or
- the Australian Government contribution to a project is \$10 million (GST inclusive) or more, irrespective of the proportion of Australian Government funding; and
- a head contract under the project includes building work of \$4 million or more (GST Inclusive).

10.3. Multicultural access and equity

The Australian Government's Multicultural Access and Equity Policy obliges Australian Government agencies to ensure their policies, programs and services - including those provided by contractors and service delivery partners – are accessible to, and deliver equitable outcomes for, people from culturally and linguistically diverse (CALD) backgrounds.

Grant applicants should consider how they will ensure their services will be accessible to people from CALD backgrounds. For example, service delivery partners may require cultural competency skills. In addition, services, projects, activities or events may require the use of professional translating or interpreting services in order to communicate with clients who have limited English

⁵ <https://www.humanrights.gov.au/our-work/childrens-rights/national-principles-child-safe-organisations>

⁶ <http://www.fsc.gov.au/sites/fsc/needaccredited/accreditationscheme/pages/theaccreditationscheme>

⁷ <https://www.abcc.gov.au/building-code>

⁸ <http://www.fsc.gov.au/sites/FSC>

proficiency. Based on an assessment of the client target group, costs for translating and interpreting services should be factored into grant applications (to assist with identifying these costs, see the Translating and Interpreting Services costing tool in the grant opportunity documents).

10.4. How we pay the grant

The grant agreement will state the:

- maximum grant amount we will pay
- proportion of eligible expenditure covered by the grant (grant percentage)
- any financial contribution provided by you and/or a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We may make an initial payment on execution of the grant agreement. We will make subsequent payments as you achieve milestones in arrears, based on your actual eligible expenditure. Milestone payments are subject to satisfactory progress on the project.

Note that if you request an upfront initial payment, we will request additional financial information from you, to verify your organisation is unable to cover the costs associated with your project without that initial grant payment.

We set aside at least 10 per cent of the total grant funding for the final payment. We will pay this when you submit a satisfactory end of project report demonstrating you have completed outstanding obligations for the project. We may need to adjust your progress payments to align with available program funds across financial years and/or to ensure we retain a minimum 10 per cent of grant funding for the final payment.

The Program Delegate may approve alternative arrangements on a discretionary basis.

10.5. Grant Payments and GST

If you are registered for the Goods and Services Tax (GST), where applicable we will add GST to your grant payment and provide you with a recipient created tax invoice. You are required to notify us if your GST registration status changes during the project period. GST does not apply to grant payments to government related entities⁹.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on tax.

11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect.

We will publish non-sensitive details of successful projects on GrantConnect. We are required to do this by the [Commonwealth Grants Rules and Guidelines](#), Section 5.3. We may also publish this information on business.gov.au. This information may include:

- name of your organisation

⁹ See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

- title of the project
- description of the project and its aims
- amount of grant funding awarded
- Australian Business Number
- business location
- your organisation's industry sector.

12. How we monitor your grant activity

12.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- ABN
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

You must notify us of events relating to your project and provide an opportunity for the Minister or their representative to attend.

12.2. Reporting

You must submit reports in line with the grant agreement. We will provide the requirements for these reports as appendices in the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed project milestones and outcomes
- project expenditure, including expenditure of grant funds

The amount of detail you provide in your reports should be relative to the project size, complexity and grant amount.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

12.2.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date
- include evidence of expenditure

- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

12.2.2. Ad-hoc reports

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

12.2.3. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- include a declaration that the grant money was spent in accordance with the grant agreement and to report on any underspends of the grant money
- be submitted by the report due date.

12.3. Audited financial acquittal report

We will ask you to provide an independent audit report. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The report template is available on business.gov.au and GrantConnect.

12.4. Grant agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a variation to your grant agreement, including:

- changing project milestones
- extending the timeframe for completing the project but within the maximum time period allowed in program guidelines
- changing project activities.

The program does not allow for an increase of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the project end date. You can submit a variation request via our online portal.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the grant agreement. We can only move funds between financial years if there is enough program funding in the relevant year to allow for the revised payment schedule. If we cannot move the funds, you may lose some grant funding.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the program policy objective, grant opportunity guidelines and any relevant policies of the department

- changes to the timing of grant payments
- availability of program funds.

12.5. Compliance visits

We may visit you during the project period, or at the completion of your project to review your compliance with the grant agreement. We will provide you with reasonable notice of any compliance visit.

12.6. Record keeping

We may also inspect the records you are required to keep under the grant agreement.

12.7. Evaluation

DITRDCA will evaluate the grant program to measure how well the outcomes and objectives have been achieved. We may use information from your application and project reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes.

We may contact you up to two years after you finish your project for more information to assist with this evaluation.

12.8. Acknowledgement

If you make a public statement about a project funded under the program, including in a brochure or publication, you must acknowledge the grant by using the following:

‘This project received grant funding from the Australian Government.’

If you erect signage in relation to the project, the signage must contain an acknowledgement of the grant.

13. Probity

We 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 and is consistent with the CGRGs.

These guidelines may be changed from time-to-time by DISR. When this happens, the revised guidelines will be published on GrantConnect.

13.1. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46 or by [web chat](#) or through our [online enquiry form](#) on business.gov.au.

We may publish answers to your questions on our website as Frequently Asked Questions.

Our [Customer Service Charter](#) is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, call us on 13 28 46. We will refer your complaint to the appropriate manager.

If you are not satisfied with the way we handle your complaint, you can contact:

General Manager
Business Grants Hub

Department of Industry, Science and Resources
GPO Box 2013
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman¹⁰](#) with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

13.2. Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity and/or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a Panel or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Panel members and other officials including the decision maker must also declare any conflicts of interest.

We publish our [conflict of interest policy](#)¹¹ on the department's website. The Commonwealth policy entity also publishes a conflict of interest policy on its website.

13.3. Privacy

Unless the information you provide to us is:

- confidential information as per below, or
- personal information as per below.

we may share the information with other government agencies for a relevant Commonwealth purpose such as:

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of grants.

¹¹ https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf_files_redirect

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the Panel, and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programs and activities.

We, or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the department's websites.

You may read our [Privacy Policy](#)¹² on the department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

13.4. Confidential information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

We may disclose confidential information:

- to the Panel and our Commonwealth employees and contractors, to help us manage the program effectively
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister

¹² <https://www.industry.gov.au/data-and-publications/privacy-policy>

- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

13.5. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

14. Glossary

Term	Definition
administering entity	When an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes.
application form	The document issued by the program delegate that applicants use to apply for funding under the program.
assessment criteria	The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application ranking.
<u>Commonwealth Grants Rules and Guidelines (CGRGs)</u>	Establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
completion date	The expected date that the grant activity must be completed and the grant spent by
date of effect	Can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
Department	The Department of Industry, Science and Resources.
decision maker	Minister for Infrastructure, Transport, Regional Development and Local Government.
DITRDCA	The Department of Infrastructure, Transport, Regional Development, Communications and the Arts, also known as the Commonwealth policy entity for this grant program.
eligible activities	The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in section 5.1.
eligible application	An application or proposal for grant funding under the program that the program delegate has determined is eligible for assessment in accordance with these guidelines.
eligibility criteria	Refers to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.

Term	Definition
eligible expenditure	The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in Appendix A.
First Nations community controlled organisations	These organisations are an Indigenous Organisation or enterprise and have an Indigenous Corporation Number (ICN) or can declare that they are a Traditional Owner or that their organisation is at least 51 per cent owned or controlled by Indigenous persons or the Indigenous Enterprise has 50 per cent Indigenous ownership.
General Manager	Position title for Senior Executive Service level staff within DISR.
grant	For the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> a. under which relevant money¹³ or other Consolidated Revenue Fund (CRF) money¹⁴ is to be paid to a grantee other than the Commonwealth; and b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.
grant activity/activities	Refers to the project/tasks/services that the grantee is required to undertake
grant agreement	A legally binding contract that sets out the relationship between the Commonwealth and a grantee for the grant funding, and specifies the details of the grant.
grant funding or grant funds	The funding made available by the Commonwealth to grantees under the program.
grant opportunity	Refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	A 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single DITRDCA Portfolio Budget Statement Program.

¹³ Relevant money is defined in the PGPA Act. See section 8, Dictionary.

¹⁴ Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
GrantConnect	The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
grantee	The individual/organisation which has been selected to receive a grant.
guidelines	Guidelines that the Minister gives to the department to provide the framework for the administration of the program, as in force from time to time.
Minister	Minister for Infrastructure, Transport, Regional Development and Local Government.
multi-party Parliamentary panel (the panel)	The multi-party Parliamentary panel established to assess and score eligible EOI's received in stage one of the application process against assessment criterion 2 – EOI. The panel will rank projects from top to bottom against the criterion, and make a recommendation to DITRDCA on who to invite to apply as part of stage 2 of the application process.
personal information	Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is: Information or an opinion about an identified individual, or an individual who is reasonably identifiable: a. whether the information or opinion is true or not; and b. whether the information or opinion is recorded in a material form or not.
program delegate	A manager within the department with responsibility for administering the program.
program funding or program funds	The funding made available by the Commonwealth for the program.
project	A project described in an application for grant funding under the program.
regional priorities	These are priorities identified in local or regional plans such as RDA plans, council plans and state plans.
selection criteria	Comprises of eligibility criteria and assessment criteria.

Term	Definition
value with money	<p>Value with money in this document refers to ‘value with relevant money’ which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> • the quality of the project proposal and activities; • fitness for purpose of the proposal in contributing to government objectives; • that the absence of a grant is likely to prevent the grantee and government’s outcomes being achieved; and • the potential grantee’s relevant experience and performance history.

Appendix A. Eligible expenditure

This section provides guidance on the eligibility of expenditure. We may update this guidance from time to time; check you are referring to the most current version from the business.gov.au website before preparing your application.

The program delegate makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be incurred by you within the project period
- be a direct cost of the project
- be incurred by you to undertake required project audit activities (where applicable)
- meet the eligible expenditure guidelines.

A.1 How we verify eligible expenditure

If your application is successful, we may ask you to verify the project budget that you provided in your application when we negotiate your grant agreement. You may need to provide evidence such as quotes for major costs.

The grant agreement will include details of the evidence you may need to provide when you achieve certain milestones in your project. This may include evidence related to eligible expenditure.

If requested, you will need to provide the agreed evidence along with your progress reports.

You must keep payment records of all eligible expenditure, and be able to explain how the costs relate to the agreed project activities. At any time, we may ask you to provide records of the expenditure you have paid. If you do not provide these records when requested, the expense may not qualify as eligible expenditure.

At the end of the project, you will be required to provide an independent financial audit of all eligible expenditure from the project.

A.2 Materials for construction

We consider costs of acquiring materials for the construction of infrastructure as eligible expenditure. Where possible and suitable for your project, you should use locally procured and sustainable, recycled or repurposed building materials. For example applications of sustainable, recycled or repurposed building materials and to find potential suppliers see the [sustainable and recycled products](#) page on the Department of Agriculture, Water and the Environment's website.

You must list material costs as a separate item within your project budget in the application form and in the expenditure table in your progress reports.

We will not make any payments to you for any expenditure you have incurred prior to the execution of your grant agreement.

Examples of eligible material costs can include:

- building materials
- ICT cabling
- fit out of the infrastructure, such as window dressings

- fixed furniture (e.g. kitchen fit outs as part of the construction of a building)
- landscaping.

You may show expenditure on materials by providing evidence of:

- purchase price
- payments (e.g. tax invoices and receipts from suppliers confirming payment)
- commitment to pay for the materials (e.g. supplier contract, purchase order or executed lease agreement)
- receipt of materials (e.g. supplier or freight documents)
- associated costs such as freight and installation (e.g. supplier documents)
- photographs of the infrastructure on your premises.

If you claim expenditure for materials, we limit this to:

- the costs of materials
- freight costs.

A.3 Hired/leased plant

You may lease plant and equipment to support your project, and where possible, you should use local suppliers.

You must calculate eligible expenditure for hired, rented, or leased plant by the number of payment periods where you use the plant for the project multiplied by the period hiring fee. If you purchase plant under a hire purchase agreement, or you use a lease to finance the purchase of the plant, the cost of the item of plant, excluding interest, is capitalised, and then depreciated.

Running costs for hired or leased plant are eligible expenditure but you must be able to verify them. They may include items such as rent, light and power, and repairs and maintenance.

A.4 Contract expenditure

Eligible contract expenditure is the cost of work undertaken on any agreed eligible project activities that you contract others to do. This can include contracting:

- another organisation
- an individual who is not an employee, but engaged under a separate contract.

This does not include existing employees that you pay a salary or a wage.

Where possible, you should engage local contractor/operators. All contractors must have a written contract prior to starting any project work—for example, a formal agreement, letter or purchase order which specifies:

- the nature of the work they perform
- the applicable fees, charges and other costs payable.

Invoices from contractors must contain:

- a detailed description of the nature of the work
- the hours and hourly rates involved
- any specific plant expenses paid.

Invoices must directly relate to the agreed project, and the work must qualify as an eligible expense. The costs must also be reasonable and appropriate for the activities performed.

We will require evidence of contractor expenditure that may include:

- an exchange of letters (including email) setting out the terms and conditions of the proposed contract work
- purchase orders
- supply agreements
- invoices and payment documents.

You must ensure all project contractors keep a record of the costs of their work on the project. We may require you to provide a contractor's records of their costs of doing project work. If you cannot provide these records, the relevant contract expense may not qualify as eligible expenditure.

A.5 External labour hire and external consulting expenditure

Eligible external labour and external consulting expenditure for the grant covers the cost of contracting others on the core elements of the project related to construction. Where possible, you should engage local labour and services.

Eligible external labour hire and external consulting expenditure may include:

- Architect services
- Design services
- Project management
- Quantity surveying
- Building services.

Costs for pre-construction activities including architect services, design, surveying, planning, environmental or other regulatory approvals (A.5 and A.6), are limited to 20 per cent of the total amount of eligible project expenditure claimed. These costs are only eligible if the activities occur during the project period as defined in your grant agreement.

A.6 Other eligible expenditure

Other eligible expenditure for the project may include:

- financial auditing of project expenditure
- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible

Other specific expenditures may be eligible as determined by the Program Delegate in accordance with the CGRGs and Government practice.

Evidence you need to supply can include but is not limited to supplier contracts, purchase orders, invoices and supplier confirmation of payments.

Appendix B. Ineligible expenditure

This section provides guidance on what we consider ineligible expenditure. We may update this guidance from time to time; check you are referring to the most current version from the [business.gov.au](https://www.business.gov.au) website before preparing your application.

The program delegate may impose limitations or exclude expenditure, or further include some ineligible expenditure listed in these guidelines in a grant agreement or otherwise by notice to you.

Examples of ineligible expenditure include:

- purchase of land or existing infrastructure, including the costs associated with sub-division of land
- repair or replacement of existing infrastructure where there is no demonstrated significant increase in benefit
- costs associated with existing staff of your organisation including wages or employee on-costs such as superannuation, holiday loading, overheads, and consumables such as paper, printer cartridges, office supplies, brochures and other marketing materials, kitchen supplies or food and beverages or catering, unless an exemption is sought and approved in the case of very remote locations
- retrospective costs
- temporary relocation costs
- ongoing upgrades, updates and maintenance of existing ICT systems, the cost of ongoing subscription-based software, and IT support memberships and warranties for purchases
- domestic or overseas travel
- funding to develop or deliver ongoing training or educational courses
- funding to undertake studies, including feasibility studies or investigations
- funding for the development of private or commercial ventures
- funding to purchase items that will not remain the property of the organisation including items to be given away
- activities for which other Commonwealth, state, territory or local government bodies have primary responsibility
- purchase and installation of manufacturing equipment
- subsidy of general ongoing administration of an organisation such as electricity, phone and rent
- payment of salaries for the applicant's employees
- project overhead items including office equipment, vehicles or mobile capital equipment. Examples include trucks and earthmoving equipment and the applicant's internal plant operating costs
- costs incurred in the preparation of a grant application or related documentation for example business case development and feasibility studies
- costs related to registered training organisation training activities
- routine operational expenses, including communications, accommodation, printing and stationery, postage, legal and accounting fees and bank charges
- making donations, gifts and sponsorships

- pre-construction activities, including architect services, design, surveying, planning, environmental or other regulatory approvals (A.5 and A.6), that exceed 20 per cent of the total eligible project expenditure
- costs incurred prior to the execution of a grant agreement
- fees paid to the Commonwealth, state, territory and local governments to obtain planning, environmental or other regulatory approvals.

Additional examples of ineligible expenditure specific to investment ready projects include:

- purchase of unfixed furniture, such as desks and fridges
- ICT equipment, including software or hardware that is not an integral part of the funded infrastructure project
- office computing facilities.

This list is not exhaustive and applies only to the expenditure on the agreed project. Other costs may be ineligible where the Program Delegate determines they do not directly support the achievement of the planned outcomes for the project or, they are contrary to the objectives of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.

Appendix C. Panel scoring matrix

Score 1-5	1 Unable to determine alignment with regional priority	2 Weak alignment with regional priority	3 Marginal alignment with regional priority	4 Strong alignment with regional priority	5 Very strong alignment with regional priority
How strongly does the project align with the regional priorities?	No information on the project's alignment with regional priorities provided.	Regional priorities identified are vague and not well linked to the project.	The proposed project aligns with the identified regional priorities but only at a high level.	The proposed project specifically and reasonably aligns with regional priorities.	The proposed project specifically and clearly aligns with regional priorities, and priorities are clearly defined.




REGIONAL EARLY
EDUCATION &
DEVELOPMENT
INC.

Who are REED?

A not-for-profit organisation

building a sustainable early childhood education and care system in regional WA



governed and managed by a skilled Board and Management Team



providing quality education and care that enable children to develop and flourish



contributing to the sustainability of rural and regional communities.

The Foundation

Regional Early Education & Development Inc was established in March 2018.

- ECEC services struggled in the Wheatbelt for more than a decade
- In 2015 Shire of Brookton commissioned a small scale project which identified possible management and governance styles
- Challenges identified across more than 20 ECEC services across the Wheatbelt
- Decision made to have a single regional entity, expanded to include regional locations adjoining the Wheatbelt
- REED officially launched on 16 March 2018
- Initial funding by Dept of Communities and Lotterywest



Our Vision & Mission

By working together we will assist country towns to ensure:

Children who thrive and flourish because of high quality services.

Families have access to, and confidence in, the early learning and development services REED provides for their children.

Vibrant communities where families want to live, work and raise their children.

OUR MISSION

We will provide high-quality early learning and development services for children and families.

We will work with local communities to help them strengthen and grow through meeting the needs of families.



Why is REED's work important?



- ▶ Managing an Early Childhood Education and Care (ECEC) service is a complex business.
- ▶ Urgent need for a service delivery model to address the sustainability of ECEC services in regional WA which has been a challenge for more than a decade.
- ▶ Despite financial support from Commonwealth, State and Local Governments, many services did not have the income to cover staff salaries.
- ▶ Volunteer management committees and Shires do not always have the expertise to identify problems and take the actions necessary to resolve the situation.

What REED Provides ?



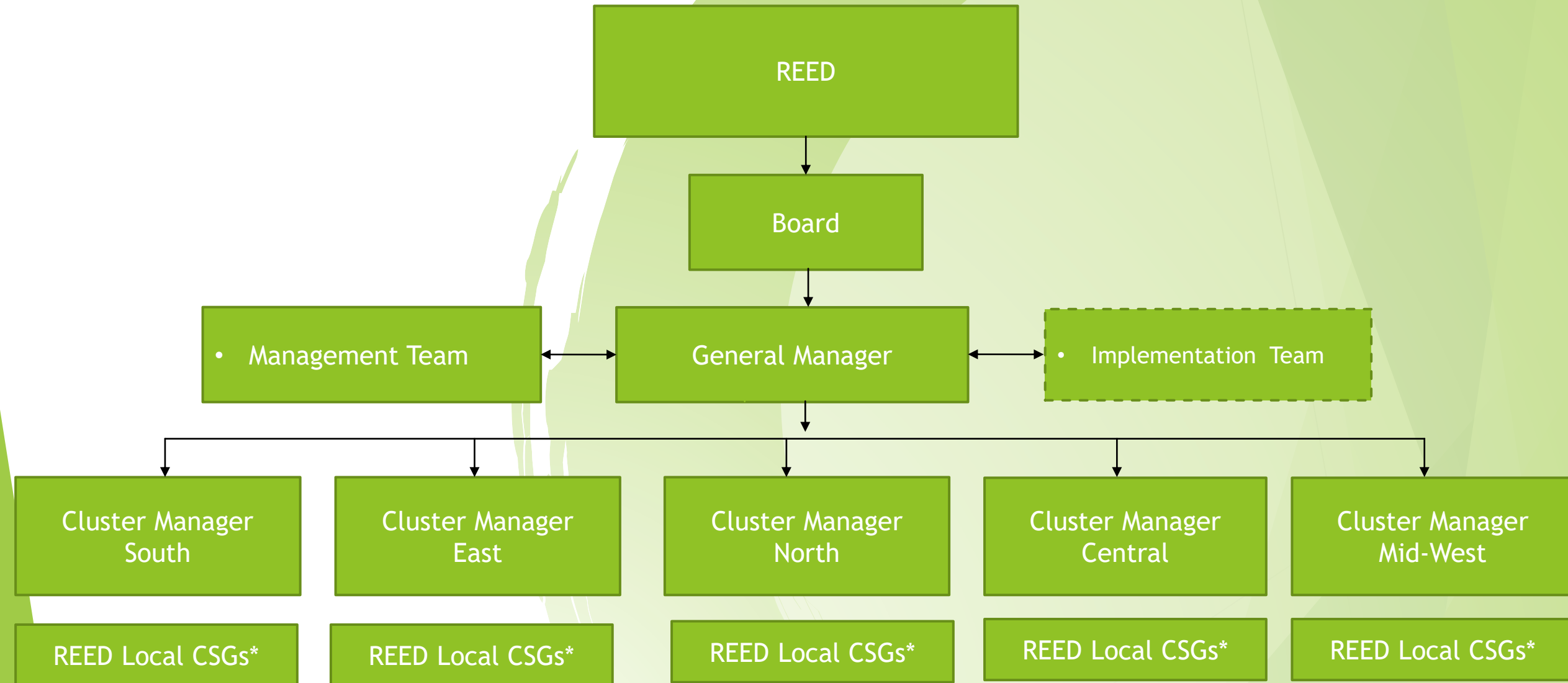
Long Day Care in Centres the majority of which are leased from Shires, with one centre owned by REED

Family Day Care - in a Family Day Care Educator's home or in a community venue such as community hall

Outside School Hours Care in schools and in Long Day Care Centres and Family Day Care, and

works in partnership with organisations such as Indigenous organisations to increase participation of Aboriginal children in ECEC.

The REED Cluster Model



REED Board



Helen Creed
Chairperson



Wendy Newman
Deputy Chairperson



Carol Child
Treasurer



Lucy King
Board Member



Yvette Harrison
Board Member



Dr. Jacquie Hutchison
Board Member



Suzanne Woods
Board Member



Mark Morrissey
Board Member



Scott Wildgoose
Board Member

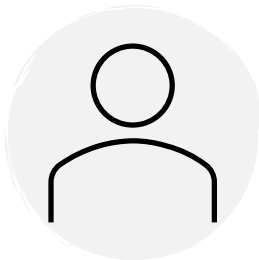
REED Management Team



Steven Sizer
Operations Manager



Melissa Elliott
Cluster Manager North



Nicole Derksen
Cluster Manager Mid-West



Linda Bell
Corporate Services Manager



Tracey Foster
Cluster Manager South



Madison Boothey
Cluster Manager Central



Kylie Helgesen
General Manager



Tania Darby-Gethin
Cluster Manager East

Current REED services (23)

- REED-Narrogen
- REED - Wickepin
- REED - Pingelly
- REED - Corrigin
- REED - Merredin
- REED - Brookton
- REED - Yilgarn
- REED - Wundowie
- REED - Nannup
- REED- Mingenew
- REED- Perenjori
- REED- Northampton
- Narrogen Outside School Hours Care
- Great Beginnings Family Day Care in:
 - Beverley
 - Dalyellup
 - Dumbleyung
- REED- Darkan
- REED - Hyden
- REED - Bruce Rock
- REED - Mukinbudin
- REED - Narembeen
- REED - Quairading
- REED - Dalwallinu
- REED - Cunderdin
- REED - Dowerin

Merger Process

Step 1

- Engage with potential service
- Present proposal to the Board for consideration
- Board resolve to pursue merger with service
- Formal proposal letter

Step 2

- Merger Agreement signed
- Lease Agreement negotiated
- Commence onboarding process (staff and families)
- ECRU applications incl. transfer of approved provider, service approval and CCS

Step 3

- Committee commence process to apply for voluntary cancellation
 - Submit application to DMIRS
 - Cancellation of Association
- (applies to community based services only)

FEE Structure



Based on Commonwealth
hourly cap rate



Maximise the
Commonwealth
contribution



Updated annually to
reflect CPI

Child Care Subsidy hourly rate caps from 10 July 2023

Care type	Hourly rate cap for children below school age	Hourly rate cap for school-age children
Centre Based Day Care	\$13.73	\$12.02
Outside School Hours Care	\$13.73	\$12.02
Family Day Care	\$12.72	\$12.72
In Home Care (per family)	\$37.34	\$37.34

*Hourly cap rate for FY24

Assistance from Local Government

Long term leases on premises used for early childhood education and care.

Provision of financial, in-kind and other support (e.g. accommodation for existing and prospective staff).

Ensuring ongoing local community involvement in this vital community service.

Promotion of the region as a great place to live and work.

Inclusion of REED local services on Shire websites.



Contact REED Inc

- ▶ Postal : PO Box 390 Narrogin WA 6312
- ▶ Phone : 08 6382 3825
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- ▶ Facebook : www.facebook.com.au/reedwa



QUESTIONS?

Ordinary Council Meeting 20 July 2023

Attachment 1- 11.1.5a Proposed 2023 Delegation Register

Attachment 2- 11.1.5b Proposed 2023 Authorisation Register

Item 11.1.5- Review of Council Delegation Register and Authorisation Register



Shire of Morawa

DELEGATION OF AUTHORITY REGISTER

July 2023

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INTRODUCTION

Purpose of Delegating Authority

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation. This is consistent with the Shire's commitment to a strong customer service focus. The register details the related document(s) where the power to delegate is derived from, including legislation and policies of the Council. This enables easier cross-referencing. This delegated authority register will be reviewed in accordance with the *Local Government Act 1995* (the Act) on an annual basis. The co-ordination of the review will be performed through the office of the Chief Executive Officer.

Legislation

The Act allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in s. 5.4.3. All delegations made by the Council must be by absolute majority decision. {s.5.42 (1)}.

Associated Legislation

Legislation other than the Act, its regulations and the local government's local laws created under the Act where delegations or authorisations may occur are as follows: -

- *Planning and Development Act 2005 including regulations, and adopted policies:*
- *Dog Act 1976* and regulations;
- *Cat Act 2011* and regulations;
- *Bush Fires Act 1954*, regulations and local laws created under that Act;
- *Health Act 1911* (as amended) regulations and local law created under that Act;
- *Freedom of Information Act 1992*;
- *Land Administration Act 1997*, as amended and regulations;
- *Litter Act 1979* and regulations;
- *Local Government (Miscellaneous Provisions) Act 1960* as amended;
- *Caravan Parks and Camping Grounds Act 1995*;
- *Control of Vehicles (Off-Road Areas) Act 1978* and regulations;
- *Strata Titles Act 1985*;
- *Food Act 2008*;
- *Environmental Protection Act 2005*;
- *Building Act 2011 and Building Regulations 2012*

Some legislation provides for authorisation of Local Government officers to have powers as are necessary in order for them to perform their required duties as a specific function of the local government. These duties are carried out as "acting through" functions under s.5.45 (2) of the Act and applies only to functions under the Act.

When dealing with functions under other legislation, one of the following may apply:

- Delegation, where that legislation includes express powers to delegate and those powers are capable of being used by Local Government Authorisation, where that legislation includes express powers to appoint authorised persons, and those powers are capable of being used by Local Government Implied Authorisation, where the function requires discretion and the parliament in drafting the legislation did not intend for the power to only be exercised by the office in which it is vested and the function is undertaken so frequently so as to be administratively unreasonable for it only to be exercised by the office in which it is vested.
- The *Planning and Development Act 2005* recognises the WA Planning Commission to delegate under S16(1) and (3)(e) "*any function of the Commission under this Act or any other written law, except this power of delegation, a local government, a committee established under the Act or an employee of a local government.*"
- Section 14(a) (iii) "Functions" of the *Planning and Development Act* recognises the functions of the Commission to advise the Minister on legislation and delegations associated with local

planning schemes. This includes Council's Town Planning Scheme No.3.

- Section 5.42 of the *Local Government Act 1995* provides power for Local Governments to delegate s.214 (2), (3) or (5) of the Planning and Development Act.

Delegation by the Chief Executive Officer

The *Act* allows for the Chief Executive Officer to delegate certain powers under that Act, to another Employee. {S5.44 (1)}. This must be done in writing. {S5.44 (2)} The Act allows for the Chief Executive Officer to place conditions on any delegations if desired.

{S 5.44 (4)}

A register of delegations relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year. {S.5.46 (1) and (2)}. If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used. {S 5.46 (3)}

The record is to contain the following information:

- how the person exercised the power or discharged the duty;
- when the person exercised the power or discharged the duty; and
- the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty. {Local Government (Administration) Regulations 1996 Regulation 19.}

All areas of the Shire responsible for work process are to ensure that data is captured, and records managed in accordance with all legislation, as well as preparing reports to Council where required under a specific delegation. This includes recording of delegated authority of the Chief Executive Officer where applicable, once approved through a signed authority by the Chief Executive Officer.

A person to whom a power is delegated under the *Act* is considered to be a 'designated employee' under s.5.74(b) of the *Act* and is required to complete a primary and annual return each year. There is no power for a person other than the Chief Executive Officer to delegate a power. {S 5.44 (1)}.

Acting through another person

Local Government Act 1995 – Section 5.45 (2)

Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing –

- a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or
- a Chief Executive Officer from performing any of his or her functions by acting through another person.

The key difference between a delegation and "acting through" is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the "acting through" concept.

Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

The difference between a delegated authority to exercise a discretion on behalf of the Shire and acting through another person to undertake a function on behalf of the Shire where no discretion exists is reinforced by Section 56 of the Interpretation Act 1984 which states:–

56. "May" imports a discretion, "shall" is imperative

Where in a written law the word "may" is used in conferring a power, such word shall be interpreted to imply that the power so conferred may be exercised or not, at discretion.

Where in a written law the word "shall" is used in conferring a function, such word shall be interpreted to mean that the function so conferred must be performed.

1. COUNCIL DELEGATIONS TO COMMITTEES

1.1. MORAWA SINOSTEEL FUTURE FUND

Delegated Function to be performed	Manage the Morawa Sinosteel Future Fund
Delegation to	Morawa Sinosteel Future Fund Committee
Legislative Power or duty delegated	As per the Deed of Agreement
Legislative power to delegate	<i>Local Government Act 1995</i> s5.16 Delegation of some powers and duties to certain committees s5.17 Limits on delegation of powers and duties to certain committees
Delegation of Duty	To implement the resolutions of the Morawa Sinosteel Future Fund Committee (without requiring a resolution of Council)
Conditions and Exceptions	As per Sinosteel Midwest Corporation Limited/Shire of Morawa – Deed of Agreement for the Future.
Reporting Requirements	Confirmed Committee Minutes
Date Reviewed	21 July 2022 20 July 2023

2. COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

2.1 APPOINTMENT OF AUTHORISED PERSONS

Delegated Function to be performed	<p>A local government may, in writing, appoint persons or classes of persons to be authorised for the purpose of performing particular functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations:</p> <p>Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the Local Government (Miscellaneous Provision Act 1960 and Local Laws made under the Local Government Act.</p> <ul style="list-style-type: none"> a) <i>Caravan Parks and Camping Grounds Act 1995</i> b) <i>Control of Vehicles (off-road Areas) Act 1978</i> c) <i>Litter Act 1979</i> d) <i>Criminal Procedures Act 2004</i> e) <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> f) <i>Cemeteries Act 1986</i> g) <i>Building Act 2011</i>
Legislative Power or duty delegated	<p><i>Local Government Act 1995</i> S9.10 Appointment of authorised persons S 3.24 Authorising persons under this subdivision</p>
Legislative power to delegate	<p><i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	Only persons who are appropriately qualified and trained may be appointed as Authorised persons in accordance with each relevant legislation as per the Legislative Power to Delegate (above).
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	20 July 2022 ²⁰ July 2023

2.2 LOCAL LAWS – SHIRE OF MORAWA - ADMINISTRATION

Delegated Function to be performed	A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.
Legislative Power or duty delegated	<p><i>Local Government Act 1995</i> Division 2 Legislative functions of local governments Subdivision 1 Local laws made under this Act Subdivision 2 Local laws made under any Act S3.67 Inconsistency between regional and other local laws.</p> <p>Powers of the local government as prescribed in: <i>Shire of Morawa Cemeteries 2018 - Local Law</i> <i>Shire of Morawa Dogs 2018 - Local Law</i> <i>Shire of Morawa Extractive Industries 2018 - Local Law</i> <i>Shire of Morawa Fencing 2018 Local Law</i> <i>Shire of Morawa Health 2004 - Local Law</i> <i>Shire of Morawa Public Places and Local Government Property 2018 - Local Law</i> <i>Shire of Morawa Meeting Procedures 2012 - Local Law</i> <i>Shire of Morawa Waste 2018 - Local Law</i></p>
Legislative power to delegate	<p><i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO s5.44 CEO may delegate powers and duties to other employees</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	Determinations and decisions under the Shire of Morawa Local Laws having regard to the relevant Shire of Morawa Council policies in force at the time.
Reporting Requirements:	<u>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</u> Nil.
Date Reviewed	21 July 2022 ²⁰ July 2023

2.3 POWER TO ISSUE NOTICES

Delegated Function to be performed	The issue of notices requiring certain thing to be done by the owner or occupier of land
Legislative Power or duty delegated	<i>Local Government Act 1995</i> S3.25, Notices requiring certain things to be done by owner or occupier of land
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	The CEO is delegated authority to issue notices under Schedule 3.1 section 3.25 of the <i>Local Government Act 1995</i>
Reporting Requirements:	Action taken to must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 20 July 2023

2.4 POWERS OF ENTRY

Delegated Function to be performed	<ol style="list-style-type: none"> 1. Authorise entry onto land to fulfil any statutory function that the local government has under the Local Government Act 1995 2. Give a Notice of Entry 3. Seek and execute an entry under warrant 4. Execute an entry in an emergency, using such force as is reasonable 5. Give notice and execute the opening of a fence
Legislative Power or duty delegated	<i>Local Government Act 1995</i> Section 3.28 When this subdivision applies Section 3.32 Notice of Entry Section 3.33 Entry under Warrant Section 3.34 Entry in an Emergency Section 3.36 Opening Fences
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	A warrant to enter may only be sought after the employee has a sworn affidavit setting out circumstances that gave rise to the need for a warrant (unless in the case of substantial risk to public safety or property). Entry in an emergency may only be used, where there is imminent or substantial risk to public safety or property.
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	24 July 2022 20 July 2023

2.5 IMPOUNDING GOODS INVOLVED IN CERTAIN CONTRAVENTIONS

Delegated Function to be performed	To declare a vehicle to be an abandoned vehicle wreck if: <ul style="list-style-type: none"> after 7 days from the removal of the vehicle under the <i>Local Government Act 1995</i> Section 3.40A(1) : the owner of the vehicle has not been identified; or after 7 days from the removal of the vehicle under the <i>Local Government Act 1995</i> Section 3.40A(2), the owner of the vehicle has not collected it.
Legislative Power or duty delegated	<i>Local Government Act 1995</i> Subdivision 4 Impounding Goods involved in certain contraventions S3.39 Power to remove and impound. <i>Road Traffic Act 1974</i>
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	N/A
Reporting Requirements:	Action taken to must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 20 July 2023

2.6 CLOSING CERTAIN THOROUGHFARES TO VEHICLES

Delegated Function to be performed	To close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks. A local government may, by local public notice, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks.
Legislative Power or duty delegated	<i>Local Government Act 1995</i> s3.50 Closing certain thoroughfares to vehicles (1) (1a) (4)
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>S.3.50 (4)</p> <p>Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —</p> <p>a. give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and</p> <p style="padding-left: 40px;">i. give written notice to each person who</p> <p style="padding-left: 40px;">ii. is prescribed for the purposes of this section; or</p> <p style="padding-left: 40px;">iii. owns land that is prescribed for the purposes of this section; and</p> <p>b) allow a reasonable time for submissions to be made and consider any submissions made.</p> <p>NOTE: The permanent closure of thoroughfares to be referred to Council for determination in accordance with the <i>Land Administration Act 1997</i>.</p>
Reporting Requirements:	<p>Action taken to must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	<p>7 <u>20 July 2023</u> July 2024</p>

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2.7 PAYMENTS FROM MUNICIPAL FUND AND TRUST FUND

Delegated Function to be performed	Where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, each payment from the municipal fund or the trust fund is to be noted on a list compiled for each month which is to be presented to the next ordinary meeting of council.
Legislative Power or duty delegated	<i>Local Government Act 1995</i> Division 4 – General Financial Provisions <i>Local Government (Financial Management) Regulations 1996</i> r. 12(1)(a) Payments from municipal fund or trust fund, restrictions on making r.. 13 Payments from municipal fund or trust fund by CEO
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	Subject to the requirements of r13 of the <i>Local Government (Financial Management) Regulations 1996</i> and Shire of Morawa Policy Manual - FIN01 Significant Accounting Policy
Reporting Requirements	Each payment from the municipal fund or the trust fund is to be noted on a list compiled for each month which is to be presented to the next ordinary meeting of council within the Ordinary Council Meeting Agenda.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.8 CONCESSION FOR MINOR CHARGES

Delegated Function to be performed	A local government may approve the waiving or granting concessions in relation to any amount of money but shall not apply to an amount of money owing in respect of rates and service charges
Legislative Power or duty delegated	<i>Local Government Act 1995</i> s6.12 Power to defer, grant discounts, waive or write off debts s6.12(1)(b), (2) and (3)
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	<u>The CEO may:</u> <u>Authorise a waiver or grant a concession to a maximum value of \$1,000</u> <u>Actions taken must be recorded in Synergy.</u>
Reporting Requirements	<u>The delegate has the authority to deal with such matters relevant to the delegation.</u> <u>Actions taken must be recorded in Synergy.</u> <u>Authorisation only applies to charges less than \$500.</u> <u>The delegate has the authority to deal with such matters relevant to the delegation</u>
Date Reviewed	<u>21 July 2022</u> <u>20 July 2023</u>

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2.9 WRITE-OFF OF MONIES OWING

Delegated Function to be performed	To write off any amount of money owed to the Shire, subject to section 6.12(2) of the <i>Local Government Act 1995</i> .
Legislative Power or duty delegated	<i>Local Government Act 1995</i> s6.12(1)(c) Power to defer, grant discounts, waive or write off debts which is owed to the local government.
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p><u>The Chief Executive Officer may:</u></p> <p><u>Authorise a write-off of any debts (not including rates or other charges) shall apply to an amount up to a value of \$500 \$1,000 per debtor.</u></p> <p><u>Authorise a write-off of any debts in relation to rates in accordance with the Financial Hardship Policy to a maximum of \$1,000.</u></p> <p><u>The Chief Executive Officer will need to take into consideration when making such decisions:</u></p> <ul style="list-style-type: none"> ▪ <u>The amount involved; and</u> ▪ <u>Impact of the writing off of the debt will have on the Council's finances and</u> <ul style="list-style-type: none"> ○ <u>the debtor; and</u> ▪ <u>The likelihood of ever recovering the debt</u> <p><u>Chief Executive Officer authorisation shall apply to an amount up to a value of \$500 per debtor.</u></p> <p><u>The Chief Executive Officer will need to take into consideration when making such decisions include:</u></p> <ul style="list-style-type: none"> ▪ <u>The amount involved; and</u> ▪ <u>Impact of the writing off of the debt will have on the Council's finances and</u> <ul style="list-style-type: none"> ○ <u>the debtor; and</u> <p><u>The likelihood of ever recovering the debt</u></p>

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Reporting Requirements	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 ^{20 July 2023}

2.10 INVESTMENT OF SURPLUS FUNDS

Delegated Function to be performed	Money held in the municipal or trust funds of a local government that is not, for the time being required by the local government for any other purpose may be invested in accordance with the Trustee's Act
Legislative Power or duty delegated	<i>Local Government Act 1995</i> s6.14 Power to Invest <i>Local Government (Financial Management) Regulation 19C</i> Investment of money, restrictions on s.6.14(2)(a) Shire of Morawa Policy Manual – FIN02 Investment Policy
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	Authority to CEO is up to \$800,000 per investment. Authority which may be delegated by the CEO to employees is subject to the following maximum individual amounts: Executive Manager Corporate & Community Services: \$100,00.
Express Power to Sub-Delegate	Executive Manager Corporate and Community Services
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	7 20 July 2023 July 2024

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2.11 EXPRESSION OF INTEREST FOR GOODS AND SERVICES

Delegated Function to be performed	<p>Authorisation is given to call for Expressions of Interest for the supply of goods or services where appropriate.</p> <p>Authorisation is given to consider Expressions of Interest received and determine a list of acceptable tenderers</p>
Legislative Power or duty delegated	<p><i>Local Government Act 1995</i> s3.57 Tenders for providing goods or services</p> <p><i>Local Government (Function and General) Regulations 1996</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be the acceptable tenderer.</p>
Legislative power to delegate	<p><i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>The delegate has the authority to deal with such matters relevant to this delegation.</p> <p>Details of the expression of interest sought must be recorded in the appropriate record and in the Tender Register as required by the Local Government (Functions and General) Regulations 1996, Regulation 17.</p> <p>A determination to call a tender must only occur where the procurement is identified in Annual Budget allocations.</p>
Reporting Requirements	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.12 DETERMINING THAT TENDERS DO NOT HAVE TO BE INVITED FOR THE SUPPLY OF GOODS AND SERVICES

Delegated Function to be performed	The Chief Executive Officer is delegated the power to determine that the Shire has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier and not publicly invite tenders before the Shire enters into a contract for the supply of goods or services even though the consideration under the contract is, or is expected to be, worth more than \$250,000.
Legislative Power or duty delegated	<i>Local Government Act 1995</i> S3.57(1) Tenders for providing goods or services <i>Local Government (Function and General) Regulations 1996</i> r.11 When tenders have to be publicly invited (2)(f)
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	In all proposed actions, notification of the intent to undertake a delegated decision must be made to Councillors via email and Councillors given not less than 3 working days to request the matter be referred to the next available Council meeting for a decision. The determination is to be supported by a detailed report and subject to the requirements and conditions of Shire of Morawa Policy Manual - FIN04 Purchasing Policy.
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 20 July 2023

2.13 TENDERS EVALUATION CRITERIA

Delegated Function to be performed	The power to amend, in writing, the tender evaluation criteria from that of Shire of Morawa Policy Manual - FIN04 - Purchasing Policy prior to tenders being advertised.
Legislative Power or duty delegated	<i>Local Government (Function and General) Regulations 1996</i> r14 Publicly inviting tenders, requirements for (2a)
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	The Chief Executive Officer is delegated the power to amend, in writing, the tender evaluation criteria from that of Shire of Morawa Policy Manual - FIN04 Purchasing Policy prior to tenders being advertised.
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	21 July 2022 ^{20 July 2023}

2.14 MINOR VARIATION FOR GOODS OR SERVICES

Delegated Function to be performed	The power, with the approval of the tenderer, to make a minor variation in a contract for goods or services before the Shire enters the contract with the successful tenderer, subject to r20(1) of the Local Government (Functions and General) Regulations 1996.
Legislative Power or duty delegated	Local Government (Function and General) Regulations 1996 r20 Variation of requirements before entry into contract (1)
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	That the variation is minor having regard to the total goods or services that tenderers were invited to supply. That the variation is in the opinion of the Chief Executive Officer within the criteria established for that tender.
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.15 DISPOSING OF PROPERTY

Delegated Function to be performed	The Chief Executive Officer is delegated power to dispose of property to: (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] (c) by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]
Legislative Power or duty delegated	<i>Local Government Act 1995</i> s3.58(2) (3) Disposing of Property <i>Local Government (Function and General) Regulation 30</i>
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Delegation to	Chief Executive Officer
Conditions and Exceptions	<ul style="list-style-type: none"> a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43(d), disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of c. \$10,000 or less. d. When determining the method of disposal: o Where a public auction is determined e. as the method of disposal: f. Reserve price has been set by independent valuation. g. Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. h. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. i. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: o Negotiate the

	<p>sale of the property up to a -10% variance on the valuation; and</p> <p><i>j.</i> Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded.</p> <p><i>k.</i> Where the market value of the property is determined as being less than \$20,000 (F&G r.30(3) excluded disposal) may be undertaken:</p> <p><i>l.</i> Without reference to Council for resolution; and</p> <p><i>m.</i> In any case, be undertaken to ensure that the best value return is achieved</p> <p><i>n.</i> however, where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.</p>
Reporting Requirements:	<p>Actions taken must be recorded the Lease Register and in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p><i>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</i></p>
Date Reviewed	21 July 2022 ^{20 July 2023}

2.16 LEASE AGREEMENTS INCLUDING USER AND LICENCE AGREEMENTS

Delegated Function to be performed	<p>The delegation is given for the establishment, renewal and variation of User and License Agreements, Commercial Lease Agreements, Community Lease Agreements and Sub-Lease Agreements both as the Lessor (care, control and Management of property) and Lessee (Crown or third party ownership of property) limited to:</p> <ul style="list-style-type: none"> Each agreement not exceeding a total value of \$100,000 per annum; and <p>Multi-year contracts not exceeding a total value of \$100,000.</p>
Legislative Power or duty delegated	<p><i>Local Government Act 1995</i> s3.58 Disposing of Property</p> <p><i>Residential Parks (Long-Stay Tenants) Regulations 2007</i></p>
Legislative power to delegate	<p><i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>Compliance with <i>Local Government Act 1995</i> s. 3.58(d) Regulation 30 Function and General Regulations</p>
Reporting Requirements:	<p>Actions taken must be recorded in the Lease Register and Synergy under the appropriate File Number to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	<u>21 July 2022</u> <u>20 July 2023</u>

2.17 LEGAL PROCEEDINGS

Delegated Function to be performed	To allow the Chief Executive Officer to authorise legal expenses for Elected Members and Officers where a report cannot be presented to Council for approval and the expenses do not exceed \$ 510 ,000
Legislative Power or duty delegated	<i>Local Government Act 1995</i> Subdivision 3 General provisions about legal proceedings
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	Subject to: <ul style="list-style-type: none"> Funds being available in the Shire's Annual Budget; An approved Application that complies with the Shire of Morawa Council Policy - ELM22 Legal Proceedings; Legal expenses do not exceed \$510,000 in respect of each application; and For any applications anticipated to be or are over \$510,000, a report must be presented to Council in all instances.
Reporting Requirements	Elected Members will be given at least 24 hours' notice via email of the Chief Executive Officer's intent to use this delegated authority. Action taken must be recorded in Synergy under the appropriate record number to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 20 July 2023

2.18 SALE/DISPOSAL OF VEHICLES, ANIMALS OR GOODS, CONFISCATED OR OTHERWISE

Delegated Function to be performed	To sell or otherwise dispose of any goods which have not been collected in accordance with a notice given, as per the <i>Local Government Act 1995</i> , s3.47. Authority to recover expense incurred for removing, impounding, and disposing of confiscated or uncollected goods s3.48.
Legislative Power or duty delegated	<i>Local Government Act 1995</i> s3.47 Confiscated or uncollected goods, disposal of s3.48 Impounding expenses, recovery of
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	To sell or otherwise dispose of any goods which have not been collected in accordance with a notice given, as per s3.47 Local Government Act 1995. Authority to recover expense incurred for removing, impounding, and disposing of confiscated or uncollected goods s3.48.
Reporting Requirements:	Action taken to must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.19 PRIVATE WORKS ON, OVER OR UNDER PUBLIC PLACES

Delegated Function to be performed	A local government may grant permission to a person to construct anything on, over or under a public thoroughfare or other public place that is local government property subject to Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996.
Legislative Power or duty delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> r17(5) The local government may impose such conditions as it thinks fit on granting permission under this regulation r17(6)(c) It is a condition of the permission granted under this regulation damage to the public thoroughfare or public place resulting from the construction is repaired to the satisfaction of the CEO of the local government.
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO
Delegation to	Chief Executive Officer
Conditions and Exceptions	Nil.
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	20 July 2022 ^{20 July 2023}

2.20 TOWN PLANNING AND DEVELOPMENT ACT 1928 – TOWN PLANNING FUNCTIONS

<p>Delegated Function to be performed</p>	<p>ADVERTISING AND DETERMINING APPLICATIONS FOR DEVELOPMENT APPROVAL</p> <p><u>Power/Duty</u></p> <p>Notification and Advertising of Applications for Development Approval Determine in accordance with the TPS-2TPS 3 and Planning and Development (Local Planning Schemes) Regulations 2015, determine that a particular development application will be advertised and notify the applicant accordingly.</p> <p>Determine those landowners and occupiers to whom notice of an application for Development Approval required to be advertised shall be provided pursuant to the TPS-2TPS 3 and Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>Determine the requirement for consultation with other authorities for an application for Development Approval pursuant to the TPS-2TPS 3 and Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p><u>Consideration of Applications for Development Approval</u></p> <p>Determine applications for Development Approval made in accordance with the Town Planning Scheme, Planning and Development (Local Planning Schemes) Regulations 2015 and/or Statement of Planning Policy No. 1 – Residential Design Codes, irrespective of whether objections have been received and impose conditions or grounds of refusal as required.</p> <p><u>Determine requests for Amending or Revoking a Development Approval</u></p> <p>Determine requests for Amending or Revoking a Development Approval made in accordance with the TPS-2TPS 3 and Planning and Development (Local Planning Schemes) Regulations 2015 where the original permit was issued under delegated authority.</p> <p><u>Conditions</u></p> <p>An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.</p>
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	<p>SUBDIVISION AND DEVELOPMENT DESIGN</p> <p><u>Power/Duty</u> To approve plans and impose Council's accepted Standards and Specifications on subdivisions and developments and other similar works done by the Shire.</p> <p><u>Conditions</u> An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination</p>
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Delegated Function to be performed cont'd	<p>CONSIDERATION OF WAPC REFERRALS OF APPLICATIONS FOR SUBDIVISION APPROVAL</p> <p>Power/Duty</p> <p>Pursuant to the <i>Planning and Development Act 2005</i>, <i>Planning and Development Regulations 2009</i> and <i>Strata Titles Act 1985</i> provide comment to the Western Australian Planning Commission (WAPC) on matters associated with freehold and survey strata subdivision applications, proposed development plans (or similar) and licence/ lease applications.</p> <p>CLEARANCE OF LOCAL GOVERNMENT CONDITIONS ASSOCIATED WITH SUBDIVISION APPROVAL</p> <p>Power/Duty</p> <p>Pursuant to the <i>Planning and Development Act 2005</i>, <i>Planning and Development Regulations 2009</i> and <i>Strata Titles Act 1985</i> where the WAPC has included conditions on a subdivision approval relevant to the Shire, determine the 'clearance' of conditions designated (LG) in a freehold or survey strata subdivision approval issued by the WAPC.</p> <p>ISSUE OF CERTIFICATES (STRATA TITLES).</p> <p>Power/Duty</p> <p>Pursuant to the provisions of Section 23 of the <i>Strata Titles Act 1985</i>, the Director of Property & Development Services and/or the Chief Executive Officer is authorised to issue the appropriate certificates in respect to buildings as may be shown on a strata plan to be lodged for registration under the Act, where in the opinion of the Chief Executive Officer:</p> <p>The buildings shown on the strata plan have been confirmed, following physical inspection, as being compliant with all relevant a town planning, health and engineering requirements as provided for in the TPS 2 TPS 3 and Residential Design Codes and Shire Policies and Local Laws; and</p> <p>The buildings are deemed to be of sufficient standard and suitable to be divided into lots pursuant to the <i>Strata Titles Act 1985</i>.</p>
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	<p>DIRECTIONS REGARDING UNAUTHORISED DEVELOPMENT</p> <p>Power/Duty</p> <p>To give directions in relation to unauthorized development and to authorise any action available to the responsible authority under the <i>Planning and Development Act 2005</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> incidental to such written direction, including but not limited to issuing a notice to correct or amend the development or to commence legal action.</p> <p>Conditions</p> <p>An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.</p>
Delegated Function to be performed cont'd	<p>RESPONSIBLE AUTHORITY REPORTS TO THE DEVELOPMENT ASSESSMENT PANEL</p> <p>Power/Duty</p> <p>To submit Responsible Authority Reports to the Development Assessment Panel pursuant to Regulation 12 of the <i>Planning & Development (Development Assessment Panels) Regulations 2011</i>.</p> <p>Conditions</p> <p>The Chief Executive Officer is to advise Councillors of the lodgement of a Mid- West/Wheatbelt JDAP application in the 'Councillors Information Bulletin' and report to Council at the earliest opportunity, the outcome of the Mid-West/Wheatbelt JDAP decision.</p>
Legislative Power or duty delegated	<p><i>Shire of Morawa Local Planning Scheme No. 23 or the most current scheme at time of applying the delegations (TPS)</i></p> <p><i>Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015,</i></p> <p><i>Local Government Act 1995</i></p> <p>s 5.45 Other matters relevant to delegations under this Division</p> <p>s5.46 Register of, and records relevant to, delegations to CEO and employees</p>
Legislative power to delegate	<i>Shire of Morawa Local Planning Scheme</i>
Delegation to	Chief Executive Officer

Conditions and Exceptions	<p>Where advertising any matter as provided for under this Delegation, referral must be made to Councillors via Email and Councillors given not less than 5 working days to request the matter be referred to Council for decision.</p> <p>Where the Shire receive an objection to any matter provided under this Delegation, the matter will be referred to Council for decision.</p> <p>This Delegation does not preclude the Delegate referring the categories of development or legal proceedings outlined above, to Council for determination, after having regard to the circumstances of a particular case.</p>
Reporting Requirements:	<p>Details of all Decisions given, and actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	21 July 2022 ^{20 July 2023}

2.21 BUILDING ACT 2011 - APPROVE OR REFUSE BUILDING PERMIT

Delegated Function to be performed	<p>A permit authority to which a certified application or an uncertified application is made must grant the building permit if it is satisfied that the application is in accordance with the Building Act 2011 subsections 20(1)(a) to (s).</p> <p>A permit authority to which an application is made must not grant the building permit unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (s).</p> <p>A permit authority to which an application is made may refuse to grant the building permit applied for if it appears to the permit authority that there is an error in the information provided for the application or in a document that accompanied the application</p> <p>A permit authority to which an application is made must not grant a building permit if to do so would be inconsistent with subsections (2) (a) and (b).</p>
Legislative Power or duty delegated	<p><i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))</p>
Legislative power to delegate	<p><i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government</p>
Delegation to	Chief Executive Officer

Conditions and Exceptions	<p>Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18 (1)].</p> <p>Authority to grant or refuse to grant a building permit [s.20 (1) & (2) and s.22].</p> <p>Authority to impose, vary or revoke conditions on a building permit [s.27 (1) and (3)]. Authority to determine an application to extend time during which a building permit has effect [r.23].</p> <p>Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</p> <p>Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24 (2)].</p> <p>Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</p>
	<p><i>In undertaking the functions of this delegation, Building Surveyors must be engaged by the Shire.</i></p> <p><i>With respect to uncertified applications, hold the appropriate qualification as set out under Regulation 6 of the Local Government (Building Surveyors) Regulations 2008.</i></p>
Reporting Requirements:	<p>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting</p>
Date Reviewed	21 July 2022 ^{20 July 2023}

2.22 BUILDING ACT 2011 – APPROVE OR REFUSE DEMOLITION PERMIT

Delegated Function to be performed	<p>Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</p> <p>Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22].</p> <p>Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].</p> <p>Authority to determine an application to extend time during which a demolition permit has effect [r.23].</p> <p>Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</p> <p>Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</p> <p>Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</p>
Legislative Power or duty delegated	<p><i>Building Act 2011:</i></p> <p>s.18 Further Information</p> <p>s.21 Grant of demolition permit</p> <p>s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012</i></p> <p>r.23 Application to extend time during which permit has effect (s.32)</p> <p>r.24 Extension of time during which permit has effect (s.32(3))</p> <p>r.26 Approval of new responsible person (s.35(c))</p>
Legislative power to delegate	<p><i>Building Act 2011:</i></p> <p>s.127(1) & (3) Delegation: special permit authorities and local government</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>Delegation does not apply to places listed on the State's Register of Heritage Places or Council's Heritage Register, or to places classified by the National Trust.</p> <p>In undertaking the functions of this delegation, Building Surveyors must be engaged by the Shire.</p>
Reporting Requirements:	<p>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p><i>Notification of the delegated decision must be made to Councillors at the next available Council Meeting</i></p>

Date Reviewed	21 July 2022 20 July 2023
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2.23 BUILDING ACT 2011 – GRANT OF OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE

Delegated Function to be performed	<p>A permit authority to which an application is made must grant or modify the occupancy permit or grant the building approval certificate applied for if it is satisfied that the application is in compliance with subsections 58(1)(a) to (l).</p> <p>A permit authority to which an application is made must not grant or modify the occupancy permit or grant the building approval certificate applied for unless it is satisfied as to each of the matters mentioned in subsections (1)(a) to (l).</p>
Legislative Power or duty delegated	<p><i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration</p> <p><i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)</p>
Legislative power to delegate	<p><i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>In undertaking the functions of this delegation, Building Surveyors must be engaged by the Shire.</p> <p>Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</p> <p>Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</p> <p>Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</p> <p>Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</p>
Reporting Requirements:	<p>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	21 July 2022 20 July 2023

2.24 BUILDING ACT 2011 – ISSUE AND REVOCATION OF BUILDING ORDERS

Delegated Function to be performed	<p>A permit authority may make an order (a building order) in respect of one or more of the following: –</p> <ul style="list-style-type: none"> (a) particular building work; (b) particular demolition work; (c) a particular building or incidental structure, whether completed before or after commencement day. <p>A permit authority may, but notice in writing, revoke a building order at any time and must serve each person to whom the order is directed with a copy of the notice.</p>
Legislative Power or duty delegated	<p><i>Building Act 2011:</i></p> <p>s.110(1) A permit authority may make a building order</p> <p>s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and</p> <ul style="list-style-type: none"> (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance <p>s.133(1) A permit authority may commence a prosecution for an offence against this Act</p>
Legislative power to delegate	<p><i>Building Act 2011:</i></p> <p>s.127(1) & (3) Delegation: special permit authorities and local government</p>
Delegation to	Chief Executive Officer

Conditions and Exceptions	<p>Authority to make Building Orders in relation to:</p> <p>Building work Demolition work</p> <p>An existing building or incidental structure [s.110(1)].</p> <p>Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</p> <p>Authority to revoke a building order [s.117].</p> <p>If there is non-compliance with a building order, authority to cause an authorised person to:</p> <ul style="list-style-type: none"> ▪ take any action specified in the order; or ▪ commence or complete any work specified in the order; or ▪ if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. <p>Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</p> <p>Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the Building Act 2011.</p> <ol style="list-style-type: none"> 1) The Chief Executive Officer may refer notices to the Shire's Lawyer where it is considered appropriate; and 2) Determine that an order is to remain in effect in accordance with section 117(2) of the <i>Building Act 2011</i> where it is considered appropriate.
Reporting Requirements:	<p>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	<u>21 July 2022</u> <u>20 July 2023</u>

2.25 BUILDING ACT 2011 – APPOINTMENT OF AUTHORISED PERSONS

Delegated Function to be performed	A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions of the <i>Building Act 2011</i> and the <i>Building Regulations 2012</i>
Legislative Power or duty delegated	<i>Building Act 2011</i> s.96(3) authorised persons
Legislative power to delegate	<i>Building Act 2011</i> s.127(1) & (3) Delegation: special permit authorities and local government
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>The Chief Executive Officer is delegated the power to appoint authorised persons for the purpose of enforcing section 96.3 of the provisions of the <i>Building Act 2011</i></p> <p>Authority to designate an employee as an authorised person [s.96 (3)].</p> <p>Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</p> <p>The Delegation is subject to section 100(2) of the <i>Building Act 2011</i>:</p> <p>"The authorised person is not entitled to enter a part of a place in use as a residence, except –</p> <ul style="list-style-type: none"> a) with the consent of an adult occupier; or b) under the authority of an entry warrant; or c) to take action under section 118(2) in relation to a building order emergency); and <p>Section 127 (3) of the <i>Building Act 2011</i></p> <p>(1) A delegation of a local government's powers or duties may be only to a local government employee"</p>
Reporting Requirements:	<p>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>.</p>
Date Reviewed	21 July 2022 20 July 2023

2.26 BUSH FIRES ACT 1954 - POWER AND DUTIES

Delegated Function to be performed	All powers, duties and functions of the local government under the <i>Bush Fires Act 1954</i>
Legislative Power or duty delegated	<i>Bush Fires Act 1954</i>
Legislative power to delegate	<i>Bush Fires Act 1954</i> Section 48 – Delegation by local governments
Delegation to	Chief Executive Officer
Conditions and Exceptions	Excludes powers and duties that are subject to separate delegated authority within this Register as set out below: <ul style="list-style-type: none"> ▪ Delegation.7.7.2 Appointment of Bush Fire Control Officers; ▪ Delegation 7.7.3 Variation of Prohibited Burning Times; and ▪ Delegation 7.7.4 Prosecutions; ▪ are prescribed powers and duties in the Act with the requirement for a resolution by the local government; ▪ are prescribed in the Act for performance by prescribed offices;.
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	21 July 2022 ^{20 July 2023}

2.27 BUSH FIRES ACT 1954 - APPOINTMENT OF BUSH FIRE CONTROL OFFICERS

Delegated Function to be performed	Appointing a bush fire officer to carry out the powers and functions in the <i>Bush Fires Act 1954</i> .
Legislative Power or duty delegated	<i>Bush Fires Act 1954</i> S38 Local government may appoint bush fire control officer
Legislative power to delegate	<i>Bush Fires Act 1954</i> Section 48 – Delegation by local governments
Delegation to	Chief Executive Officer
Conditions and Exceptions	Appointment of Bush Fire Control Officers to be subject to the recommendations of the Bush Fire Advisory Committee
Reporting Requirements	Actions taken must be recorded in Synergy under the appropriate File Number to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 20 July 2023

2.28 BUSHFIRES ACT 1954 - PROHIBITED BURNING TIMES

Delegated Function to be performed	Determine to vary Prohibited Burning Times, in accordance with specified times <i>in the Bush Fires Act 1954</i> .s17(7) and (8), regarding: <ul style="list-style-type: none"> ▪ shortening, extending, suspending or re-imposing a period of prohibited burning times; or ▪ imposing a further period of prohibited burning
Legislative Power or duty delegated	<p><i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times variation due to seasonal conditions</p> <p><i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r. 38A Use of engines, plant or machinery likely to cause a bush fire r.8C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times.</p>
Legislative power to delegate	Bush Fires Act 1954 Section 48 – Delegation by local governments
Delegation to	Chief Executive Officer and Chief Bush Fire Control Officer (jointly)
Conditions and Exceptions	N/A
Express Power to Sub-Delegate	Nil.
Reporting Requirements:	<p>Actions taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	21 July 2022 20 July 2023

2.29 BUSHFIRES ACT 1954 - PROSECUTIONS

Delegated Function to be performed	<p>Issue Infringement Notices.</p> <p>Consider allegations of offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district as prescribed under the <i>Bush Fires Act 1954</i>.</p> <p>Note: s59A(3) and <i>Bush Fires (Infringements) Regulations 1958</i>, Reg.4(a) provide that only the President or the Chief Executive Officer may withdraw an infringement notice.</p>
Legislative Power or duty delegated	<p><i>Bush Fires Act 1954</i></p> <p>s59(3) Prosecution of Offences</p> <p>s59A(2) Alternative Procedure – Infringement Notices</p>
Legislative power to delegate	<p><i>Bush Fires Act 1954</i></p> <p>Section 48 – Delegation by local governments</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	N/A
Reporting Requirements:	Actions taken must be recorded in Synergy under the appropriate File Number to meet legislative requirements.
Date Reviewed	21 July 2022 20 July 2023

2.30 FOOD ACT 2008 – APPOINTMENT OF AUTHORISED OFFICERS

Delegated Function to be performed	Authority to appoint authorised officers under the Food Act, Public Health Act and authority to appoint an Authorised Officer to be a Designated Officer for the purposes contained in S126 (6), (7) of the <i>Food Act 2008</i>
Legislative Power or duty delegated	<i>Food Act 2008</i> s122 Appointment of Authorised Officers and s126 Infringement Notices
Legislative power to delegate	<i>Food Act 2008:</i> <i>r.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>Sub-delegation permissible only if expressly provided in regulations.</i>
Delegation to	Chief Executive Officer
Conditions and Exceptions	Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122 (2)]. Authority to appoint an Authorised Officer appointed under s.122 (2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)]. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice[s.126(7)].
Reporting Requirements:	Details of all authorised officers appointed must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	24 July 2022 <u>20 July 2023</u>

2.31 FOOD ACT 2008 – PROHIBITION ORDERS

Delegated Function to be performed	<p>An enforcement agency may:</p> <p>Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].</p> <p>Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</p>
Legislative Power or duty delegated	<p><i>Food Act 2008</i></p> <p>s.65(1) Prohibition orders</p> <p>s.66 Certificate of clearance to be given in certain circumstances</p> <p>s.67(4) Request for re-inspection</p>
Legislative power to delegate	<p><i>Food Act 2008</i></p> <p>s118 Functions of enforcement agencies and delegation</p>
Delegation to	<p>Chief Executive Officer</p> <p>Executive Manager Corporate and Community Services</p> <p>Environmental Health Officer</p>
Conditions and Exceptions	<p>Environmental Health Officer is delegated the power to issue prohibition orders in accordance with section 65 of the Food Act 2008.</p> <p>Environmental Health Officer is delegated the power to initiate appropriate legal action in accordance with section 125 of the Food Act 2008.</p> <p>Environmental Health Officer is delegated the power to clear and remove a prohibition order in accordance with section 66 of the Food Act 2008, and to provide written notification as required with respect to any decision made not to issue a certificate of clearance following an inspection under either Section 66 or 67.</p> <p>The power to prosecute any person is only exercised by agreement of Chief Executive Officer in conjunction with advice from the Shire's Lawyer.</p>
Reporting Requirements:	<p>Details of all prosecutions must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.</p> <p>Notification of the delegated decision must be made to Councillors at the next available Council Meeting.</p>
Date Reviewed	6 July 2024 <u>20 July 2023</u>

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2.32 CAT ACT 2011 – APPOINTMENT OF AUTHORISED PERSON

Delegated Function to be performed	<i>Cat Regulations 2012</i>
Legislative Power or duty delegated	<i>Cat Act 2011</i> <i>Part 4 Administration and enforcement</i> <i>Part 5 Subsidiary Legislation</i>
Legislative power to delegate	<i>Cat Act 2011</i> s44 Delegation by local government
Delegation to	Chief Executive Officer
Conditions and Exceptions	All the powers and duties of the local government under the <i>Cat Act 2011, Cat Regulations 2012</i>
Reporting Requirements:	Details of all decision made must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.33 DOG ACT 1976 – APPOINTMENT OF AUTHORISED PERSON

Delegated Function to be performed	<p><i>Dog Act 1976</i> <i>Dog Regulations 2013.</i> All the powers and duties of the local government.</p> <p><i>Shire of Morawa Dogs Local Law 2018:</i> s 2.2 s 2.3 s.4 s.3.3 s 4.15 s 7.4 s 7.5 s 7.6 s 7.7 Schedule 2</p>
Legislative Power or duty delegated	<p><i>Dog Act 1976</i> <i>Dog Regulations 2013.</i> All the powers and duties of the local government.</p> <p><i>Shire of Morawa Dogs Local Law 2018: s 2.2</i> s 2.3 s 2.4 s.3.3 s 4.15 s 7.4 s 7.5 s 7.6 s 7.7 Schedule 2</p>
Legislative power to delegate	<p><i>Dog Act 1976</i> s10AA s10AB</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>Withdrawal of an Infringement Notice can only to be approved by the Chief Executive Officer or Executive Manager Corporate and Community Services.</p> <p>The authorised officers (excepting those listed as authorised to perform functions which are limited to the registration of animals) are appointed to undertake the powers of an authorised person under the Dog Act 1976 the Dog Regulations 1976 and the Dog (Restricted Breeds) Regulations No 2 2002. The appointment includes the power of an authorised person to declare a dog to be a dangerous dog under section 33E of the Act.</p>
Reporting Requirements:	Details of all decision made must be recorded in Synergy under the appropriate File Number record to meet legislative requirements.
Date Reviewed	21 July 2022 20 July 2023

2.34 FIREWORK EVENTS

Delegated Function to be performed	The issue of fireworks event notice.
Legislative Power or duty delegated	<i>Local Government Act 1995</i> S3.25 (1) Division 1 — Things a notice may require to be done Schedule 3.1 Powers under notices to owners or occupiers of land [
Legislative power to delegate	<i>Dangerous Goods Safety Act 2004</i> <i>Dangerous Goods Safety (Explosives) Regulations 2007</i>
Delegation to	Chief Executive Officer
Conditions and Exceptions	N/A
Reporting Requirements:	Action taken must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors at the next available Council Meeting.
Date Reviewed	21 July 2022 20 July 2023

2.35 HEALTH (ASBESTOS) REGULATIONS – ADMINISTRATION

Delegated Function to be performed	Approving officers for the purposes of the <i>Criminal Procedures Act 2002 Part 2</i>
Legislative Power or duty delegated	<i>Health (Asbestos) Regulations Regulation 1992</i> s.3 <i>Local Laws</i> 15D <i>Infringement Notices</i> <i>Criminal Procedures Act 2002 Part 2</i>
Legislative power to delegate	<i>Health (Asbestos) Regulation 26(7)</i> r15D <i>Infringement Notices</i> r. 15D(5) A local government may, in writing, appoint <i>persons or classes of persons to be authorised officers or approved officers for the purposes of the Criminal Procedure Act 2004 Part 2.</i>
Delegation to	Chief Executive Officer
Conditions and Exceptions	Local Government Act 1995 Section 3.25 Notices requiring certain things to be done by owner or occupier of land Schedule 3.1 Powers under notices to owners or occupiers of land
Reporting Requirements:	Details of actions taken to made on behalf of the Shire must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the delegated decision must be made to Councillors via the next available information bulletin
Date Reviewed	21 July 2022 20 July 2023

2.36 RESTRICTED ACCESS VEHICLES (RAV) ON SHIRE ROADS

Delegated Function to be performed	To determine an application referred from Main Roads WA to use heavy haulage vehicles (RAV) on any local road within the district, recommending approval or refusal and conditions. As well as to grant letters of authority where conditions have been applied.
Legislative Power or duty delegated	<p><i>Local Government Act 1995</i></p> <p><i>Land Administration Act 1997</i> Section 56(2) road reserves under the control of the local government</p> <p><i>Public Works Act 1902</i> Section 86(2) Governor may declare roads to be under the control of the local government</p> <p><i>Road Traffic (Vehicle Standards) Regulations 2002</i></p> <p>Shire of Morawa Public Places and Local Government Property Local Law 2018</p>
Legislative power to delegate	<p>Local Government Act 1995 s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO s5.44 CEO may delegate powers and duties to other employees</p> <p>On delegation permitted.</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>The CEO only has authority to approve or refuse requests where:</p> <ul style="list-style-type: none"> • The estimate haulage volume per annum is less than 50,000 tonnes • The road has already been assessed by Main Roads WA as being suitable for the configuration proposed by the applicant • If recommending CA07 conditions are applied where necessary to manage RAV access in order to preserve the condition of the road and avoid heavy vehicle damage • the applicant agrees to accept liability for damage to the road attributed to their use that exceed fair use/wear and tear <p>Where an application relates to a road that has not previously been assessed by Main Roads WA or Council, the matter must be referred to Council.</p> <p>Where the CEO declines an application, the applicant has the right to lodge a written appeal with the Shire which will be presented to Council for consideration.</p>

Reporting Requirements:	Written record of determination and reasoning must be recorded in the Shire's record keeping system. Notification of the delegated decision must be made to Councillors via the next available information bulletin or Council meeting.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.37 RESPONDING TO EXPLORATION LICENCE APPLICATION REFERRALS

Delegated Function to be performed	To respond to Mining Registrar in relation to notice served about an Exploration Licence application. Provide the Shire's basic conditions and any objections to the exploration.
Legislative Power or duty delegated	<p><i>Local Government Act 1995</i></p> <p><i>Mining Act 1978</i> Sections 23 to 26</p> <p><i>Mining Act Regulations</i></p>
Legislative power to delegate	<p><i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO s5.44 CEO may delegate powers and duties to other employees</p> <p>On delegation permitted.</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>The CEO must apply the below conditions to any response where an objection is not raised:</p> <p>a) That dust suppression is carried out so that others are not adversely affected;</p> <p>b) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;</p> <p>c) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;</p> <p>d) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;</p> <p>e) All rubbish is to be disposed of in the appropriate manner;</p> <p>f) A firefighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;</p> <p>g) No drill holes are to extend under any public roadways or interfere with road drainage;</p> <p>h) All drill holes are to be capped as soon as possible/practical after drilling; and</p> <p>i) No drilling is to occur within any Shire gravel pits</p>
Reporting Requirements:	<p>Written record of determination and reasoning must be recorded in the Shire's record keeping system.</p> <p>Notification of the delegated decision must be made at the next Ordinary Meeting of Council.</p>
Date Reviewed	21 July 2022 20 July 2023

2.38 LONG SERVICE LEAVE

Delegated Function to be performed	To approve or reject: a) Applications for Long Service Leave at half pay b) Applications for Long Service Leave at double pay c) An appropriate period or periods for the taking of long service leave d) On application of the employee, to defer taking of long service leave beyond six (6) months of becoming entitled
Legislative Power or duty delegated	<i>Local Government Act 1995</i> <i>Section 5.48 – Long Service Leave benefits for employees</i> Local Government (Long Service Leave) Regulations Regulation 6A – long service leave on half pay Regulation 6B – long service leave on double pay Regulation 7 – taking of long service leave Regulation 8(2) – payment for or in lieu of leave
Legislative power to delegate	<i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO s5.44 CEO may delegate powers and duties to other employees On delegation permitted.
Delegation to	Chief Executive Officer
Conditions and Exceptions	Long Service Leave requests for the CEO must be referred to Council. The CEO is to advise employees that any deferred long service leave will: <ul style="list-style-type: none"> • Not be deferred for more than 2 years without Council approval • Be at the rate of pay applicable at the end of six months of becoming entitled (not at the rate applicable when taken) Applications must be referred to Council if they request: <ul style="list-style-type: none"> • a deferment greater than two (2) years • payment at a rate greater than double the applicable rate 6 months after becoming entitled • payment at a higher rate than agreed when the CEO deferred the Long Service Leave entitlement
Reporting Requirements:	Leave records are to be kept.
Date Reviewed	21 July 2022 <u>20 July 2023</u>

2.39 CONTROL OF ENVIRONMENTAL MATTERS

Delegated Function to be performed	To exercise and discharge all or any of the powers and functions of the local government with regard to: <ul style="list-style-type: none"> the Public Health Act 2016 and Regulations the Health (Miscellaneous Provisions) Act 1911 and Regulations
Legislative Power or duty delegated	<p><i>Public Health Act 2016</i> <i>Section 4(2) – Authorised Officer</i> <i>Section 21 – Power to Delegate to CEO</i> <i>Section 24 – Authorised person must be qualified</i> <i>Section 25 – Authorised person must have acceptable qualifications or be an EHO</i></p> <p><i>Health (Miscellaneous Provisions) Act 1911</i> <i>Section 344(2) regulations or local laws may be made so as to delegate or confer a discretionary authority to specific persons or class of persons.</i></p>
Legislative power to delegate	<p><i>Local Government Act 1995</i> s5.42 Delegation of some powers and duties to CEO s5.43 Limits on delegations to CEO s5.44 CEO may delegate powers and duties to other employees</p> <p>On delegation permitted.</p>
Delegation to	Chief Executive Officer
Conditions and Exceptions	<p>All approvals must comply with the requirements of legislation and planning schemes.</p> <p>Non-compliant applications are to be refused unless there is a discretion, in which case it is to be referred to Council for a decision.</p> <p>The delegation excludes determining a fee or charge and dealing with objections.</p> <p>Decisions around prosecutions cannot be on delegated and Council should be informed of proposed prosecutions prior to them commencing.</p>
Reporting Requirements:	<p>Written record of determination and reasoning must be recorded in the Shire's record keeping system.</p> <p>Notification of the delegated decision must be made at the next Ordinary Meeting of Council.</p>
Date Reviewed	<u>21 July 2022</u> <u>20 July 2023</u>

VERSION CONTROL

Delegation Number	Title	Action	Date of Ordinary Meeting of Council
4.11	Fireworks Event	Carried Resolution 200912	17 September 2020
All delegations		Full Review	15 July 2021
All delegations		Full Review	21 July 2022
<u>All delegations</u>		<u>Full Review</u>	<u>20 July 2023</u>

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COUNCIL APPROVED AUTHORISATIONS REGISTER

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CARAVAN PARKS AND CAMPING GROUNDS ACT 1995

CAAR 01-1 APPOINTMENT OF AUTHORISED PERSONS – CARAVAN PARKS AND CAMPING GROUNDS ACT 1995

Function to be performed:	<i>A local government — (a) may appoint such persons to be authorised persons for the purposes of this Act as the local government considers necessary; and (b) must issue each person appointed under paragraph (a) with an identity card, in the prescribed form, certifying that the person is an authorised person under this Act.</i>
Legislative Power or duty authorised:	<i>The powers of a “authorised person” under the Caravan Parks and Camping Grounds Act 1995 and the Caravan and Camping Grounds Regulations 1997.</i>
Legislative power to Authorise:	<i>Caravan Parks and Camping Grounds Act 1995 s17 Appointment of authorised person</i>
Appointed as Authorised Person:	<i>For the purposes of Division 1 of Part 2 and Sections 22 and 23(5) and (7) of the Caravan Parks and Camping Grounds Act 1995:- <ul style="list-style-type: none">• Chief Executive Officer• Executive Manager Corporate and Community Services• Executive Manager, Works and Assets• Environmental Health Officer <i>For the purposes of section 23(2) of the Caravan Parks and Camping Grounds Act 1995:- <ul style="list-style-type: none">• Environmental Health Officer• Ranger</i></i>
Conditions and Exceptions:	<i>The Chief Executive Officer is empowered to sign such documents, issue notices and initiate appropriate legal action on behalf of the Shire when a breach of the said Act and related legislation warrants such action.</i>
Reporting Requirements:	<i>Any actions taken or notices issued are to be recorded on the appropriate file or record. Copies of applications, licences and notices are to be recorded on the appropriate file or record.</i>
Details of Review:	<i>8 July 2021 <u>20 July 2023</u></i>

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

CAAR 01-2 APPOINTMENT OF AUTHORISED PERSONS - CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

Function to be performed:	<p>A local government may by resolution appoint —</p> <ul style="list-style-type: none"> • any employee of the local government; and • where the Minister by notice published in the Government Gazette authorises the local government to do so, any member of the council of that local government, to be an authorised officer for the purposes of this Act either in respect of the whole of its district or any part thereof defined in the appointment.
Legislative Power or duty authorised:	Powers of an authorised officer for the purposes of the Control of Vehicles (Off-road Areas) Act 1978 and the Control of Vehicles (Off-road Areas) Regulations 1979 for the whole of the district of the Shire.
Legislative power to Authorise:	<p>Control of Vehicles (Off-road Areas) Act 1978</p> <p>s38 Authorised officers</p> <p>S38(3) A local government may by resolution appoint</p>
Appointed as Authorised Person:	<p>Chief Executive Officer</p> <p>Executive Manager Corporate and Community Services</p> <p>Executive Manager, Works and Assets</p> <p>Ranger</p>
Appointment:	<p>A person who is appointed as an authorised officer: —</p> <p>(a) has within the area of jurisdiction entrusted to him by the appointment the duties and powers of an authorised officer under this Act, and may exercise such powers within that area;</p> <p>(b) may exercise the powers conferred upon him by this Act in relation to any person or vehicle which he has reason to believe is concerned in a contravention of this Act notwithstanding that such person or vehicle is not then within the area of jurisdiction entrusted to him if that person or vehicle was pursued from that area or is known to have been in that area at the time of the contravention;</p> <p>(c) may, for the purposes of this Act in the course of his duty, enter on any land or, using only such force as is necessary, may enter a vehicle for the purpose of removing it.</p>
Conditions and Exceptions:	Withdrawal of an infringement notice can only be approved by the Chief Executive Officer.
Reporting Requirements:	<p>(1) The chief executive officer of a local government is to keep a register of</p> <p>(a) Authorisations made under section 10AA(1); and</p> <p>(b) Further Authorisations made under the authority of an Authorisation made under section 10AA (1).</p> <p>(2) At least once every financial year —</p> <p>(a) Authorisations made under section 10AA(1); and</p> <p>(b) Further Authorisations made under the authority of an Authorisation made under section 10AA(1), are to be reviewed by the Council.</p>
Details of Review:	8 July 2021 <u>20 July 2023</u>

LITTER ACT 1979

CAAR 01 -3 APPOINTMENT OF AUTHORISED PERSONS TO WITHDRAW INFRINGEMENT NOTICES - LITTER ACT 1979

Function to be performed:	<p>An infringement notice may, whether or not the prescribed penalty has been paid, be withdrawn, at any time within 28 days after the service of the notice, by the sending of a notice, in the prescribed form, to the alleged offender at his last known place of residence or business, advising the alleged offender that the infringement notice has been withdrawn, and, in that event, the amount of any prescribed penalty that has been paid shall be refunded.</p> <p>A withdrawal notice shall be signed by a person appointed in writing to withdraw infringement notices by the public authority.</p>
Legislative Power or duty authorised:	<p>Litter Act 1979 s.27AA Honorary inspectors s.30(4) Infringement Notices</p>
Legislative power to Authorise:	<p>To sign withdrawal of infringement notices under section 30(4) of the Litter Act 1979.</p>
Appointed as Authorised Person:	<p>Chief Executive Officer Executive Manager Corporate and Community Services Executive Manager, Works and Assets</p>
Appointment:	<p>A person who is appointed as an authorised officer —</p> <ul style="list-style-type: none">(a) has within the area of jurisdiction entrusted to him by the appointment the duties and powers of an authorised officer under this Act, and may exercise such powers within that area;(b) may exercise the powers conferred upon him by this Act in relation to any person or vehicle which he has reason to believe is concerned in a contravention of this Act notwithstanding that such person or vehicle is not then within the area of jurisdiction entrusted to him if that person or vehicle was pursued from that area or is known to have been in that area at the time of the contravention;(c) may, for the purposes of this Act in the course of his duty, enter on any land or, using only such force as is necessary, may enter a vehicle for the purpose of removing it.
Conditions and Exceptions:	<p>Nil</p>
Reporting Requirements:	<p>Details of withdrawal notices made must be recorded in the appropriate record to meet legislative requirements.</p>
Details of Review:	<p>8 July 2021 <u>20 July 2023</u></p>

CRIMINAL PROCEDURES ACT 2004

CAAR 01-4 APPOINTMENT OF AUTHORISED AND APPROVED OFFICERS INFRINGEMENT NOTICES – CRIMINAL PROCEDURES ACT 2004

Function to be performed:	<i>The local government may appoint persons or class of persons to be authorised or approved officers for the purposes of Part 2 of the Criminal Procedure Act 2004 to allow infringement notices to be issued.</i>
Legislative Power or duty authorised:	<i>Health Asbestos Regulations 1992 r15D Infringement Notices r. 15D(5) A local government may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the Criminal Procedure Act 2004 Part 2.</i>
Legislative power to Authorise:	<i>Part 2 Criminal Procedure Act 2004</i>
Appointed as Authorised Person:	<i>Approved Officers:</i> <ul style="list-style-type: none">• Chief Executive Officer <i>Authorised Officers:</i> <ul style="list-style-type: none">• Executive Manager Corporate and Community Services• Executive Manager, Works and Assets• Environmental Health Officer• Ranger
Appointment:	<i>Authorised officers for the purposes of Part 2 of the Criminal Procedures Act 2004 are the persons who are authorised to issue infringement notices under the Regulations on behalf of the local government. This appointment must be in writing.</i> <i>Approved officers for the purpose of Part 2 of the Criminal Procedure Act 2004 are the persons authorised to extend the period to pay or withdraw an infringement notice. A person appointed as an approved officer is not eligible to also be appointed as an authorised officer for the purposes of Part 2 of the Criminal Procedures 2004 Act. This appointment must be in writing.</i>
Conditions and Exceptions:	<i>The local government must issue a person authorised to issue infringement notices with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices under the Regulations.</i>
Reporting Requirements:	<i>Details of withdrawal notices made must be recorded in the appropriate record to meet legislative requirements.</i>
Details of Review:	8 July 2021 <u>20 July 2023</u>

HEALTH (MICELLENANOUS PROVISIONS) ACT 1911

CAAR 01-5 APPOINTMENT OF AUTHORISED OFFICERS HEALTH (TREATMENT OF SEWAGE AND DISPOSAL OF LIQUID WASTE) REGULATIONS 1974

Function to be performed:	<i>A local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function</i>
Legislative Power or duty authorised:	<i>Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974 4 (3) (a) grant approval subject to form and conditions set by Council (b) refuse to grant approval 10 (2) relating to approvals 22 (2)(a) relating to appeals</i>
Legislative power to Authorise:	<i>Health (Miscellaneous Provisions) Act 1911 s 26 Powers of Local Government</i>
Appointed as Authorised Person:	<i>Environmental Health Officer</i>
Appointment:	<i>The Environmental Health Officer is authorised to exercise and discharge the powers and functions of the Council in relation to the Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974: 4 (3)(a) – grant approval subject to form and conditions set by Council (b) – refuse to grant approval 10 (2) – (relating to approvals) (4)(b) – (relating to approvals) 22 (2)(a) – (relating to appeals) (b) – (relating to appeals) Objectives</i>
Conditions and Exceptions:	<i>Compliance with the Health Act and Regulations, the Building Code of Australia and the Town Planning Scheme is mandatory. Any application not complying to be refused, unless there is a discretion, in which case it is to be referred to Council for decision. Effluent systems are to be sized in accordance with Schedule B</i>
Reporting Requirements:	<i>Action taken to must be recorded in Synergy under the appropriate File Number record to meet legislative requirements. Notification of the authorised decision must be made to Councillors at the next available Council Meeting.</i>
Details of Review:	<i><u>8 July 2021</u> <u>20 July 2023</u></i>

CHIEF EXECUTIVE OFFICER APPROVED AUTHORISATIONS

These Acts do not contain a head of power to delegate.

The Chief Executive Officer authorises the appropriate staff to undertake the functions to be performed under each Act.

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994

CEOAA 01-1 FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994 APPOINTMENT OF PROSECUTION OFFICERS

Function to be performed:	<i>A prosecuting authority at any time may amend the written notice of designated prosecuting officers.</i>
Legislative Power or duty authorised:	<i>Section 13 of the Fines Penalties and Infringement Notices Enforcement Act 1994.</i>
Legislative power to Authorise:	<i>Section 13(2) of the Fines, Penalties and Infringement Notices Enforcement Act 1994.</i>
Appointed as Authorised Person:	<i>Approved Officers:</i> <ul style="list-style-type: none">• Chief Executive Officer <i>Authorised Officers:</i> <ul style="list-style-type: none">• Executive Manager Corporate and Community Services• Executive Manager, Works and Assets• Environmental Health Officer• Ranger
Appointment:	<i>The Chief Executive Officer is Authorised the power to appoint officers that are prosecution officers for the purposes of sections 16 and 22 of the Fines, Penalties and Infringement Notices Enforcement Act 1994.</i>
Conditions and Exceptions:	<i>In relation to local laws the designation allows -Signing of Enforcement Certificates to initiate prosecution (Section 16);</i> <i>Signing of Withdrawal of Proceedings Notices (Section 2) for those matters already registered with Fines Enforcement;</i>
Reporting Requirements:	<i>Details of withdrawal notices made must be recorded in the appropriate record to meet legislative requirements.</i>
Details of Review:	<i>8 July 202120 July 2023</i>

CEMETERIES ACT 1986

CEOAA 01-1 APPOINTMENT OF AUTHORISED PERSONS – CEMETERIES ACT 1986

Function to be performed:	<i>A Board means a cemetery board established under Section 7 or deemed to have been established under this Act an in relation to a cemetery means the Board responsible for the care, control and management of that Cemetery.</i>
Legislative Power or duty authorised:	<p><i>Cemeteries Act 1986 Under s10 and s 47:-</i></p> <ul style="list-style-type: none"> <i>A Board may authorise funds to be expended for the performance of any of the functions or any other purpose approved by the Minister;</i> <i>A Board may appoint such employees, either full time or part time, as it considers necessary to enable it to carry out its functions; and</i> <i>A Board may engage under contract for services such professional and technical and other assistance as it considers necessary to enable it to carry out its functions.</i> <p><i>Powers of the local government as prescribed in the Parking and Parking Facilities Local Law 2013.</i></p> <p><i>Local Government Act 1995 Section 9.10 Appointment of Authorised Persons</i></p>
Legislative power to Authorise:	<i>Section 10 and Section 47 of the Cemeteries Act 1986</i>
Appointed as Authorised Person:	<p><i>The Board shall consist of:</i></p> <ul style="list-style-type: none"> <i>Chief Executive Officer</i> <i>Executive Manager Corporate and Community Services</i> <i>Executive Assistant</i>
Appointment:	<i>The Chief Executive Officer is Authorised the power to appoint officers that are prosecution officers for the purposes of sections 16 and 22 of the Fines, Penalties and Infringement Notices Enforcement Act 1994.</i>
Conditions and Exceptions:	<i>Nil</i>
Reporting Requirements:	<i>Any actions taken or notices issued are to be recorded on the appropriate file or record.</i>
Details of Review:	<i>8 July 2021 <u>20 July 2023</u></i>

BUILDING ACT

CEOAA 01-2 INFRINGEMENT NOTICES – BUILDING REGULATIONS 2012

Function to be performed:	<i>Authorised officers the authority to issue Building Act 2011 Infringement Notices in accordance with section 6(b) of the Criminal Procedures Act 2004.</i>
Legislative Power or duty authorised:	<i>Criminal Procedure Act 2004 s 6(b) provide for the appointment of authorised officers in relation to infringement notices that may be issued under this Part for the prescribed offence; and</i> <i>Building Regulations 2012</i> <i>r70(2) Approved officers and authorised officers</i>
Legislative power to Authorise:	<i>Local Government Act 1995</i> <i>s9.10 (1) Appointment of authorised persons</i>
Appointed as Authorised Person:	<i>Executive Manager Corporate and Community Services</i> <i>Executive Manager, Works and Assets</i> <i>Environmental Health Officer</i> <i>Ranger</i>
Appointment:	<i>The Chief Executive Officer is delegated the power to appoint authorised officers for the purpose of issuing Building Act 2011 Infringement notices.</i>
Conditions and Exceptions:	<i>Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</i> <i>Authorised persons must carry and produce when requested, a Shire issued identity card.</i>
Reporting Requirements:	<i>Details of all decision made must be recorded in the appropriate record to meet legislative requirements.</i> <i>Copies of the identity card and certificate of authorisation (signed by the person exercising delegated authority to appoint the authorised person and the authorised person so appointed) must be retained on the relevant personnel file.</i>
Details of Review:	8 July 2021 <u>20 July 2023</u>

PRESIDENT'S AUTHORISATION

SPAA 01-1 MEDIA RELEASES

Function to be performed:	<i>To make media releases and to speak on behalf of the Shire of Morawa..</i>
Legislative Power or duty authorised:	<i>Local Government Act s5.41(f)</i>
Legislative power to Authorise:	<i>Local Government Act S2.8 (1) (d) The mayor or president speaks on behalf of the local government; s5,41(f) The CEO's function are to - speak on behalf of the local government if the mayor or president agrees; Council Policy 1.9 Media Statements and Public Relations</i>
Appointed as Authorised Person:	<i>Chief Executive Officer</i>
Appointment:	<i>The Shire President authorises the CEO to make media releases and to speak on behalf of the Shire of Morawa.</i>
Conditions and Exceptions:	<i>The President, or the Deputy President if President unavailable, should be consulted prior to matters of delicacy being discussed in public, however it is recognised that this may not always be possible. In this case, the CEO is to use discretion whether comment is to be made or not. Regardless, the CEO is not under any obligation to make any comment on any matter.</i> <i>Local Government Act s5.95 Limits on right to inspect local government information;</i>
Reporting Requirements:	<i>Details of the media statement or discussion with the media to be provided to the Shire President and record in Council Record keeping system.</i>
Details of Review:	<i><u>8 July 2021</u> <u>20 July 2023</u></i>

Ordinary Council Meeting 20 July 2023

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|-----------------------------|---|
| <i>Attachment 1-</i> | <i>11.1.6a Royal commission Final Report: Recommendations</i> |
| <i>Attachment 2-</i> | <i>11.1.6b Child-safe awareness policy template for local government</i> |
| <i>Attachment 3-</i> | <i>11.1.6c Draft Council Policy – ADM08 Child Safe Awareness Policy</i> |
| <i>Item 11.1.6-</i> | Adoption of ADM08 Child Safe Awareness Policy |
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Royal Commission
into Institutional Responses
to Child Sexual Abuse

FINAL REPORT RECOMMENDATIONS

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Volume 2, *Nature and cause* recommendations

Measuring extent in the future

Recommendation 2.1

The Australian Government should conduct and publish a nationally representative prevalence study on a regular basis to establish the extent of child maltreatment in institutional and non-institutional contexts in Australia.

Volume 6, *Making institutions child safe* recommendations

Creating child safe communities through prevention

Recommendation 6.1

The Australian Government should establish a mechanism to oversee the development and implementation of a national strategy to prevent child sexual abuse. This work should be undertaken by the proposed National Office for Child Safety (see Recommendations 6.16 and 6.17) and be included in the National Framework for Child Safety (see Recommendation 6.15).

Recommendation 6.2

The national strategy to prevent child sexual abuse should encompass the following complementary initiatives:

- a. social marketing campaigns to raise general community awareness and increase knowledge of child sexual abuse, to change problematic attitudes and behaviour relating to such abuse, and to promote and direct people to related prevention initiatives, information and help-seeking services
- b. prevention education delivered through preschool, school and other community institutional settings that aims to increase children's knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. The education should be integrated into existing school curricula and link with related areas such as respectful relationships education and sexuality education. It should be mandatory for all preschools and schools
- c. prevention education for parents delivered through day care, preschool, school, sport and recreational settings, and other institutional and community settings. The education should aim to increase knowledge of child sexual abuse and its impacts, and build skills to help reduce the risks of child sexual abuse
- d. online safety education for children, delivered via schools. Ministers for education, through the Council of Australian Governments, should establish a nationally consistent curriculum for online safety education in schools. The Office of the eSafety Commissioner should be consulted on the design of the curriculum and contribute to the development of course content and approaches to delivery (see Recommendation 6.19)
- e. online safety education for parents and other community members to better support children's safety online. Building on their current work, the Office of the eSafety Commissioner should oversee the delivery of this education nationally (see Recommendation 6.20)

- f. prevention education for tertiary students studying university, technical and further education, and vocational education and training courses before entering child-related occupations. This should aim to increase awareness and understanding of the prevention of child sexual abuse and potentially harmful sexual behaviours in children
- g. information and help-seeking services to support people who are concerned they may be at risk of sexually abusing children. The design of these services should be informed by the Stop It Now! model implemented in Ireland and the United Kingdom
- h. information and help seeking services for parents and other members of the community concerned that:
 - i. an adult they know may be at risk of perpetrating child sexual abuse
 - ii. a child or young person they know may be at risk of sexual abuse or harm
 - iii. a child they know may be displaying harmful sexual behaviours.

Recommendation 6.3

The design and implementation of these initiatives should consider:

- a. aligning with and linking to national strategies for preventing violence against adults and children, and strategies for addressing other forms of child maltreatment
- b. tailoring and targeting initiatives to reach, engage and provide access to all communities, including children, Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, people with disability, and regional and remote communities
- c. involving children and young people in the strategic development, design, implementation and evaluation of initiatives
- d. using research and evaluation to:
 - i. build the evidence base for using best practices to prevent child sexual abuse and harmful sexual behaviours in children
 - ii. guide the development and refinement of interventions, including the piloting and testing of initiatives before they are implemented.

What makes institutions safer for children

Recommendation 6.4

All institutions should uphold the rights of the child. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all institutions should act with the best interests of the child as a primary consideration. In order to achieve this, institutions should implement the Child Safe Standards identified by the Royal Commission.

Recommendation 6.5

The Child Safe Standards are:

1. Child safety is embedded in institutional leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

Recommendation 6.6

Institutions should be guided by the following core components when implementing the Child Safe Standards:

Standard 1: Child safety is embedded in institutional leadership, governance and culture

- a. The institution publicly commits to child safety and leaders champion a child safe culture.
- b. Child safety is a shared responsibility at all levels of the institution.
- c. Risk management strategies focus on preventing, identifying and mitigating risks to children.
- d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.
- e. Staff and volunteers understand their obligations on information sharing and recordkeeping.

Standard 2: Children participate in decisions affecting them and are taken seriously

- a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives.
- b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated.
- c. Children can access sexual abuse prevention programs and information.
- d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.

Standard 3: Families and communities are informed and involved

- a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.
- b. The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible.
- c. Families and communities have a say in the institution's policies and practices.
- d. Families and communities are informed about the institution's operations and governance.

Standard 4: Equity is upheld and diverse needs are taken into account

- a. The institution actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities.
- b. All children have access to information, support and complaints processes.
- c. The institution pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.

Standard 5: People working with children are suitable and supported

- a. Recruitment, including advertising and screening, emphasises child safety.
- b. Relevant staff and volunteers have Working With Children Checks.
- c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.
- d. Supervision and people management have a child safety focus.

Standard 6: Processes to respond to complaints of child sexual abuse are child focused

- a. The institution has a child-focused complaint handling system that is understood by children, staff, volunteers and families.
- b. The institution has an effective complaint handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.
- c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.

Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training

- a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse.
- b. Staff and volunteers receive training on the institution's child safe practices and child protection.
- c. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.

Standard 8: Physical and online environments minimise the opportunity for abuse to occur

- a. Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development.
- b. The online environment is used in accordance with the institution's code of conduct and relevant policies.

Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved

- a. The institution regularly reviews and improves child safe practices.
- b. The institution analyses complaints to identify causes and systemic failures to inform continuous improvement.

Standard 10: Policies and procedures document how the institution is child safe

- a. Policies and procedures address all Child Safe Standards.
- b. Policies and procedures are accessible and easy to understand.
- c. Best practice models and stakeholder consultation inform the development of policies and procedures.
- d. Leaders champion and model compliance with policies and procedures.
- e. Staff understand and implement the policies and procedures.

Improving child safe approaches

Council of Australian Governments

Recommendation 6.7

The national Child Safe Standards developed by the Royal Commission and listed at Recommendation 6.5 should be adopted as part of the new National Statement of Principles for Child Safe Organisations described by the Community Services Ministers' Meeting in November 2016. The National Statement of Principles for Child Safe Organisations should be endorsed by the Council of Australian Governments.

State and territory governments

Recommendation 6.8

State and territory governments should require all institutions in their jurisdictions that engage in child-related work to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.

Recommendation 6.9

Legislative requirements to comply with the Child Safe Standards should cover institutions that provide:

- a. accommodation and residential services for children, including overnight excursions or stays
- b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children
- c. childcare or childminding services
- d. child protection services, including out-of-home care
- e. activities or services where clubs and associations have a significant membership of, or involvement by, children
- f. coaching or tuition services for children
- g. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions
- h. services for children with disability
- i. education services for children
- j. health services for children
- k. justice and detention services for children, including immigration detention facilities
- l. transport services for children, including school crossing services.

Recommendation 6.10

State and territory governments should ensure that:

- a. an independent oversight body in each state and territory is responsible for monitoring and enforcing the Child Safe Standards. Where appropriate, this should be an existing body.
- b. the independent oversight body is able to delegate responsibility for monitoring and enforcing the Child Safe Standards to another state or territory government body, such as a sector regulator.
- c. regulators take a responsive and risk-based approach when monitoring compliance with the Child Safe Standards and, where possible, utilise existing regulatory frameworks to monitor and enforce the Child Safe Standards.

Recommendation 6.11

Each independent state and territory oversight body should have the following additional functions:

- a. provide advice and information on the Child Safe Standards to institutions and the community
- b. collect, analyse and publish data on the child safe approach in that jurisdiction and provide that data to the proposed National Office for Child Safety
- c. partner with peak bodies, professional standards bodies and/or sector leaders to work with institutions to enhance the safety of children
- d. provide, promote or support education and training on the Child Safe Standards to build the capacity of institutions to be child safe
- e. coordinate ongoing information exchange between oversight bodies relating to institutions' compliance with the Child Safe Standards.

Local government

Recommendation 6.12

With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a. developing child safe messages in local government venues, grounds and facilities
- b. assisting local institutions to access online child safe resources
- c. providing child safety information and support to local institutions on a needs basis
- d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

Australian Government

Recommendation 6.13

The Australian Government should require all institutions that engage in child-related work for the Australian Government, including Commonwealth agencies, to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.

Recommendation 6.14

The Australian Government should be responsible for the following functions:

- a. evaluate, publicly report on, and drive the continuous improvement of the implementation of the Child Safe Standards and their outcomes
- b. coordinate the direct input of children and young people into the evaluation and continuous improvement of the Child Safe Standards
- c. coordinate national capacity building and support initiatives and opportunities for collaboration between jurisdictions and institutions
- d. develop and promote national strategies to raise awareness and drive cultural change in institutions and the community to support child safety.

National Framework for Child Safety

Recommendation 6.15

The Australian Government should develop a new National Framework for Child Safety in collaboration with state and territory governments. The Framework should:

- a. commit governments to improving the safety of all children by implementing long-term child safety initiatives, with appropriate resources, and holding them to account
- b. be endorsed by the Council of Australian Governments and overseen by a joint ministerial body
- c. commence after the expiration of the current National Framework for Protecting Australia's Children, no later than 2020
- d. cover broader child safety issues, as well as specific initiatives to better prevent and respond to institutional child sexual abuse including initiatives recommended by the Royal Commission
- e. include links to other related policy frameworks.

National Office for Child Safety

Recommendation 6.16

The Australian Government should establish a National Office for Child Safety in the Department of the Prime Minister and Cabinet, to provide a response to the implementation of the Child Safe Standards nationally, and to develop and lead the proposed National Framework for Child Safety. The Australian Government should transition the National Office for Child Safety into an Australian Government statutory body within 18 months of this Royal Commission's Final Report being tabled in the Australian Parliament.

Recommendation 6.17

The National Office for Child Safety should report to Parliament and have the following functions:

- a. develop and lead the coordination of the proposed National Framework for Child Safety, including national coordination of the Child Safe Standards
- b. collaborate with state and territory governments to lead capacity building and continuous improvement of child safe initiatives through resource development, best practice material and evaluation
- c. promote the participation and empowerment of children and young people in the National Framework and child safe initiatives
- d. perform the Australian Government's Child Safe Standards functions as set out at Recommendation 6.15
- e. lead the community prevention initiatives as set out in Recommendation 6.2.

Recommendation 6.18

The Australian Government should create a ministerial portfolio with responsibility for children's policy issues, including the National Framework for Child Safety.

Preventing and responding to online child sexual abuse in institutions

Recommendation 6.19

Ministers for education, through the Council of Australian Governments, should establish a nationally consistent curriculum for online safety education in schools. The Office of the eSafety Commissioner should be consulted on the design of the curriculum and contribute to the development of course content and approaches to delivery. The curriculum should:

- a. be appropriately staged from Foundation year to Year 12 and be linked with related content areas to build behavioural skills as well as technical knowledge to support a positive and safe online culture
- b. involve children and young people in the design, delivery and piloting of new online safety education, and update content annually to reflect evolving technologies, online behaviours and evidence of international best practice approaches
- c. be tailored and delivered in ways that allow all Australian children and young people to reach, access and engage with online safety education, including vulnerable groups that may not access or engage with the school system.

Recommendation 6.20

Building on its current work, the Office of the eSafety Commissioner should oversee the delivery of national online safety education aimed at parents and other community members to better support children's safety online. These communications should aim to:

- a. keep the community up to date on emerging risks and opportunities for safeguarding children online
- b. build community understanding of responsibilities, legalities and the ethics of children's interactions online
- c. encourage proactive responses from the community to make it 'everybody's business' to intervene early, provide support or report issues when concerns for children's safety online are raised
- d. increase public awareness of how to access advice and support when online incidents occur.

Recommendation 6.21

Pre-service education and in-service staff training should be provided to support child-related institutions in creating safe online environments. The Office of the eSafety Commissioner should advise on and contribute to program design and content. These programs should be aimed at:

- a. tertiary students studying university, technical and further education, and vocational education and training courses, before entering child-related occupations; and could be provided as a component of a broader program of child sexual abuse prevention education (see Recommendation 6.2)
- b. staff and volunteers in schools and other child-related organisations, and could build on the existing web-based learning programs of the Office of the eSafety Commissioner.

Recommendation 6.22

In partnership with the proposed National Office of Child Safety (see Recommendations 6.16 and 6.17), the Office of the eSafety Commissioner should oversee the development of an online safety framework and resources to support all schools in creating child safe online environments. This work should build on existing school-based e-safety frameworks and guidelines, drawing on Australian and international models.

The school-based online safety framework and resources should be designed to:

- a. support schools in developing, implementing and reviewing their online codes of conduct, policies and procedures to help create an online culture that is safe for children
- b. guide schools in their response to specific online incidents, in coordination with other agencies. This should include guidance in complaint handling, understanding reporting requirements, supporting victims to minimise further harm, and preserving digital evidence to support criminal justice processes.

Recommendation 6.23

State and territory education departments should consider introducing centralised mechanisms to support government and non-government schools when online incidents occur. This should result in appropriate levels of escalation and effective engagement with all relevant entities, such as the Office of the eSafety Commissioner, technical service providers and law enforcement.

Consideration should be given to:

- a. adopting the promising model of the Queensland Department of Education and Training's Cyber Safety and Reputation Management Unit, which provides advice and a centralised coordination function for schools, working in partnership with relevant entities to remove offensive online content and address other issues
- b. strengthening or re-establishing multi-stakeholder forums and case-management for effective joint responses involving all relevant agencies, such as police, education, health and child protection.

Recommendation 6.24

In consultation with the eSafety Commissioner, police commissioners from states and territories and the Australian Federal Police should continue to ensure national capability for coordinated, best practice responses by law enforcement agencies to online child sexual abuse. This could include through:

- a. establishing regular meetings of the heads of cybersafety units in all Australian police departments to ensure a consistent capacity to respond to emerging incidents and share best practice approaches, tools and resources
- b. convening regular forums and conferences to bring together law enforcement, government, the technology industry, the community sector and other relevant stakeholders to discuss emerging issues, set agendas and identify solutions to online child sexual abuse and exploitation
- c. building capability across police departments, through in-service training for:
 - i. frontline police officers to respond to public complaints relating to issues of online child sexual abuse or harmful sexual behaviours
 - ii. police officers who liaise with young people in school and community settings.

Volume 7, *Improving institutional responding and reporting* recommendations

Reporting institutional child sexual abuse

Recommendation 7.1

State and territory governments that do not have a mandatory reporter guide should introduce one and require its use by mandatory reporters.

Recommendation 7.2

Institutions and state and territory governments should provide mandatory reporters with access to experts who can provide timely advice on child sexual abuse reporting obligations.

Recommendation 7.3

State and territory governments should amend laws concerning mandatory reporting to child protection authorities to achieve national consistency in reporter groups. At a minimum, state and territory governments should also include the following groups of individuals as mandatory reporters in every jurisdiction:

- a. out-of-home care workers (excluding foster and kinship/relative carers)
- b. youth justice workers
- c. early childhood workers
- d. registered psychologists and school counsellors
- e. people in religious ministry.

Recommendation 7.4

Laws concerning mandatory reporting to child protection authorities should not exempt persons in religious ministry from being required to report knowledge or suspicions formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.

Recommendation 7.5

The Australian Government and state and territory governments should ensure that legislation provides comprehensive protection for individuals who make reports in good faith about child sexual abuse in institutional contexts. Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report, including in relation to:

- a. mandatory and voluntary reports to child protection authorities under child protection legislation
- b. notifications concerning child abuse under the Health Practitioner Regulation National Law.

Recommendation 7.6

State and territory governments should amend child protection legislation to provide adequate protection for individuals who make complaints or reports in good faith to any institution engaging in child-related work about:

- a. child sexual abuse within that institution or
- b. the response of that institution to child sexual abuse.

Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report.

Improving institutional responses to complaints

Recommendation 7.7

Consistent with Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused, institutions should have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse. The complaint handling policy and procedure should cover:

- a. making a complaint
- b. responding to a complaint
- c. investigating a complaint
- d. providing support and assistance
- e. achieving systemic improvements following a complaint.

Recommendation 7.8

Consistent with Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture, institutions should have a clear code of conduct that:

- a. outlines behaviours towards children that the institution considers unacceptable, including concerning conduct, misconduct or criminal conduct
- b. includes a specific requirement to report any concerns, breaches or suspected breaches of the code to a person responsible for handling complaints in the institution or to an external authority when required by law and/or the institution's complaint handling policy
- c. outlines the protections available to individuals who make complaints or reports in good faith to any institution engaging in child-related work (see Recommendation 7.6 on reporter protections).

Oversight of institutional complaint handling

Recommendation 7.9

State and territory governments should establish nationally consistent legislative schemes (reportable conduct schemes), based on the approach adopted in New South Wales, which oblige heads of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees.

Recommendation 7.10

Reportable conduct schemes should provide for:

- a. an independent oversight body
- b. obligatory reporting by heads of institutions
- c. a definition of reportable conduct that covers any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child
- d. a definition of reportable conduct that includes the historical conduct of a current employee
- e. a definition of employee that covers paid employees, volunteers and contractors
- f. protection for persons who make reports in good faith
- g. oversight body powers and functions that include:
 - i. scrutinising institutional systems for preventing reportable conduct and for handling and responding to reportable allegations, or reportable convictions

- ii. monitoring the progress of investigations and the handling of complaints by institutions
- iii. conducting, on its own motion, investigations concerning any reportable conduct of which it has been notified or otherwise becomes aware
- iv. power to exempt any class or kind of conduct from being reportable conduct
- v. capacity building and practice development, through the provision of training, education and guidance to institutions
- vi. public reporting, including annual reporting on the operation of the scheme and trends in reports and investigations, and the power to make special reports to parliaments.

Recommendation 7.11

State and territory governments should periodically review the operation of reportable conduct schemes, and in that review determine whether the schemes should cover additional institutions that exercise a high degree of responsibility for children and involve a heightened risk of child sexual abuse.

Recommendation 7.12

Reportable conduct schemes should cover institutions that:

- exercise a high degree of responsibility for children
- engage in activities that involve a heightened risk of child sexual abuse, due to institutional characteristics, the nature of the activities involving children, or the additional vulnerability of the children the institution engages with.

At a minimum, these should include institutions that provide:

- a. accommodation and residential services for children, including:
 - i. housing or homelessness services that provide overnight beds for children and young people
 - ii. providers of overnight camps
- b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children
- c. childcare services, including:
 - i. approved education and care services under the Education and Care Services National Law
 - ii. approved occasional care services

- d. child protection services and out-of-home care, including:
 - i. child protection authorities and agencies
 - ii. providers of foster care, kinship or relative care
 - iii. providers of family group homes
 - iv. providers of residential care
- e. disability services and supports for children with disability, including:
 - i. disability service providers under state and territory legislation
 - ii. registered providers of supports under the National Disability Insurance Scheme
- f. education services for children, including:
 - i. government and non-government schools
 - ii. TAFEs and other institutions registered to provide senior secondary education or training, courses for overseas students or student exchange programs
- g. health services for children, including:
 - i. government health departments and agencies, and statutory corporations
 - ii. public and private hospitals
 - iii. providers of mental health and drug or alcohol treatment services that have inpatient beds for children and young people
- h. justice and detention services for children, including:
 - i. youth detention centres
 - ii. immigration detention facilities.

Volume 8, *Recordkeeping and information sharing* recommendations

Records and recordkeeping

Minimum retention periods

Recommendation 8.1

To allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse, institutions that engage in child-related work should retain, for at least 45 years, records relating to child sexual abuse that has occurred or is alleged to have occurred.

Recommendation 8.2

The National Archives of Australia and state and territory public records authorities should ensure that records disposal schedules require that records relating to child sexual abuse that has occurred or is alleged to have occurred be retained for at least 45 years.

Recommendation 8.3

The National Archives of Australia and state and territory public records authorities should provide guidance to government and non-government institutions on identifying records which, it is reasonable to expect, may become relevant to an actual or alleged incident of child sexual abuse; and on the retention and disposal of such records.

Records and recordkeeping principles

Recommendation 8.4

All institutions that engage in child-related work should implement the following principles for records and recordkeeping, to a level that responds to the risk of child sexual abuse occurring within the institution.

Principle 1: Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.

Institutions that care for or provide services to children must keep the best interests of the child uppermost in all aspects of their conduct, including recordkeeping. It is in the best interest of children that institutions foster a culture in which the creation and management of accurate records are integral parts of the institution's operations and governance.

Principle 2: Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse.

Institutions should ensure that records are created to document any identified incidents of grooming, inappropriate behaviour (including breaches of institutional codes of conduct) or child sexual abuse and all responses to such incidents.

Records created by institutions should be clear, objective and thorough. They should be created at, or as close as possible to, the time the incidents occurred, and clearly show the author (whether individual or institutional) and the date created.

Principle 3: Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.

Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained in an indexed, logical and secure manner. Associated records should be collocated or cross-referenced to ensure that people using those records are aware of all relevant information.

Principle 4: Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy.

Records relevant to child safety and wellbeing, including child sexual abuse, must only be destroyed in accordance with records disposal schedules or published institutional policies.

Records relevant to child sexual abuse should be subject to minimum retention periods that allow for delayed disclosure of abuse by victims, and take account of limitation periods for civil actions for child sexual abuse.

Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

Individuals whose childhoods are documented in institutional records should have a right to access records made about them. Full access should be given unless contrary to law. Specific, not generic, explanations should be provided in any case where a record, or part of a record, is withheld or redacted.

Individuals should be made aware of, and assisted to assert, their existing rights to request that records containing their personal information be amended or annotated, and to seek review or appeal of decisions refusing access, amendment or annotation.

Records of non-government schools

Recommendation 8.5

State and territory governments should ensure that non-government schools operating in the state or territory are required to comply, at a minimum, with standards applicable to government schools in relation to the creation, maintenance and disposal of records relevant to child safety and wellbeing, including child sexual abuse.

Improving information sharing across sectors

Elements of a national information exchange scheme

Recommendation 8.6

The Australian Government and state and territory governments should make nationally consistent legislative and administrative arrangements, in each jurisdiction, for a specified range of bodies (prescribed bodies) to share information related to the safety and wellbeing of children, including information relevant to child sexual abuse in institutional contexts (relevant information). These arrangements should be made to establish an information exchange scheme to operate in and across Australian jurisdictions.

Recommendation 8.7

In establishing the information exchange scheme, the Australian Government and state and territory governments should develop a minimum of nationally consistent provisions to:

- a. enable direct exchange of relevant information between a range of prescribed bodies, including service providers, government and non-government agencies, law enforcement agencies, and regulatory and oversight bodies, which have responsibilities related to children's safety and wellbeing
- b. permit prescribed bodies to provide relevant information to other prescribed bodies without a request, for purposes related to preventing, identifying and responding to child sexual abuse in institutional contexts
- c. require prescribed bodies to share relevant information on request from other prescribed bodies, for purposes related to preventing, identifying and responding to child sexual abuse in institutional contexts, subject to limited exceptions
- d. explicitly prioritise children's safety and wellbeing and override laws that might otherwise prohibit or restrict disclosure of information to prevent, identify and respond to child sexual abuse in institutional contexts

- e. provide safeguards and other measures for oversight and accountability to prevent unauthorised sharing and improper use of information obtained under the information exchange scheme
- f. require prescribed bodies to provide adversely affected persons with an opportunity to respond to untested or unsubstantiated allegations, where such information is received under the information exchange scheme, prior to taking adverse action against such persons, except where to do so could place another person at risk of harm.

Supporting implementation and operation

Recommendation 8.8

The Australian Government, state and territory governments and prescribed bodies should work together to ensure that the implementation of our recommended information exchange scheme is supported with education, training and guidelines. Education, training and guidelines should promote understanding of, and confidence in, appropriate information sharing to better prevent, identify and respond to child sexual abuse in institutional contexts, including by addressing:

- a. impediments to information sharing due to limited understanding of applicable laws
- b. unauthorised sharing and improper use of information.

Improving information sharing in key sectors

Sharing information about teachers and students

Recommendation 8.9

The Council of Australian Governments (COAG) Education Council should consider the need for nationally consistent state and territory legislative requirements about the types of information recorded on teacher registers. Types of information that the council should consider, with respect to a person's registration and employment as a teacher, include:

- a. the person's former names and aliases
- b. the details of former and current employers
- c. where relating to allegations or incidents of child sexual abuse:
 - i. current and past disciplinary actions, such as conditions on, suspension of, and cancellation of registration
 - ii. grounds for current and past disciplinary actions
 - iii. pending investigations
 - iv. findings or outcomes of investigations where allegations have been substantiated
 - v. resignation or dismissal from employment.

Recommendation 8.10

The COAG Education Council should consider the need for nationally consistent provisions in state and territory teacher registration laws providing that teacher registration authorities may, and/or must on request, make information on teacher registers available to:

- a. teacher registration authorities in other states and territories
- b. teachers' employers.

Recommendation 8.11

The COAG Education Council should consider the need for nationally consistent provisions

- a. in state and territory teacher registration laws or
- b. in administrative arrangements, based on legislative authorisation for information sharing under our recommended information exchange scheme

providing that teacher registration authorities may or must notify teacher registration authorities in other states and territories and teachers' employers of information they hold or receive about the following matters where they relate to allegations or incidents of child sexual abuse:

- a. disciplinary actions, such as conditions or restrictions on, suspension of, and cancellation of registration, including with notification of grounds
- b. investigations into conduct, or into allegations or complaints
- c. findings or outcomes of investigations
- d. resignation or dismissal from employment.

Recommendation 8.12

In considering improvements to teacher registers and information sharing by registration authorities, the COAG Education Council should also consider what safeguards are necessary to protect teachers' personal information.

Recommendation 8.13

State and territory governments should ensure that policies provide for the exchange of a student's information when they move to another school, where:

- a. the student may pose risks to other children due to their harmful sexual behaviours or may have educational or support needs due to their experiences of child sexual abuse and
- b. the new school needs this information to address the safety and wellbeing of the student or of other students at the school.

State and territory governments should give consideration to basing these policies on our recommended information exchange scheme (Recommendations 8.6 to 8.8).

Recommendation 8.14

State and territory governments should ensure that policies for the exchange of a student's information when they move to another school:

- a. provide that the principal (or other authorised information sharer) at the student's previous school is required to share information with the new school in the circumstances described in Recommendation 8.13 and
- b. apply to schools in government and non-government systems.

Recommendation 8.15

State and territory governments should ensure that policies about the exchange of a student's information (as in Recommendations 8.13 and 8.14) provide the following safeguards, in addition to any safeguards attached to our recommended information exchange scheme:

- a. information provided to the new school should be proportionate to its need for that information to assist it in meeting the student's safety and wellbeing needs, and those of other students at the school
- b. information should be exchanged between principals, or other authorised information sharers, and disseminated to other staff members on a need-to-know basis.

Recommendation 8.16

The COAG Education Council should review the Interstate Student Data Transfer Note and Protocol in the context of the implementation of our recommended information exchange scheme (Recommendations 8.6 to 8.8).

Carers registers

Recommendation 8.17

State and territory governments should introduce legislation to establish carers registers in their respective jurisdictions, with national consistency in relation to:

- a. the inclusion of the following carer types on the carers register:
 - i. foster carers
 - ii. relative/kinship carers
 - iii. residential care staff
- b. the types of information which, at a minimum, should be recorded on the register
- c. the types of information which, at a minimum, must be made available to agencies or bodies with responsibility for assessing, authorising or supervising carers, or other responsibilities related to carer suitability and safety of children in out-of-home care.

Recommendation 8.18

Carers registers should be maintained by state and territory child protection agencies or bodies with regulatory or oversight responsibility for out-of-home care in that jurisdiction.

Recommendation 8.19

State and territory governments should consider the need for carers registers to include, at a minimum, the following information (register information) about, or related to, applicant or authorised carers, and persons residing on the same property as applicant/ authorised home-based carers (household members):

- a. lodgement or grant of applications for authorisation
- b. status of the minimum checks set out in Recommendation 12.6 as requirements for authorisation, indicating their outcomes as either satisfactory or unsatisfactory
- c. withdrawal or refusal of applications for authorisation in circumstances of concern (including in relation to child sexual abuse)
- d. cancellation or surrender of authorisation in circumstances of concern (including in relation to child sexual abuse)
- e. previous or current association with an out-of-home care agency, whether by application for authorisation, assessment, grant of authorisation, or supervision
- f. the date of reportable conduct allegations, and their status as either current, finalised with ongoing risk-related concerns, and/or requiring contact with the reportable conduct oversight body.

Recommendation 8.20

State and territory governments should consider the need for legislative and administrative arrangements to require responsible agencies to:

- a. record register information in minimal detail
- b. record register information as a mandatory part of carer authorisation
- c. update register information about authorised carers.

Recommendation 8.21

State and territory governments should consider the need for legislative and administrative arrangements to require responsible agencies:

- a. before they authorise or recommend authorisation of carers, to:
 - i. undertake a check for relevant register information, and
 - ii. seek further relevant information from another out-of-home care agency where register information indicates applicant carers, or their household members (in the case of prospective home-based carers) have a prior or current association with that other agency
- b. in the course of their assessment, authorisation, or supervision of carers, to:
 - i. seek further relevant information from other agencies or bodies, where register information indicates they hold, or may hold, additional information relevant to carer suitability, including reportable conduct information.

State and territory governments should give consideration to enabling agencies to seek further information for these purposes under our recommended information exchange scheme (Recommendations 8.6 to 8.8).

Recommendation 8.22

State and territory governments should consider the need for effective mechanisms to enable agencies and bodies to obtain relevant information from registers in any state or territory holding such information. Consideration should be given to legislative and administrative arrangements, and digital platforms, which will enable:

- a. agencies responsible for assessing, authorising or supervising carers
- b. other agencies, including jurisdictional child protection agencies and regulatory and oversight bodies, with responsibilities related to the suitability of persons to be carers and the safety of children in out-of-home care

to obtain relevant information from their own and other jurisdictions' registers for the purpose of exercising their responsibilities and functions.

Recommendation 8.23

In considering the legislative and administrative arrangements required for carers registers in their jurisdiction, state and territory governments should consider the need for guidelines and training to promote the proper use of carers registers for the protection of children in out-of-home care. Consideration should also be given to the need for specific safeguards to prevent inappropriate use of register information.

Volume 9, *Advocacy, support and therapeutic treatment services* recommendations

Dedicated community support services for victims and survivors

Recommendation 9.1

The Australian Government and state and territory governments should fund dedicated community support services for victims and survivors in each jurisdiction, to provide an integrated model of advocacy and support and counselling to children and adults who experienced childhood sexual abuse in institutional contexts.

Funding and related agreements should require and enable these services to:

- a. be trauma-informed and have an understanding of institutional child sexual abuse
- b. be collaborative, available, accessible, acceptable and high quality
- c. use case management and brokerage to coordinate and meet service needs
- d. support and supervise peer-led support models.

Recommendation 9.2

The Australian Government and state and territory governments should fund Aboriginal and Torres Strait Islander healing approaches as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse. These approaches should be evaluated in accordance with culturally appropriate methodologies, to contribute to evidence of best practice.

Recommendation 9.3

The Australian Government and state and territory governments should fund support services for people with disability who have experienced sexual abuse in childhood as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse.

National service to navigate legal processes

Recommendation 9.4

The Australian Government should establish and fund a legal advice and referral service for victims and survivors of institutional child sexual abuse. The service should provide advice about accessing, amending and annotating records from institutions, and options for initiating police, civil litigation or redress processes as required. Support should include advice, referrals to other legal services for representation and general assistance for people to navigate the legal service system.

Funding and related agreements should require and enable these services to be:

- a. trauma-informed and have an understanding of institutional child sexual abuse
- b. collaborative, available, accessible, acceptable and high quality.

National telephone helpline and website

Recommendation 9.5

The Australian Government should fund a national website and helpline as a gateway to accessible advice and information on childhood sexual abuse. This should provide information for victims and survivors, particularly victims and survivors of institutional child sexual abuse, the general public and practitioners about supporting children and adults who have experienced sexual abuse in childhood and available services. The gateway may be operated by an existing service with appropriate experience and should:

- a. be trauma-informed and have an understanding of institutional child sexual abuse
- b. be collaborative, available, accessible, acceptable and high quality
- c. provide telephone and online information and initial support for victims and survivors, including independent legal information and information about reporting to police
- d. provide assisted referrals to advocacy and support and therapeutic treatment services.

Enhancing the capacity of specialist sexual assault services

Recommendation 9.6

The Australian Government and state and territory governments should address existing specialist sexual assault service gaps by increasing funding for adult and child sexual assault services in each jurisdiction, to provide advocacy and support and specialist therapeutic treatment for victims and survivors, particularly victims and survivors of institutional child sexual abuse. Funding agreements should require and enable services to:

- a. be trauma-informed and have an understanding of institutional child sexual abuse
- b. be collaborative, available, accessible, acceptable and high quality
- c. use collaborative community development approaches
- d. provide staff with supervision and professional development.

Recommendation 9.7

Primary Health Networks, within their role to commission joined up local primary care services, should support sexual assault services to work collaboratively with key services such as disability-specific services, Aboriginal and Torres Strait Islander services, culturally and linguistically diverse services, youth justice, aged care and child and youth services to better meet the needs of victims and survivors.

Responsive mainstream services

Recommendation 9.8

The Australian Government and state and territory government agencies responsible for the delivery of human services should ensure relevant policy frameworks and strategies recognise the needs of victims and survivors and the benefits of implementing trauma-informed approaches.

National leadership to reduce stigma, promote help-seeking and support good practice

Recommendation 9.9

The Australian Government, in conjunction with state and territory governments, should establish and fund a national centre to raise awareness and understanding of the impacts of child sexual abuse, support help-seeking and guide best practice advocacy and support and therapeutic treatment. The national centre's functions should be to:

- a. raise community awareness and promote destigmatising messages about the impacts of child sexual abuse
- b. increase practitioners' knowledge and competence in responding to child and adult victims and survivors by translating knowledge about the impacts of child sexual abuse and the evidence on effective responses into practice and policy. This should include activities to:
 - i. identify, translate and promote research in easily available and accessible formats for advocacy and support and therapeutic treatment practitioners
 - ii. produce national training materials and best practice clinical resources
 - iii. partner with training organisations to conduct training and workforce development programs
 - iv. influence national tertiary curricula to incorporate child sexual abuse and trauma-informed care
 - v. inform government policy making
- c. lead the development of better service models and interventions through coordinating a national research agenda and conducting high-quality program evaluation.

The national centre should partner with survivors in all its work, valuing their knowledge and experience.

Volume 10, *Children with harmful sexual behaviours* recommendations

A framework for improving responses

Recommendation 10.1

The Australian Government and state and territory governments should ensure the issue of children's harmful sexual behaviours is included in the national strategy to prevent child sexual abuse that we have recommended (see Recommendations 6.1 to 6.3).

Harmful sexual behaviours by children should be addressed through each of the following:

- a. primary prevention strategies to educate family, community members, carers and professionals (including mandatory reporters) about preventing harmful sexual behaviours
- b. secondary prevention strategies to ensure early intervention when harmful sexual behaviours are developing
- c. tertiary intervention strategies to address harmful sexual behaviours.

Improving assessment and therapeutic intervention

Recommendation 10.2

The Australian Government and state and territory governments should ensure timely expert assessment is available for individual children with problematic and harmful sexual behaviours, so they receive appropriate responses, including therapeutic interventions, which match their particular circumstances.

Recommendation 10.3

The Australian Government and state and territory governments should adequately fund therapeutic interventions to meet the needs of all children with harmful sexual behaviours. These should be delivered through a network of specialist and generalist therapeutic services. Specialist services should also be adequately resourced to provide expert support to generalist services.

Recommendation 10.4

State and territory governments should ensure that there are clear referral pathways for children with harmful sexual behaviours to access expert assessment and therapeutic intervention, regardless of whether the child is engaging voluntarily, on the advice of an institution or through their involvement with the child protection or criminal justice systems.

Recommendation 10.5

Therapeutic intervention for children with harmful sexual behaviours should be based on the following principles:

- a. a contextual and systemic approach should be used
- b. family and carers should be involved
- c. safety should be established
- d. there should be accountability and responsibility for the harmful sexual behaviours
- e. there should be a focus on behaviour change
- f. developmentally and cognitively appropriate interventions should be used
- g. the care provided should be trauma-informed
- h. therapeutic services and interventions should be culturally safe
- i. therapeutic interventions should be accessible to all children with harmful sexual behaviours.

Strengthening the workforce

Recommendation 10.6

The Australian Government and state and territory governments should ensure that all services funded to provide therapeutic intervention for children with harmful sexual behaviours provide professional training and clinical supervision for their staff.

Improving evaluation

Recommendation 10.7

The Australian Government and state and territory governments should fund and support evaluation of services providing therapeutic interventions for problematic and harmful sexual behaviours by children.

Volume 12, *Contemporary out-of-home care* recommendations

Data collection and reporting

Recommendation 12.1

The Australian Government and state and territory governments should develop nationally agreed key terms and definitions in relation to child sexual abuse for the purpose of data collection and reporting by the Australian Institute of Health and Welfare (AIHW) and the Productivity Commission.

Recommendation 12.2

The Australian Government and state and territory governments should prioritise enhancements to the Child Protection National Minimum Data Set to include:

- a. data identifying children with disability, children from culturally and linguistically diverse backgrounds and Aboriginal and Torres Strait Islander children
- b. the number of children who were the subject of a substantiated report of sexual abuse while in out-of-home care
- c. the demographics of those children
- d. the type of out-of-home care placement in which the abuse occurred
- e. information about when the abuse occurred
- f. information about who perpetrated the abuse, including their age and their relationship to the victim, if known.

Recommendation 12.3

State and territory governments should agree on reporting definitions and data requirements to enable reporting in the *Report on government services* on outcome indicators for 'improved health and wellbeing of the child', 'safe return home' and 'permanent care'.

Accreditation of out-of-home care service providers

Recommendation 12.4

Each state and territory government should revise existing mandatory accreditation schemes to:

- a. incorporate compliance with the Child Safe Standards identified by the Royal Commission
- b. extend accreditation requirements to both government and non-government out-of-home care service providers.

Recommendation 12.5

In each state and territory, an existing statutory body or office that is independent of the relevant child protection agency and out-of-home care service providers, for example a children's guardian, should have responsibility for:

- a. receiving, assessing and processing applications for accreditation of out-of-home care service providers
- b. conducting audits of accredited out-of-home care service providers to ensure ongoing compliance with accreditation standards and conditions.

Carer authorisation

Recommendation 12.6

In addition to a National Police Check, Working With Children Check and referee checks, authorisation of all foster and kinship/relative carers and all residential care staff should include:

- a. community services checks of the prospective carer and any adult household members of home-based carers
- b. documented risk management plans to address any risks identified through community services checks
- c. at least annual review of risk management plans as part of carer reviews and more frequently as required.

Recommendation 12.7

All out-of-home care service providers should conduct annual reviews of authorised carers that include interviews with all children in the placement with the carer under review, in the absence of the carer.

Recommendation 12.8

Each state and territory government should adopt a model of assessment appropriately tailored for kinship/relative care. This type of assessment should be designed to:

- a. better identify the strengths as well as the support and training needs of kinship/relative carers
- b. ensure holistic approaches to supporting placements that are culturally safe
- c. include appropriately resourced support plans.

Child sexual abuse education strategy

Recommendation 12.9

All state and territory governments should collaborate in the development of a sexual abuse prevention education strategy, including online safety, for children in out-of-home care that includes:

- a. input from children in out-of-home care and care-leavers
- b. comprehensive, age-appropriate and culture-appropriate education about sexuality and healthy relationships that is tailored to the needs of children in out-of-home care
- c. resources tailored for children in care, for foster and kinship/relative carers, for residential care staff and for caseworkers
- d. resources that can be adapted to the individual needs of children with disability and their carers.

Creating a culture that supports disclosure and identification of child sexual abuse

Recommendation 12.10

State and territory governments, in collaboration with out-of-home care service providers and peak bodies, should develop resources to assist service providers to:

- a. provide appropriate support and mechanisms for children in out-of-home care to communicate, either verbally or through behaviour, their views, concerns and complaints
- b. provide appropriate training and support to carers and caseworkers to ensure they hear and respond to children in out-of-home care, including ensuring children are involved in decisions about their lives
- c. regularly consult with the children in their care as part of continuous improvement processes.

Strengthening the capacity of carers, staff and caseworkers to support children

Recommendation 12.11

State and territory governments and out-of-home care service providers should ensure that training for foster and relative/kinship carers, residential care staff and child protection workers includes an understanding of trauma and abuse, the impact on children and the principles of trauma-informed care to assist them to meet the needs of children in out-of-home care, including children with harmful sexual behaviours.

Identifying, assessing and supporting children with harmful sexual behaviours

Recommendation 12.12

When placing a child in out-of-home care, state and territory governments and out-of-home care service providers should take the following measures to support children with harmful sexual behaviours:

- a. undertake professional assessments of the child with harmful sexual behaviours, including identifying their needs and appropriate supports and interventions to ensure their safety
- b. establish case management and a package of support services
- c. undertake careful placement matching that includes:
 - i. providing sufficient relevant information to the potential carer/s and residential care staff to ensure they are equipped to support the child, and additional training as necessary
 - ii. rigorously assessing potential threats to the safety of other children, including the child's siblings, in the placement.

Recommendation 12.13

State and territory governments and out-of-home care service providers should provide advice, guidelines and ongoing professional development for all foster and kinship/relative carers and residential care staff about preventing and responding to the harmful sexual behaviours of some children in out-of-home care.

Preventing and responding to child sexual exploitation

Recommendation 12.14

All state and territory governments should develop and implement coordinated and multi-disciplinary strategies to protect children in residential care by:

- a. identifying and disrupting activities that indicate risk of sexual exploitation
- b. supporting agencies to engage with children in ways that encourage them to assist in the investigation and prosecution of sexual exploitation offences.

Recommendation 12.15

Child protection departments in all states and territories should adopt a nationally consistent definition for child sexual exploitation to enable the collection and reporting of data on sexual exploitation of children in out-of-home care as a form of child sexual abuse.

Increasing the stability of placements

Recommendation 12.16

All institutions that provide out-of-home care should develop strategies that increase the likelihood of safe and stable placements for children in care. Such strategies should include:

- a. improved processes for 'matching' children with carers and other children in a placement, including in residential care
- b. the provision of necessary information to carers about a child, prior to and during their placement, to enable carers to properly support the child
- c. support and training for carers to deal with the different developmental needs of children as well as managing difficult situations and challenging behaviour.

Supporting kinship/relative care placements

Recommendation 12.17

Each state and territory government should ensure that:

- a. the financial support and training provided to kinship/relative carers is equivalent to that provided to foster carers
- b. the need for any additional supports are identified during kinship/relative carer assessments and are funded
- c. additional casework support is provided to maintain birth family relationships.

Residential care

Recommendation 12.18

The key focus of residential care for children should be based on an intensive therapeutic model of care framework designed to meet the complex needs of children with histories of abuse and trauma.

Recommendation 12.19

All residential care staff should be provided with regular training and professional supervision by appropriately qualified clinicians.

Aboriginal and Torres Strait Islander children

Recommendation 12.20

Each state and territory government, in consultation with appropriate Aboriginal and Torres Strait Islander organisations and community representatives, should develop and implement plans to:

- a. fully implement the Aboriginal and Torres Strait Islander Child Placement Principle
- b. improve community and child protection sector understanding of the intent and scope of the principle
- c. develop outcome measures that allow quantification and reporting on the extent of the full application of the principle, and evaluation of its impact on child safety and the reunification of Aboriginal and Torres Strait Islander children with their families
- d. invest in community capacity building as a recognised part of kinship care, in addition to supporting individual carers, in recognition of the role of Aboriginal and Torres Strait Islander communities in bringing up children.

Children with disability

Recommendation 12.21

Each state and territory government should ensure:

- a. the adequate assessment of all children with disability entering out-of-home care
- b. the availability and provision of therapeutic support
- c. support for disability-related needs
- d. the development and implementation of care plans that identify specific risk-management and safety strategies for individual children, including the identification of trusted and safe adults in the child's life.

Care-leavers

Recommendation 12.22

State and territory governments should ensure that the supports provided to assist all care-leavers to safely and successfully transition to independent living include:

- a. strategies to assist care-leavers who disclose that they were sexually abused while in out-of-home care to access general post-care supports
- b. the development of targeted supports to address the specific needs of sexual abuse survivors, such as help in accessing therapeutic treatment to deal with impacts of abuse, and for these supports to be accessible until at least the age of 25.

Volume 13, *Schools* recommendations

Child Safe Standards

Recommendation 13.1

All schools should implement the Child Safe Standards identified by the Royal Commission.

Recommendation 13.2

State and territory independent oversight authorities responsible for implementing the Child Safe Standards (see Recommendation 6.10) should delegate to school registration authorities the responsibility for monitoring and enforcing the Child Safe Standards in government and non-government schools.

Recommendation 13.3

School registration authorities should place particular emphasis on monitoring government and non-government boarding schools to ensure they meet the Child Safe Standards. Policy guidance and practical support should be provided to all boarding schools to meet these standards, including advice on complaint handling.

Supporting boarding schools

Recommendation 13.4

The Australian Government and state and territory governments should ensure that needs-based funding arrangements for Aboriginal and Torres Strait Islander boarding students are sufficient for schools and hostels to create child safe environments.

Recommendation 13.5

Boarding hostels for children and young people should implement the Child Safe Standards identified by the Royal Commission. State and territory independent oversight authorities should monitor and enforce the Child Safe Standards in these institutions.

Responding to complaints relating to children with harmful sexual behaviours

Recommendation 13.6

Consistent with the Child Safe Standards, complaint handling policies for schools (see Recommendation 7.7) should include effective policies and procedures for managing complaints about children with harmful sexual behaviours.

Guidance for teachers and principals

Recommendation 13.7

State and territory governments should provide nationally consistent and easily accessible guidance to teachers and principals on preventing and responding to child sexual abuse in all government and non-government schools.

Teacher registration

Recommendation 13.8

The Council of Australian Governments (COAG) should consider strengthening teacher registration requirements to better protect children from sexual abuse in schools. In particular, COAG should review minimum national requirements for assessing the suitability of teachers, and conducting disciplinary investigations.

Volume 14, *Sport, recreation, arts, culture, community and hobby groups* recommendations

Child Safe Standards

Recommendation 14.1

All sport and recreation institutions, including arts, culture, community and hobby groups, that engage with or provide services to children should implement the Child Safe Standards identified by the Royal Commission.

A representative voice for the sector

Recommendation 14.2

The National Office for Child Safety should establish a child safety advisory committee for the sport and recreation sector with membership from government and non-government peak bodies to advise the national office on sector-specific child safety issues.

Expanding Play by the Rules

Recommendation 14.3

The education and information website known as Play by the Rules should be expanded and funded to develop resources – in partnership with the National Office for Child Safety – that are relevant to the broader sport and recreation sector.

Improving communication

Recommendation 14.4

The independent state and territory oversight bodies that implement the Child Safe Standards should establish a free email subscription function for the sport and recreation sector so that all providers of these services to children can subscribe to receive relevant child safe information and links to resources.

Volume 15, *Contemporary detention environments* recommendations

Contemporary detention environments

Recommendation 15.1

All institutions engaged in child-related work, including detention institutions and those involving detention and detention-like practices, should implement the Child Safe Standards identified by the Royal Commission.

Recommendation 15.2

Given the Australian Government's commitment to ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the National Preventive Mechanism(s) should be provided with the expertise to consider and make recommendations relating to preventing and responding to child sexual abuse as part of regularly examining the treatment of persons deprived of their liberty in places of detention.

Youth detention

Creating a safer physical environment

Recommendation 15.3

Youth justice agencies in each state and territory should review the building and design features of youth detention to identify and address elements that may place children at risk. This should include consideration of how to most effectively use technology, such as closed-circuit television (CCTV) cameras and body-worn cameras, to capture interactions between children and between staff and children without unduly infringing children's privacy.

Recommendation 15.4

As part of efforts to mitigate risks of child sexual abuse in the physical environment of youth detention, state and territory governments should review legislation, policy and procedures to ensure:

- a. appropriate and safe placements of children in youth detention, including a risk assessment process before placement decisions that identifies if a child may be vulnerable to child sexual abuse or if a child is displaying harmful sexual behaviours
- b. children are not placed in adult prisons

- c. frameworks take into account the importance of children having access to trusted adults, including family, friends and community, in the prevention and disclosure of child sexual abuse and provide for maximum contact between children and trusted adults through visitation, and use of the telephone and audio-visual technology
- d. best practice processes are in place for strip searches and other authorised physical contact between staff and children, including sufficient safeguards to protect children such as:
 - i. adequate communication between staff and the child before, during and after a search is conducted or other physical contact occurs
 - ii. clear protocols detailing when such practices are permitted and how they should be performed. The key elements of these protocols should be provided to children in an accessible format
 - iii. staff training that highlights the potential for strip searching to re-traumatise children who have been sexually abused and how the misuse of search powers can lead to sexual humiliation or abuse.

State and territory governments should consider implementing strategies for detecting contraband, such as risk assessments or body scanners, to minimise the need for strip searching children.

Responding to children's different needs

Recommendation 15.5

State and territory governments should consider further strategies that provide for the cultural safety of Aboriginal and Torres Strait Islander children in youth detention including:

- a. recruiting and developing Aboriginal and Torres Strait Islander staff to work at all levels of the youth justice system, including in key roles in complaint handling systems
- b. providing access to interpreters, particularly with respect to induction and education programs, and accessing internal and external complaint handling systems
- c. ensuring that all youth detention facilities have culturally appropriate policies and procedures that facilitate connection with family, community and culture, and reflect an understanding of, and respect for, cultural practices in different clan groups
- d. employing, training and professionally developing culturally competent staff who understand the particular needs and experiences of Aboriginal and Torres Strait Islander children, including the specific barriers that Aboriginal and Torres Strait Islander children face in disclosing sexual abuse.

Recommendation 15.6

All staff should receive appropriate training on the needs and experiences of children with disability, mental health problems, and alcohol or other drug problems, and children from culturally and linguistically diverse backgrounds that highlights the barriers these children may face in disclosing sexual abuse.

Recommendation 15.7

State and territory governments should improve access to therapeutic treatment for survivors of child sexual abuse who are in youth detention, including by assessing their advocacy, support and therapeutic treatment needs and referring them to appropriate services, and ensure they are linked to ongoing treatment when they leave detention.

Support and training for staff

Recommendation 15.8

State and territory governments should ensure that all staff in youth detention are provided with training and ongoing professional development in trauma-informed care to assist them to meet the needs of children in youth detention, including children at risk of sexual abuse and children with harmful sexual behaviours.

Improving complaint handling systems

Recommendation 15.9

State and territory governments should review the current internal and external complaint handling systems concerning youth detention to ensure they are capable of effectively dealing with complaints of child sexual abuse, including so that:

- a. children can easily access child-appropriate information about internal complaint processes and external oversight bodies that may receive or refer children's complaints, such as visitor's schemes, ombudsmen, inspectors of custodial services, and children's commissioners or guardians
- b. children have confidential and unrestricted access to external oversight bodies
- c. staff involved in managing complaints both internally and externally include Aboriginal and Torres Strait Islander peoples and professionals qualified to provide trauma-informed care
- d. complaint handling systems are accessible for children with literacy difficulties or who speak English as a second language
- e. children are regularly consulted about the effectiveness of complaint handling systems and systems are continually improved.

Independent oversight of youth detention

Recommendation 15.10

State and territory governments should ensure they have an independent oversight body with the appropriate visitation, complaint handling and reporting powers, to provide oversight of youth detention. This could include an appropriately funded and independent Inspector of Custodial Services or similar body. New and existing bodies should have expertise in child-trauma, and the prevention and identification of child sexual abuse.

Immigration detention

The Child Protection Panel recommendations

Recommendation 15.11

The Department of Immigration and Border Protection should publicly report within 12 months on how it has implemented the Child Protection Panel's recommendations.

Implementing the Child Safe Standards in immigration detention

Recommendation 15.12

- a. The Australian Government should establish a mechanism to regularly audit the implementation of the Child Safe Standards in immigration detention by staff, contractors and agents of the Department of Immigration and Border Protection. The outcomes of each audit should be publicly reported.
- b. The Department of Immigration and Border Protection should contractually require its service providers to comply with the Child Safe Standards identified by the Royal Commission, as applied to immigration detention.

Therapeutic support for victims in immigration detention

Recommendation 15.13

The Department of Immigration and Border Protection should identify the scope and nature of the need for support services for victims in immigration detention. The Department of Immigration and Border Protection should ensure that appropriate therapeutic and other specialist and support services are funded to meet the identified needs of victims in immigration detention and ensure they are linked to ongoing treatment when they leave detention.

Training and supporting department and service provider staff

Recommendation 15.14

The Department of Immigration and Border Protection should designate appropriately qualified child safety officers for each place in which children are detained. These officers should assist and build the capacity of staff and service providers at the local level to implement the Child Safe Standards.

Preventive monitoring and oversight

Recommendation 15.15

The Department of Immigration and Border Protection should implement an independent visitors program in immigration detention.

Volume 16, *Religious institutions* recommendations

Recommendations to the Anglican Church

Recommendation 16.1

The Anglican Church of Australia should adopt a uniform episcopal standards framework that ensures that bishops and former bishops are accountable to an appropriate authority or body in relation to their response to complaints of child sexual abuse.

Recommendation 16.2

The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers:

- a. members of professional standards bodies
- b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod)
- c. members of the Standing Committee of the General Synod
- d. chancellors and legal advisers for dioceses.

Recommendation 16.3

The Anglican Church of Australia should amend *Being together* and any other statement of expectations or code of conduct for lay members of the Anglican Church to expressly refer to the importance of child safety.

Recommendation 16.4

The Anglican Church of Australia should develop a national approach to the selection, screening and training of candidates for ordination in the Anglican Church.

Recommendation 16.5

The Anglican Church of Australia should develop and each diocese should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, clergy, religious and lay personnel):

- a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry and child safety
- b. undertake mandatory professional/pastoral supervision
- c. undergo regular performance appraisals.

Recommendations to the Catholic Church

Recommendation 16.6

The bishop of each Catholic Church diocese in Australia should ensure that parish priests are not the employers of principals and teachers in Catholic schools.

Recommendation 16.7

The Australian Catholic Bishops Conference should conduct a national review of the governance and management structures of dioceses and parishes, including in relation to issues of transparency, accountability, consultation and the participation of lay men and women. This review should draw from the approaches to governance of Catholic health, community services and education agencies.

Recommendation 16.8

In the interests of child safety and improved institutional responses to child sexual abuse, the Australian Catholic Bishops Conference should request the Holy See to:

- a. publish criteria for the selection of bishops, including relating to the promotion of child safety
- b. establish a transparent process for appointing bishops which includes the direct participation of lay people.

Recommendation 16.9

The Australian Catholic Bishops Conference should request the Holy See to amend the 1983 Code of Canon Law to create a new canon or series of canons specifically relating to child sexual abuse, as follows:

- a. All delicts relating to child sexual abuse should be articulated as canonical crimes against the child, not as moral failings or as breaches of the 'special obligation' of clerics and religious to observe celibacy.
- b. All delicts relating to child sexual abuse should apply to any person holding a 'dignity, office or responsibility in the Church' regardless of whether they are ordained or not ordained.
- c. In relation to the acquisition, possession, or distribution of pornographic images, the delict (currently contained in Article 6 §2 1° of the revised 2010 norms attached to the motu proprio *Sacramentorum sanctitatis tutela*) should be amended to refer to minors under the age of 18, not minors under the age of 14.

Recommendation 16.10

The Australian Catholic Bishops Conference should request the Holy See to amend canon law so that the pontifical secret does not apply to any aspect of allegations or canonical disciplinary processes relating to child sexual abuse.

Recommendation 16.11

The Australian Catholic Bishops Conference should request the Holy See to amend canon law to ensure that the ‘pastoral approach’ is not an essential precondition to the commencement of canonical action relating to child sexual abuse.

Recommendation 16.12

The Australian Catholic Bishops Conference should request the Holy See to amend canon law to remove the time limit (prescription) for commencement of canonical actions relating to child sexual abuse. This amendment should apply retrospectively.

Recommendation 16.13

The Australian Catholic Bishops Conference should request the Holy See to amend the ‘imputability’ test in canon law so that a diagnosis of paedophilia is not relevant to the prosecution of or penalty for a canonical offence relating to child sexual abuse.

Recommendation 16.14

The Australian Catholic Bishops Conference should request the Holy See to amend canon law to give effect to Recommendations 16.55 and 16.56.

Recommendation 16.15

The Australian Catholic Bishops Conference and Catholic Religious Australia, in consultation with the Holy See, should consider establishing an Australian tribunal for trying canonical disciplinary cases against clergy, whose decisions could be appealed to the Apostolic Signatura in the usual way.

Recommendation 16.16

The Australian Catholic Bishops Conference should request the Holy See to introduce measures to ensure that Vatican Congregations and canonical appeal courts always publish decisions in disciplinary matters relating to child sexual abuse, and provide written reasons for their decisions. Publication should occur in a timely manner. In some cases it may be appropriate to suppress information that might lead to the identification of a victim.

Recommendation 16.17

The Australian Catholic Bishops Conference should request the Holy See to amend canon law to remove the requirement to destroy documents relating to canonical criminal cases in matters of morals, where the accused cleric has died or ten years have elapsed from the condemnatory sentence. In order to allow for delayed disclosure of abuse by victims and to take account of the limitation periods for civil actions for child sexual abuse, the minimum requirement for retention of records in the secret archives should be at least 45 years.

Recommendation 16.18

The Australian Catholic Bishops Conference should request the Holy See to consider introducing voluntary celibacy for diocesan clergy.

Recommendation 16.19

All Catholic religious institutes in Australia, in consultation with their international leadership and the Holy See as required, should implement measures to address the risks of harm to children and the potential psychological and sexual dysfunction associated with a celibate rule of religious life. This should include consideration of whether and how existing models of religious life could be modified to facilitate alternative forms of association, shorter terms of celibate commitment, and/or voluntary celibacy (where that is consistent with the form of association that has been chosen).

Recommendation 16.20

In order to promote healthy lives for those who choose to be celibate, the Australian Catholic Bishops Conference and all Catholic religious institutes in Australia should further develop, regularly evaluate and continually improve, their processes for selecting, screening and training of candidates for the clergy and religious life, and their processes of ongoing formation, support and supervision of clergy and religious.

Recommendation 16.21

The Australian Catholic Bishops Conference and Catholic Religious Australia should establish a national protocol for screening candidates before and during seminary or religious formation, as well as before ordination or the profession of religious vows.

Recommendation 16.22

The Australian Catholic Bishops Conference and Catholic Religious Australia should establish a mechanism to ensure that diocesan bishops and religious superiors draw upon broad-ranging professional advice in their decision-making, including from staff from seminaries or houses of formation, psychologists, senior clergy and religious, and lay people, in relation to the admission of individuals to:

- a. seminaries and houses of religious formation
- b. ordination and/or profession of vows.

Recommendation 16.23

In relation to guideline documents for the formation of priests and religious:

- a. The Australian Catholic Bishops Conference should review and revise the *Ratio nationalis institutionis sacerdotalis: Programme for priestly formation* (current version December 2015), and all other guideline documents relating to the formation of priests, permanent deacons, and those in pastoral ministry, to explicitly address the issue of child sexual abuse by clergy and best practice in relation to its prevention.
- b. All Catholic religious institutes in Australia should review and revise their particular norms and guideline documents relating to the formation of priests, religious brothers, and religious sisters, to explicitly address the issue of child sexual abuse and best practice in relation to its prevention.

Recommendation 16.24

The Australian Catholic Bishops Conference and Catholic Religious Australia should conduct a national review of current models of initial formation to ensure that they promote pastoral effectiveness, (including in relation to child safety and pastoral responses to victims and survivors) and protect against the development of clericalist attitudes.

Recommendation 16.25

The Australian Catholic Bishops Conference and Catholic Religious Australia should develop and each diocese and religious institute should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, provincials, clergy, religious, and lay personnel):

- a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry, and child safety
- b. undertake mandatory professional/pastoral supervision
- c. undergo regular performance appraisals.

Recommendation 16.26

The Australian Catholic Bishops Conference should consult with the Holy See, and make public any advice received, in order to clarify whether:

- a. information received from a child during the sacrament of reconciliation that they have been sexually abused is covered by the seal of confession
- b. if a person confesses during the sacrament of reconciliation to perpetrating child sexual abuse, absolution can and should be withheld until they report themselves to civil authorities.

Recommendations to the Jehovah's Witness organisation

Recommendation 16.27

The Jehovah's Witness organisation should abandon its application of the two-witness rule in cases involving complaints of child sexual abuse.

Recommendation 16.28

The Jehovah's Witness organisation should revise its policies so that women are involved in processes related to investigating and determining allegations of child sexual abuse.

Recommendation 16.29

The Jehovah's Witness organisation should no longer require its members to shun those who disassociate from the organisation in cases where the reason for disassociation is related to a person being a victim of child sexual abuse.

Recommendations to Jewish institutions

Recommendation 16.30

All Jewish institutions in Australia should ensure that their complaint handling policies explicitly state that the *halachic* concepts of *mesirah*, *moser* and *loshon horo* do not apply to the communication and reporting of allegations of child sexual abuse to police and other civil authorities.

Recommendations to all religious institutions in Australia

Recommendation 16.31

All institutions that provide activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children, should implement the 10 Child Safe Standards identified by the Royal Commission.

Recommendation 16.32

Religious organisations should adopt the Royal Commission’s 10 Child Safe Standards as nationally mandated standards for each of their affiliated institutions.

Recommendation 16.33

Religious organisations should drive a consistent approach to the implementation of the Royal Commission’s 10 Child Safe Standards in each of their affiliated institutions.

Recommendation 16.34

Religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of and compliance with the Royal Commission’s 10 Child Safe Standards in each of their affiliated institutions.

Recommendation 16.35

Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission’s 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.

Recommendation 16.36

Consistent with Child Safe Standard 1, each religious institution in Australia should ensure that its religious leaders are provided with leadership training both pre- and post-appointment, including in relation to the promotion of child safety.

Recommendation 16.37

Consistent with Child Safe Standard 1, leaders of religious institutions should ensure that there are mechanisms through which they receive advice from individuals with relevant professional expertise on all matters relating to child sexual abuse and child safety. This should include in relation to prevention, policies and procedures and complaint handling. These mechanisms should facilitate advice from people with a variety of professional backgrounds and include lay men and women.

Recommendation 16.38

Consistent with Child Safe Standard 1, each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety.

Recommendation 16.39

Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.

Recommendation 16.40

Consistent with Child Safe Standard 2, wherever a religious institution has children in its care, those children should be provided with age-appropriate prevention education that aims to increase their knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children that no one has a right to invade their privacy and make them feel unsafe.

Recommendation 16.41

Consistent with Child Safe Standard 3, each religious institution should make provision for family and community involvement by publishing all policies relevant to child safety on its website, providing opportunities for comment on its approach to child safety, and seeking periodic feedback about the effectiveness of its approach to child safety.

Recommendation 16.42

Consistent with Child Safe Standard 5, each religious institution should require that candidates for religious ministry undergo external psychological testing, including psychosexual assessment, for the purposes of determining their suitability to be a person in religious ministry and to undertake work involving children.

Recommendation 16.43

Each religious institution should ensure that candidates for religious ministry undertake minimum training on child safety and related matters, including training that:

- a. equips candidates with an understanding of the Royal Commission's 10 Child Safe Standards
- b. educates candidates on:
 - i. professional responsibility and boundaries, ethics in ministry and child safety
 - ii. policies regarding appropriate responses to allegations or complaints of child sexual abuse, and how to implement these policies
 - iii. how to work with children, including childhood development
 - iv. identifying and understanding the nature, indicators and impacts of child sexual abuse.

Recommendation 16.44

Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.

Recommendation 16.45

Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.

Recommendation 16.46

Religious institutions which receive people from overseas to work in religious or pastoral ministry, or otherwise within their institution, should have targeted programs for the screening, initial training and professional supervision and development of those people. These programs should include material covering professional responsibility and boundaries, ethics in ministry and child safety.

Recommendation 16.47

Consistent with Child Safe Standard 7, each religious institution should require that all people in religious or pastoral ministry, including religious leaders, undertake regular training on the institution's child safe policies and procedures. They should also be provided with opportunities for external training on best practice approaches to child safety.

Recommendation 16.48

Religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult. The policy should specify that, if another adult is not available, the rite of religious confession for the child should not be performed.

Recommendation 16.49

Codes of conduct in religious institutions should explicitly and equally apply to people in religious ministry and to lay people.

Recommendation 16.50

Consistent with Child Safe Standard 7, each religious institution should require all people in religious ministry, leaders, members of boards, councils and other governing bodies, employees, relevant contractors and volunteers to undergo initial and periodic training on its code of conduct. This training should include:

- a. what kinds of allegations or complaints relating to child sexual abuse should be reported and to whom
- b. identifying inappropriate behaviour which may be a precursor to abuse, including grooming
- c. recognising physical and behavioural indicators of child sexual abuse
- d. that all complaints relating to child sexual abuse must be taken seriously, regardless of the perceived severity of the behaviour.

Recommendation 16.51

All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.

Recommendation 16.52

All religious institutions' complaint handling policies should require that, if a complaint of child sexual abuse against a person in religious ministry is plausible, and there is a risk that person may come into contact with children in the course of their ministry, the person be stood down from ministry while the complaint is investigated.

Recommendation 16.53

The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been substantiated is the balance of probabilities, having regard to the principles in *Briginshaw v Briginshaw*.

Recommendation 16.54

Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.

Recommendation 16.55

Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in *Briginshaw v Briginshaw*, or who is convicted of an offence relating to child sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.

Recommendation 16.56

Any person in religious ministry who is convicted of an offence relating to child sexual abuse should:

- a. in the case of Catholic priests and religious, be dismissed from the priesthood and/or dispensed from his or her vows as a religious
- b. in the case of Anglican clergy, be deposed from holy orders
- c. in the case of Uniting Church ministers, have his or her recognition as a minister withdrawn
- d. in the case of an ordained person in any other religious denomination that has a concept of ordination, holy orders and/or vows, be dismissed, deposed or otherwise effectively have their religious status removed.

Recommendation 16.57

Where a religious institution becomes aware that any person attending any of its religious services or activities is the subject of a substantiated complaint of child sexual abuse, or has been convicted of an offence relating to child sexual abuse, the religious institution should:

- a. assess the level of risk posed to children by that perpetrator's ongoing involvement in the religious community
- b. take appropriate steps to manage that risk.

Recommendation 16.58

Each religious organisation should consider establishing a national register which records limited but sufficient information to assist affiliated institutions identify and respond to any risks to children that may be posed by people in religious or pastoral ministry.

Volume 17, *Beyond the Royal Commission* recommendations

Monitoring and reporting on implementation

An initial government response

Recommendation 17.1

The Australian Government and state and territory governments should each issue a formal response to this Final Report within six months of it being tabled, indicating whether our recommendations are accepted, accepted in principle, rejected or subject to further consideration.

Ongoing periodic reporting

Recommendation 17.2

The Australian Government and state and territory governments should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations made in this Final Report and its earlier *Working With Children Checks*, *Redress and civil litigation* and *Criminal justice* reports, through five consecutive annual reports tabled before their respective parliaments.

Recommendation 17.3

Major institutions and peak bodies of institutions that engage in child-related work should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations to the National Office for Child Safety through five consecutive annual reports. The National Office for Child Safety should make these reports publicly available. At a minimum, the institutions reporting should include those that were the subject of the Royal Commission's institutional review hearings held from 5 December 2016 to 10 March 2017.

10-year review

Recommendation 17.4

The Australian Government should initiate a review to be conducted 10 years after the tabling of this Final Report. This review should:

- a. establish the extent to which the Royal Commission's recommendations have been implemented 10 years after the tabling of the Final Report
- b. examine the extent to which the measures taken in response to the Royal Commission have been effective in preventing child sexual abuse, improving the responses of institutions to child sexual abuse and ensuring that victims and survivors of child sexual abuse obtain justice, treatment and support
- c. advise on what further steps should be taken by governments and institutions to ensure continuing improvement in policy and service delivery in relation to child sexual abuse in institutional contexts.

Preserving the records of the Royal Commission

Recommendation 17.5

The Australian Government should host and maintain the Royal Commission website for the duration of the national redress scheme for victims and survivors of institutional child sexual abuse.

A national memorial to victims and survivors of child sexual abuse in institutional contexts

Recommendation 17.6

A national memorial should be commissioned by the Australian Government for victims and survivors of child sexual abuse in institutional contexts. Victims and survivors should be consulted on the memorial design and it should be located in Canberra.

Working With Children Checks report recommendations (2015)

General

1. State and territory governments should:
 - a. within 12 months of the publication of this report, amend their WWCC laws to implement the standards identified in this report
 - b. once the standards are implemented, obtain agreement from the Council of Australian Governments (COAG), or a relevant ministerial council, before deviating from or altering the standards in this report, adopting changes across all jurisdictions
 - c. within 18 months from the publication of this report, amend their WWCC laws to enable clearances from other jurisdictions to be recognised and accepted.
2. The South Australian Government should, within 12 months of the publication of this report, replace its criminal history assessments with a WWCC scheme that incorporates the standards set out in this report.
3. The Commonwealth Government should, within 12 months of the publication of this report:
 - a. facilitate a national model for WWCCs by:
 - i. establishing a centralised database, operated by CrimTrac, that is readily accessible to all jurisdictions to record WWCC decisions
 - ii. together with state and territory governments, identifying consistent terminology to capture key WWCC decisions (for example, refusal, cancellation, suspension and grant) for recording into the centralised database
 - iii. enhancing CrimTrac's capacity to continuously monitor WWCC cardholders' national criminal history records
 - b. explore avenues to make international records more accessible for the purposes of WWCCs
 - c. identify and require all Commonwealth Government personnel, including contractors, undertaking child-related work, as defined by the child-related work standards set out in this report, to obtain WWCCs.

4. The Commonwealth, state and territory governments should, within 12 months of the publication of this report:
 - a. agree on a set of standards or guidelines to enhance the accurate and timely recording of information by state and territory police into CrimTrac's system
 - b. review the information they have agreed to exchange under the National Exchange of Criminal History Information for People Working with Children (ECHIPWC), and establish a set of definitions for the key terms used to describe the different types of criminal history records so they are consistent across the jurisdictions (these key terms include pending charges, non-conviction charges and information about the circumstances of an offence)
 - c. take immediate action to record into CrimTrac's system historical criminal records that are in paper form or on microfilm and which are not currently identified by CrimTrac's initial database search
 - d. once these historical criminal history records are entered into CrimTrac's system by all jurisdictions, check all WWCC cardholders against them through the expanded continuous monitoring process.

Standards

Child-related work

5. State and territory governments should amend their WWCC laws to incorporate a consistent and simplified definition of child-related work, in line with the recommendations below.
6. State and territory governments should amend their WWCC laws to provide that work must involve contact between an adult and one or more children to qualify as child-related work.
7. State and territory governments should:
 - a. amend their WWCC laws to provide that the phrase 'contact with children' refers to physical contact, face-to-face contact, oral communication, written communication or electronic communication
 - b. through COAG, or a relevant ministerial council, agree on standard definitions for each kind of contact and amend their WWCC laws to incorporate those definitions.
8. State and territory governments should:
 - a. amend their WWCC laws to provide that contact with children must be a usual part of, and more than incidental to, the child-related work
 - b. through COAG, or a relevant ministerial council, agree on standard definitions for the phrases 'usual part of work' and 'more than incidental to the work', and amend their WWCC laws to incorporate those definitions.

9. State and territory governments should amend their WWCC laws to specify that it is irrelevant whether the contact with children is supervised or unsupervised.
10. State and territory governments should amend their WWCC laws to provide that a person is engaged in child-related work if they are engaged in the work in any capacity and whether or not for reward.
11. State and territory governments should amend their WWCC laws to provide that work that is undertaken under an arrangement for a personal or domestic purpose is not child-related, even if it would otherwise be so considered.
12. State and territory governments should amend their WWCC laws to:
 - a. define the following as child-related work:
 - i. accommodation and residential services for children, including overnight excursions or stays
 - ii. activities or services provided by religious leaders, officers or personnel of religious organisations
 - iii. childcare or minding services
 - iv. child protection services, including out-of-home care (OOHC)
 - v. clubs and associations with a significant membership of, or involvement by, children
 - vi. coaching or tuition services for children
 - vii. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions
 - viii. disability services for children
 - ix. education services for children
 - x. health services for children
 - xi. justice and detention services for children, including immigration detention facilities where children are regularly detained
 - xii. transport services for children, including school crossing services
 - xiii. other work or roles that involve contact with children that is a usual part of, and more than incidental to, the work or roles.
 - b. require WWCCs for adults residing in the homes of authorised carers of children
 - c. remove all other remaining categories of work or roles.
13. State and territory governments, through COAG, or a relevant ministerial council, should agree on standard definitions for each category of child-related work and amend their WWCC laws to incorporate those definitions.

Exemptions

14. State and territory governments should amend their WWCC laws to:
 - a. exempt:
 - i. children under 18 years of age, regardless of their employment status
 - ii. employers and supervisors of children in a workplace, unless the work is child-related
 - iii. people who engage in child-related work for seven days or fewer in a calendar year, except in respect of overnight excursions or stays
 - iv. people who engage in child-related work in the same capacity as the child
 - v. police officers, including members of the Australian Federal Police
 - vi. parents or guardians who volunteer for services or activities that are usually provided to their children, in respect of that activity, except in respect of:
 - a) overnight excursions or stays
 - b) providing services to children with disabilities, where the services involve close, personal contact with those children
 - b. remove all other exemptions and exclusions
 - c. prohibit people who have been denied a WWCC, and subsequently not granted one, from relying on any exemption.
15. State and territory governments, through COAG, or a relevant ministerial council, should agree on standard definitions for each exemption category and amend their WWCC laws to incorporate those definitions.

Offences

16. State and territory governments should amend their WWCC laws to incorporate a consistent and simplified list of offences, including:
 - a. engaging in child-related work without holding, or having applied for, a WWCC
 - b. engaging a person in child-related work without them holding, or having applied for, a WWCC
 - c. providing false or misleading information in connection with a WWCC application
 - d. applicants and/or WWCC cardholders failing to notify screening agencies of relevant changes in circumstances
 - e. unauthorised disclosure of information gathered during the course of a WWCC.

Criminal history information

17. State and territory governments should amend their WWCC laws to include a standard definition of criminal history, for WWCC purposes, comprised of:
 - a. convictions, whether or not spent
 - b. findings of guilt that did not result in a conviction being recorded
 - a. charges, regardless of status or outcome, including:
 - i. pending charges – that is, charges laid but not finalised
 - ii. charges disposed of by a court, or otherwise, other than by way of conviction (for example, withdrawn, set aside or dismissed)
 - iii. charges that led to acquittals or convictions that were quashed or otherwise over-turned on appeal

for all offences, irrespective of whether or not they concern the person's history as an adult or a child and/or relate to offences outside Australia.
18. State and territory governments should amend their WWCC laws to require police services to provide screening agencies with records that meet the definition of criminal history records for WWCC purposes and any other available information relating to the circumstances of such offences.

Disciplinary or misconduct information

19. State and territory governments should amend their WWCC laws to:
 - a. require that relevant disciplinary and/or misconduct information is checked for all WWCC applicants
 - b. include a standard definition of disciplinary and/or misconduct information that encompasses disciplinary action and/or findings of misconduct where the conduct was against, or involved, a child, irrespective of whether this information arises from reportable conduct schemes or other systems or bodies responsible for disciplinary or misconduct proceedings
 - c. require the bodies responsible for the relevant disciplinary and/or misconduct information to notify their respective screening agencies of relevant disciplinary and/or misconduct information that meets the definition.

Response to records returned

20. State and territory governments should amend their WWCC laws to respond to records in the same way, specifically that:
 - a. the absence of any relevant criminal history, disciplinary or misconduct information in an applicant's history leads to an automatic grant of a WWCC
 - b. any conviction and/or pending charge in an applicant's criminal history for the following categories of offence leads to an automatic WWCC refusal, provided the applicant was at least 18 years old at the time of the offence:
 - i. murder of a child
 - ii. manslaughter of a child
 - iii. indecent or sexual assault of a child
 - iv. child pornography-related offences
 - v. incest where the victim was a child
 - vi. abduction or kidnapping of a child
 - vii. animal-related sexual offences.
 - c. all other relevant criminal, disciplinary or misconduct information should trigger an assessment of the person's suitability for a WWCC (consistent with the risk assessment factors set out below).
21. State and territory governments should amend their WWCC laws to specify that relevant criminal records for the purposes of recommendation 20(c) include but are not limited to the following:
 - a. juvenile records and/or non-conviction charges for the offence categories specified in recommendation 20(b)
 - b. sexual offences, regardless of whether the victim was a child and including offences not already covered in recommendation 20(b)
 - c. violent offences, including assaults, arson and other fire-related offences, regardless of whether the victim was a child and including offences not already covered in recommendation 20(b)
 - d. child welfare offences
 - e. offences involving cruelty to animals
 - f. drug offences.
22. The Commonwealth Government, through COAG, or a relevant ministerial council, should take a lead role in identifying the specific criminal offences that fall within the categories specified in recommendations 20(b) and 21.

Assessing risk

23. State and territory governments should amend their WWCC laws to specify that the criteria for assessing risks to children include:
 - a. the nature, gravity and circumstances of the offence and/or misconduct, and how this is relevant to children or child-related work
 - b. the length of time that has passed since the offence and/or misconduct occurred
 - c. the age of the child
 - d. the age difference between the person and the child
 - e. the person's criminal and/or disciplinary history, including whether there is a pattern of concerning conduct
 - f. all other relevant circumstances in respect of their history and the impact on their suitability to be engaged in child-related work.
24. State and territory governments should amend their WWCC laws to expressly provide that, in weighing up the risk assessment criteria, the paramount consideration must always be the best interests of children, having regard to their safety and protection.

Eligibility to work while an application is assessed

25. State and territory governments should amend their WWCC laws to permit WWCC applicants to begin child-related work before the outcome of their application is determined, provided the safeguards listed below are introduced.

Applicants

- a. applicants must submit a WWCC application to the appropriate screening agency before beginning child-related work and not withdraw the application while engaging in child-related work
- b. applicants must provide a WWCC application receipt to their employers before beginning child-related work

Other safeguards

- c. employers must cite application receipts, record application numbers and verify applications with the relevant screening agency
- d. there must be capacity to impose interim bars on applicants where records are identified that may indicate a risk and require further assessment.

26. State and territory governments that do not have an online WWCC processing system should establish one.
27. State and territory governments should process WWCC applications within five working days, and no longer than 21 working days for more complex cases.

Clearance types

28. All state and territory governments should amend their WWCC laws to specify that:
 - a. WWCC decisions are based on the circumstances of the individual and are detached from the employer the person is seeking to work for, or the role or organisation the person is seeking to work in
 - b. the outcome of a WWCC is either that a clearance is issued or it is not; there should be no conditional or different types of clearances
 - c. volunteers and employees are issued with the same type of clearance.

Appeals

29. All state and territory governments should ensure that any person the subject of an adverse WWCC decision can appeal to a body independent of the WWCC screening agency, but within the same jurisdiction, for a review of the decision, except persons who have been convicted of one of the following categories of offences:

- murder of a child
- indecent or sexual assault of a child
- child pornography-related offences
- incest where the victim was a child

and

- a. received a sentence of full time custody for the conviction, such persons being permanently excluded from an appeal

or

- b. by virtue of that conviction, the person is subject to an order that imposes any control on the person's conduct or movement, or excludes the person from working with children, such persons being excluded from an appeal for the duration of that order.

Notwithstanding the above any person may bring an appeal in which they allege that offences have been mistakenly recorded as applying to that person.

Portability

30. Subject to the implementation of the standards set out in this report, all state and territory governments should amend their WWCC laws to enable WWCCs from other jurisdictions to be recognised and accepted.

Duration and continuous monitoring

31. Subject to the commencement of continuous monitoring of national criminal history records, state and territory governments should amend their WWCC laws to specify that:
 - a. WWCCs are valid for five years
 - b. employers and WWCC cardholders engaged in child-related work must inform the screening agency when a person commences or ceases being engaged in specific child-related work
 - c. screening agencies are required to notify a person's employer of any change in the person's WWCC status.

Monitoring compliance

32. All state and territory governments should grant screening agencies, or another suitable regulatory body, the statutory power to monitor compliance with WWCC laws.
33. All state and territory governments should ensure their WWCC laws include powers to compel the production of relevant information for the purposes of compliance monitoring.

Governance

34. The Commonwealth, state and territory governments should:
 - a. through COAG, or a relevant ministerial council, adopt the standards and set a timeframe within which all jurisdictions must report back to COAG, or a relevant ministerial council, on implementation
 - b. establish a process whereby changes to the standards or to state and territory schemes need to be agreed to by COAG, or a relevant ministerial council, and must be adopted across all jurisdictions.
35. The Commonwealth, state and territory governments should provide an annual report to COAG, or a relevant ministerial council, for three years following the publication of this report, to be tabled in the parliaments of all nine jurisdictions, detailing their progress in implementing the recommendations in this report and achieving a nationally consistent approach to WWCCs.
36. COAG, or a relevant ministerial council, should ensure a review is made after three years of the publication of this report, of the state and territory governments' progress in achieving consistency across the WWCC schemes, with a view to assessing whether they have implemented the Royal Commission's recommendations.

Redress and civil litigation report recommendations (2015)

Justice for victims

1. A process for redress must provide equal access and equal treatment for survivors – regardless of the location, operator, type, continued existence or assets of the institution in which they were abused – if it is to be regarded by survivors as being capable of delivering justice.

Redress elements and principles

2. Appropriate redress for survivors should include the elements of:
 - a. direct personal response
 - b. counselling and psychological care
 - c. monetary payments.
3. Funders or providers of existing support services should maintain their current resourcing for existing support services, without reducing or diverting resources in response to the Royal Commission's recommendations on redress and civil litigation.
4. Any institution or redress scheme that offers or provides any element of redress should do so in accordance with the following principles:
 - a. Redress should be survivor focused.
 - b. There should be a 'no wrong door' approach for survivors in gaining access to redress.
 - c. All redress should be offered, assessed and provided with appropriate regard to what is known about the nature and impact of child sexual abuse – and institutional child sexual abuse in particular – and to the cultural needs of survivors.
 - d. All redress should be offered, assessed and provided with appropriate regard to the needs of particularly vulnerable survivors.

Direct personal response

5. Institutions should offer and provide a direct personal response to survivors in accordance with the following principles:
 - a. Re-engagement between a survivor and an institution should only occur if, and to the extent that, a survivor desires it.
 - b. Institutions should make clear what they are willing to offer and provide by way of direct personal response to survivors of institutional child sexual abuse. Institutions should ensure that they are able to provide the direct personal response they offer to survivors.
 - c. At a minimum, all institutions should offer and provide on request by a survivor:
 - i. an apology from the institution
 - ii. the opportunity to meet with a senior institutional representative and receive an acknowledgement of the abuse and its impact on them
 - iii. an assurance or undertaking from the institution that it has taken, or will take, steps to protect against further abuse of children in that institution.
 - d. In offering direct personal responses, institutions should try to be responsive to survivors' needs.
 - e. Institutions that already offer a broader range of direct personal responses to survivors and others should consider continuing to offer those forms of direct personal response.
 - f. Direct personal responses should be delivered by people who have received some training about the nature and impact of child sexual abuse and the needs of survivors, including cultural awareness and sensitivity training where relevant.
 - g. Institutions should welcome feedback from survivors about the direct personal response they offer and provide.
6. Those who operate a redress scheme should offer to facilitate the provision of a written apology, a written acknowledgement and/or a written assurance of steps taken to protect against further abuse for survivors who seek these forms of direct personal response but who do not wish to have any further contact with the institution.
7. Those who operate a redress scheme should facilitate the provision of these forms of direct personal response by conveying survivors' requests for these forms of direct personal response to the relevant institution.
8. Institutions should accept a survivor's choice of intermediary or representative to engage with the institution on behalf of the survivor, or with the survivor as a support person, in seeking or obtaining a direct personal response.

Counselling and psychological care

9. Counselling and psychological care should be supported through redress in accordance with the following principles:
 - a. Counselling and psychological care should be available throughout a survivor's life.
 - b. Counselling and psychological care should be available on an episodic basis.
 - c. Survivors should be allowed flexibility and choice in relation to counselling and psychological care.
 - d. There should be no fixed limits on the counselling and psychological care provided to a survivor.
 - e. Without limiting survivor choice, counselling and psychological care should be provided by practitioners with appropriate capabilities to work with clients with complex trauma.
 - f. Treating practitioners should be required to conduct ongoing assessment and review to ensure treatment is necessary and effective. If those who fund counselling and psychological care through redress have concerns about services provided by a particular practitioner, they should negotiate a process of external review with that practitioner and the survivor. Any process of assessment and review should be designed to ensure it causes no harm to the survivor.
 - g. Counselling and psychological care should be provided to a survivor's family members if necessary for the survivor's treatment.
10. To facilitate the provision of counselling and psychological care by practitioners with appropriate capabilities to work with clients with complex trauma:
 - a. the Australian Psychological Society should lead work to design and implement a public register to enable identification of practitioners with appropriate capabilities to work with clients with complex trauma
 - b. the public register and the process to identify practitioners with appropriate capabilities to work with clients with complex trauma should be designed and implemented by a group that includes representatives of the Australian Psychological Society, the Australian Association of Social Workers, the Royal Australian and New Zealand College of Psychiatrists, Adults Surviving Child Abuse, a specialist sexual assault service, and a non-government organisation with a suitable understanding of the counselling and psychological care needs of Aboriginal and Torres Strait Islander survivors
 - c. the funding for counselling and psychological care under redress should be used to provide financial support for the public register if required
 - d. those who operate a redress scheme should ensure that information about the public register is made available to survivors who seek counselling and psychological care through the redress scheme.

11. Those who administer support for counselling and psychological care through redress should ensure that counselling and psychological care are supported through redress in accordance with the following principles:
 - a. Counselling and psychological care provided through redress should supplement, and not compete with, existing services.
 - b. Redress should provide funding for counselling and psychological care services and should not itself provide counselling and psychological care services.
 - c. Redress should fund counselling and psychological care as needed by survivors rather than providing a lump sum payment to survivors for their future counselling and psychological care needs.
12. The Australian Government should remove any restrictions on the number of sessions of counselling and psychological care, whether in a particular period of time or generally, for which Medicare funding is available for survivors who are assessed as eligible for redress under a redress scheme.
13. The Australian Government should expand the range of counselling and psychological care services for which Medicare funding is available for survivors who are assessed as eligible for redress under a redress scheme to include longer-term interventions that are suitable for treating complex trauma, including through non-cognitive approaches.
14. The funding obtained through redress to ensure that survivors' needs for counselling and psychological care are met should be used to fund measures that help to meet those needs, including:
 - a. measures to improve survivors' access to Medicare by:
 - i. funding case management style support to help survivors to understand what is available through the Better Access initiative and Access to Allied Psychological Services and why a GP diagnosis and referral is needed
 - ii. maintaining a list of GPs who have mental health training, are familiar with the existence of the redress scheme and are willing to be recommended to survivors as providers of GP services, including referrals, in relation to counselling and psychological care
 - iii. supporting the establishment and use of the public register that provides details of practitioners who have been identified as having appropriate capabilities to treat survivors and who are registered practitioners for Medicare purposes
 - b. providing funding to supplement existing services provided by state-funded specialist services to increase the availability of services and reduce waiting times for survivors

- c. measures to address gaps in expertise and geographical and cultural gaps by:
 - i. supporting the establishment and promotion of the public register that provides details of practitioners who have been identified as having appropriate capabilities to treat survivors
 - ii. funding training in cultural awareness for practitioners who have the capabilities to work with survivors but have not had the necessary training or experience in working with Aboriginal and Torres Strait Islander survivors
 - iii. funding rural and remote practitioners, or Aboriginal and Torres Strait Islander practitioners, to obtain appropriate capabilities to work with survivors
 - iv. providing funding to facilitate regional and remote visits to assist in establishing therapeutic relationships; these could then be maintained largely by online or telephone counselling. There could be the potential to fund additional visits if required from time to time
- d. providing funding for counselling and psychological care for survivors whose needs for counselling and psychological care cannot otherwise be met, including by paying reasonable gap fees charged by practitioners if survivors are unable to afford these fees.

Monetary payments

- 15. The purpose of a monetary payment under redress should be to provide a tangible recognition of the seriousness of the hurt and injury suffered by a survivor.
- 16. Monetary payments should be assessed and determined by using the following matrix:

Factor	Value
Severity of abuse	1–40
Impact of abuse	1–40
Additional elements	1–20

- 17. The ‘Additional elements’ factor should recognise the following elements:
 - a. whether the applicant was in state care at the time of the abuse – that is, as a ward of the state or under the guardianship of the relevant Minister or government agency
 - b. whether the applicant experienced other forms of abuse in conjunction with the sexual abuse – including physical, emotional or cultural abuse or neglect
 - c. whether the applicant was in a ‘closed’ institution or without the support of family or friends at the time of the abuse
 - d. whether the applicant was particularly vulnerable to abuse because of his or her disability.

18. Those establishing a redress scheme should commission further work to develop this matrix and the detailed assessment procedures and guidelines required to implement it:
 - a. in accordance with our discussion of the factors
 - b. taking into account expert advice in relation to institutional child sexual abuse, including child development, medical, psychological, social and legal perspectives
 - c. with the benefit of actuarial advice in relation to the actuarial modelling on which the level and spread of monetary payments and funding expectations are based.
19. The appropriate level of monetary payments under redress should be:
 - a. a minimum payment of \$10,000
 - b. a maximum payment of \$200,000 for the most severe case
 - c. an average payment of \$65,000.
20. Monetary payments should be assessed and paid without any reduction to repay past Medicare expenses, which are to be repaid (if required) as part of the administration costs of a redress scheme.
21. Consistent with our view that monetary payments under redress are not income for the purposes of social security, veterans' pensions or any other Commonwealth payments, those who operate a redress scheme should seek a ruling to this effect to provide certainty for survivors.
22. Those who operate a redress scheme should give consideration to offering monetary payments by instalments at the option of eligible survivors, taking into account the likely demand for this option from survivors and the cost to the scheme of providing it.
23. Survivors who have received monetary payments in the past – whether under other redress schemes, statutory victims of crime schemes, through civil litigation or otherwise – should be eligible to be assessed for a monetary payment under redress.
24. The amount of the monetary payments that a survivor has already received for institutional child sexual abuse should be determined as follows:
 - a. monetary payments already received should be counted on a gross basis, including any amount the survivor paid to reimburse Medicare or in legal fees
 - b. no account should be taken of the cost of providing any services to the survivor, such as counselling services
 - c. any uncertainty as to whether a payment already received related to the same abuse for which the survivor seeks a monetary payment through redress should be resolved in the survivor's favour.

25. The monetary payments that a survivor has already received for institutional child sexual abuse should be taken into account in determining any monetary payment under redress by adjusting the amount of the monetary payments already received for inflation and then deducting that amount from the amount of the monetary payment assessed under redress.

Redress structure and funding

Redress scheme structure

26. In order to provide redress under the most effective structure for ensuring justice for survivors, the Australian Government should establish a single national redress scheme.
27. If the Australian Government does not establish a single national redress scheme, as the next best option for ensuring justice for survivors, each state and territory government should establish a redress scheme covering government and non-government institutions in the relevant state or territory.
28. The Australian Government should determine and announce by the end of 2015 that it is willing to establish a single national redress scheme.
29. If the Australian Government announces that it is willing to establish a single national redress scheme, the Australian Government should commence national negotiations with state and territory governments and all parties to the negotiations should seek to ensure that the negotiations proceed as quickly as possible to agree the necessary arrangements for a single national redress scheme.
30. If the Australian Government does not announce that it is willing to establish a single national redress scheme, each state and territory government should establish a redress scheme for the relevant state or territory that covers government and non-government institutions. State and territory governments should undertake national negotiations as quickly as possible to agree the necessary matters of detail to provide the maximum possible consistency for survivors between the different state and territory schemes.
31. Whether there is a single national redress scheme or separate state and territory redress schemes, the scheme or schemes should be established and ready to begin inviting and accepting applications from survivors by no later than 1 July 2017.
32. The Australian Government (if it announces that it is willing to establish a single national redress scheme) or state and territory governments should establish a national redress advisory council to advise all participating governments on the establishment and operation of the redress scheme or schemes.

33. The national redress advisory council should include representatives:
- a. of survivor advocacy and support groups
 - b. of non-government institutions, particularly those that are expected to be required to respond to a significant number of claims for redress
 - c. with expertise in issues affecting survivors with disabilities
 - d. with expertise in issues of particular importance to Aboriginal and Torres Strait Islander survivors
 - e. with expertise in psychological and legal issues relevant to survivors
 - f. with any other expertise that may assist in advising on the establishment and operation of the redress scheme or schemes.

Redress scheme funding

34. For any application for redress made to a redress scheme, the cost of redress in respect of the application should be:
- a. a proportionate share of the cost of administration of the scheme
 - b. if the applicant is determined to be eligible, the cost of any contribution for counselling and psychological care in respect of the applicant
 - c. if the applicant is determined to be eligible, the cost of any monetary payment to be made to the applicant.
35. The redress scheme or schemes should be funded as much as possible in accordance with the following principles:
- a. The institution in which the abuse is alleged or accepted to have occurred should fund the cost of redress.
 - b. Where an applicant alleges or is accepted to have experienced abuse in more than one institution, the redress scheme or schemes should apportion the cost of funding redress between the relevant institutions, taking account of the relative severity of the abuse in each institution and any other features relevant to calculating a monetary payment.
 - c. Where the institution in which the abuse is alleged or accepted to have occurred no longer exists but the institution was part of a larger group of institutions or where there is a successor to the institution, the group of institutions or the successor institution should fund the cost of redress.
36. The Australian Government and state and territory governments should provide ‘funder of last resort’ funding for the redress scheme or schemes so that the governments will meet any shortfall in funding for the scheme or schemes.

37. Regardless of whether there is a single national redress scheme or separate state and territory redress schemes, the Australian Government and each state or territory government should negotiate and agree their respective shares of or contributions to 'funder of last resort' funding in respect of applications alleging abuse in the relevant state or territory.
38. The Australian Government (if it announces that it is willing to establish a single national redress scheme) or state and territory governments should determine how best to raise the required funding for the redress scheme or schemes, including government funding and funding from non-government institutions.
39. The Australian Government or state and territory governments should determine whether or not to require particular non-government institutions or particular types of non-government institutions to contribute funding for redress.

Trust fund for counselling and psychological care

40. The redress scheme, or each redress scheme, should establish a trust fund to receive the funding for counselling and psychological care paid under redress and to manage and apply that funding to meet the needs for counselling and psychological care of those eligible for redress under the relevant redress scheme.
41. The trust fund, or each trust fund, should be governed by a corporate trustee with a board of directors appointed by the government that establishes the relevant redress scheme. The board or each board should include:
 - a. an independent Chair
 - b. a representative of: government; non-government institutions; survivor advocacy and support groups; and the redress scheme
 - c. those with any other expertise that is desired at board level to direct the trust.
42. The trustee, or each trustee, should engage actuaries to conduct regular actuarial assessments to determine a 'per head' estimate of future counselling and psychological care costs to be met through redress. The trustee, or each trustee, should determine the amount from time to time that those who fund redress, including as the funder of last resort, must pay per eligible applicant to fund the counselling and psychological care element of redress.

Redress scheme processes

Eligibility for redress

43. A person should be eligible to apply to a redress scheme for redress if he or she was sexually abused as a child in an institutional context and the sexual abuse occurred, or the first incidence of the sexual abuse occurred, before the cut-off date.
44. 'Institution' should have the same meaning as in the Royal Commission's terms of reference.
45. Child sexual abuse should be taken to have occurred in an institutional context in the following circumstances:
 - a. it happens:
 - i. on premises of an institution
 - ii. where activities of an institution take place or
 - iii. in connection with the activities of an institutionin circumstances where the institution is, or should be treated as being, responsible for the contact between the abuser and the applicant that resulted in the abuse being committed
 - b. it is engaged in by an official of an institution in circumstances (including circumstances that involve settings not directly controlled by the institution) where the institution has, or its activities have, created, facilitated, increased, or in any way contributed to (whether by act or omission) the risk of abuse or the circumstances or conditions giving rise to that risk
 - c. it happens in any other circumstances where the institution is, or should be treated as being, responsible for the adult abuser having contact with the applicant.
46. Those who operate the redress scheme should specify the cut-off date as being the date on which the Royal Commission's recommended reforms to civil litigation in relation to limitation periods and the duty of institutions commence.
47. An offer of redress should only be made if the applicant is alive at the time the offer is made.

Duration of a redress scheme

48. A redress scheme should have no fixed closing date. But, when applications to the scheme reduce to a level where it would be reasonable to consider closing the scheme, those who operate the redress scheme should consider specifying a closing date for the scheme. The closing date should be at least 12 months into the future. Those who operate the redress scheme should ensure that the closing date is given widespread publicity until the scheme closes.

Publicising and promoting the availability of the scheme

49. Those who operate a redress scheme should ensure the availability of the scheme is widely publicised and promoted.
50. The redress scheme should consider adopting particular communication strategies for people who might be more difficult to reach, including:
- a. Aboriginal and Torres Strait Islander communities
 - b. people with disability
 - c. culturally and linguistically diverse communities
 - d. regional and remote communities
 - e. people with mental health difficulties
 - f. people who are experiencing homelessness
 - g. people in correctional or detention centres
 - h. children and young people
 - i. people with low levels of literacy
 - j. survivors now living overseas.

Application process

51. A redress scheme should rely primarily on completion of a written application form.
52. A redress scheme should fund support services and community legal centres to assist applicants to apply for redress.
53. A redress scheme should select support services and community legal centres to cover a broad range of likely applicants, taking into account the need to cover regional and remote areas and the particular needs of different groups of survivors, including Aboriginal and Torres Strait Islander survivors.

- 54. Those who operate a redress scheme should determine whether the scheme will require additional material or evidence and additional procedures to determine the validity of applications. Any additional requirements should be clearly set out in scheme material that is made available to applicants, support services and others who may support or advise applicants in relation to the scheme.
- 55. A redress scheme may require applicants for redress to verify their accounts of abuse by statutory declaration.

Institutional involvement

- 56. A redress scheme should inform any institution named in an application for redress of the application and the allegations made in it and request the institution to provide any relevant information, documents or comments.

Standard of proof

- 57. ‘Reasonable likelihood’ should be the standard of proof for determining applications for redress.

Decision making on a claim

- 58. A redress scheme should adopt administrative decision-making processes appropriate to a large-scale redress scheme. It should make decisions based on the application of the detailed assessment procedures and guidelines for implementing the matrix for monetary payments.

Offer and acceptance of offer

- 59. An offer of redress should remain open for acceptance for a period of one year.
- 60. A period of three months should be allowed for an applicant to seek a review of an offer of redress after the offer is made.

Review and appeals

- 61. A redress scheme should offer an internal review process.
- 62. A redress scheme established on an administrative basis should be made subject to oversight by the relevant ombudsman through the ombudsman’s complaints mechanism.

Deeds of release

63. As a condition of making a monetary payment, a redress scheme should require an applicant to release the scheme (including the contributing government or governments) and the institution from any further liability for institutional child sexual abuse by executing a deed of release.
64. A redress scheme should fund, at a fixed price, a legal consultation for an applicant before the applicant decides whether or not to accept the offer of redress and grant the required releases.
65. No confidentiality obligations should be imposed on applicants for redress.

Support for survivors

66. A redress scheme should offer and fund counselling during the period from assisting applicants with the application, through the period when the application is being considered, to the making of the offer and the applicant's consideration of whether or not to accept the offer. This should include a session of financial counselling if the applicant is offered a monetary payment.
67. A redress scheme should fund counselling provided by a therapist of the applicant's choice if it is specifically requested by the applicant and in circumstances where the applicant has an established relationship with the therapist and the cost is reasonably comparable to the cost the redress scheme is paying for these services generally.
68. A redress scheme should offer and fund a limited number of counselling sessions for family members of survivors if reasonably required.

Transparency and accountability

69. A redress scheme should take the following steps to improve transparency and accountability:
 - a. In addition to publicising and promoting the availability of the scheme, the scheme's processes and time frames should be as transparent as possible. The scheme should provide up-to-date information on its website and through any funded counselling and support services and community legal centres, other relevant support services and relevant institutions.
 - b. If possible, the scheme should ensure that each applicant is allocated to a particular contact officer who they can speak to if they have any queries about the status of their application or the timing of its determination and so on.

- c. The scheme should operate a complaints mechanism and should welcome any complaints or feedback from applicants and others involved in the scheme (for example, support services and community legal centres).
- d. The scheme should provide any feedback it receives about common problems that have been experienced with applications or institutions' responses to funded counselling and support services and community legal centres, other relevant support services and relevant institutions. It should include any suggestions on how to improve applications or responses or ensure more timely determinations.
- e. The scheme should publish data, at least annually, about:
 - i. the number of applications received
 - ii. the institutions to which the applications relate
 - iii. the periods of alleged abuse
 - iv. the number of applications determined
 - v. the outcome of applications
 - vi. the mean, median and spread of payments offered
 - vii. the mean, median and spread of time taken to determine the application
 - viii. the number and outcome of applications for review.

Interaction with alleged abuser, disciplinary process and police

- 70. A redress scheme should not make any 'findings' that any alleged abuser was involved in any abuse.
- 71. A redress scheme may defer determining an application for redress if the institution advises that it is undertaking internal disciplinary processes in respect of the abuse the subject of the application. A scheme may have the discretion to consider the outcome of the disciplinary process, if it is provided by the institution, in determining the application.
- 72. A redress scheme should comply with any legal requirements, and make use of any permissions, to report or disclose abuse, including to oversight agencies.
- 73. A redress scheme should report any allegations to the police if it has reason to believe that there may be a current risk to children. If the relevant applicant does not consent to the allegations being reported to the police, the scheme should report the allegations to the police without disclosing the applicant's identity.

74. A redress scheme should seek to cooperate with any reasonable requirements of the police in terms of information sharing, subject to satisfying any privacy and consent requirements with applicants.
75. A redress scheme should encourage any applicants who seek advice from it about reporting to police to discuss their options directly with the police.

Interim arrangements

76. Institutions should seek to achieve independence in institutional redress processes by taking the following steps:
 - a. Institutions should provide information on the application process, including online, so that survivors do not need to approach the institution if there is an independent person with whom they can make their claim.
 - b. If feasible, the process of receiving and determining claims should be administered independently of the institution to minimise the risk of any appearance that the institution can influence the process or decisions.
 - c. Institutions should ensure that anyone they engage to handle or determine redress claims is appropriately trained in understanding child sexual abuse and its impacts and in any relevant cultural awareness issues.
 - d. Institutions should ensure that any processes or interactions with survivors are respectful and empathetic, including by taking into account the factors discussed in Chapter 5 concerning meetings and meeting environments.
 - e. Processes and interactions should not be legalistic. Any legal, medical and other relevant input should be obtained for the purposes of decision making.
77. Institutions should ensure that the required independence is set out clearly in writing between the institution and any person or body the institution engages as part of its redress process.
78. If a survivor alleges abuse in more than one institution, the institution to which the survivor applies for redress should adopt the following process:
 - a. With the survivor's consent, the institution's redress process should approach the other named institutions to seek cooperation on the claim.
 - b. If the survivor consents and the relevant institutions agree, one institutional process should assess the survivor's claim in accordance with the recommended redress elements and processes (with any necessary modifications because of the absence of a government-run scheme) and allocate contributions between the institutions.
 - c. If any institution no longer exists and has no successor, its share should be met by the other institution or institutions.

79. Institutions should adopt the elements of redress and the general principles for providing redress recommended in Chapter 4.
80. Institutions should undertake, through their redress processes, to meet survivors' needs for counselling and psychological care. A survivor's need for counselling and psychological care should be assessed independently of the institution.
81. Institutions should adopt the purpose of monetary payments recommended in Chapter 7 and be guided by the recommended matrix for assessing monetary payments.
82. In implementing any interim arrangements for institutions to offer and provide redress, institutions should take account of our discussion of the applicability of the redress scheme processes recommended in Chapter 11.
83. Institutions should ensure no deeds of release are required under interim arrangements for institutions to offer and provide redress.
84. If the Australian Government or state and territory governments accept our recommendations and announce that they are working to establish a single national redress scheme or separate state and territory redress schemes, institutions may wish to offer smaller interim or emergency payments as an alternative to offering institutional redress processes as interim arrangements.

Limitation periods

85. State and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse of the person in an institutional context when the person is or was a child.
86. State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.
87. State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.
88. State and territory governments should implement these recommendations to remove limitation periods as soon as possible, even if that requires that they be implemented before our recommendations in relation to the duty of institutions and identifying a proper defendant are implemented.

Duty of institutions

89. State and territory governments should introduce legislation to impose a non-delegable duty on certain institutions for institutional child sexual abuse despite it being the deliberate criminal act of a person associated with the institution.
90. The non-delegable duty should apply to institutions that operate the following facilities or provide the following services and be owed to children who are in the care, supervision or control of the institution in relation to the relevant facility or service:
 - a. residential facilities for children, including residential out-of-home care facilities and juvenile detention centres but not including foster care or kinship care
 - b. day and boarding schools and early childhood education and care services, including long day care, family day care, outside school hours services and preschool programs
 - c. disability services for children
 - d. health services for children
 - e. any other facility operated for profit which provides services for children that involve the facility having the care, supervision or control of children for a period of time but not including foster care or kinship care
 - f. any facilities or services operated or provided by religious organisations, including activities or services provided by religious leaders, officers or personnel of religious organisations but not including foster care or kinship care.
91. Irrespective of whether state and territory parliaments legislate to impose a non-delegable duty upon institutions, state and territory governments should introduce legislation to make institutions liable for institutional child sexual abuse by persons associated with the institution unless the institution proves it took reasonable steps to prevent the abuse. The 'reverse onus' should be imposed on all institutions, including those institutions in respect of which we do not recommend a non-delegable duty be imposed.
92. For the purposes of both the non-delegable duty and the imposition of liability with a reverse onus of proof, the persons associated with the institution should include the institution's officers, office holders, employees, agents, volunteers and contractors. For religious organisations, persons associated with the institution also include religious leaders, officers and personnel of the religious organisation.
93. State and territory governments should ensure that the non-delegable duty and the imposition of liability with a reverse onus of proof apply prospectively and not retrospectively.

Identifying a proper defendant

94. State and territory governments should introduce legislation to provide that, where a survivor wishes to commence proceedings for damages in respect of institutional child sexual abuse where the institution is alleged to be an institution with which a property trust is associated, then unless the institution nominates a proper defendant to sue that has sufficient assets to meet any liability arising from the proceedings:
- a. the property trust is a proper defendant to the litigation
 - b. any liability of the institution with which the property trust is associated that arises from the proceedings can be met from the assets of the trust.
95. The Australian Government and state and territory governments should consider whether there are any unincorporated bodies that they fund directly or indirectly to provide children's services. If there are, they should consider requiring them to maintain insurance that covers their liability in respect of institutional child sexual abuse claims.

Model litigant approaches

96. Government and non-government institutions that receive, or expect to receive, civil claims for institutional child sexual abuse should adopt guidelines for responding to claims for compensation concerning allegations of child sexual abuse.
97. The guidelines should be designed to minimise potential re-traumatisation of claimants and to avoid unnecessarily adversarial responses to claims.
98. The guidelines should include an obligation on the institution to provide assistance to claimants and their legal representatives in identifying the proper defendant to a claim if the proper defendant is not identified or is incorrectly identified.
99. Government and non-government institutions should publish the guidelines they adopt or otherwise make them available to claimants and their legal representatives.

Criminal justice report recommendations (2017)

Our approach to criminal justice reforms

1. In relation to child sexual abuse, including institutional child sexual abuse, the criminal justice system should be reformed to ensure that the following objectives are met:
 - a. the criminal justice system operates in the interests of seeking justice for society, including the complainant and the accused
 - b. criminal justice responses are available for victims and survivors
 - c. victims and survivors are supported in seeking criminal justice responses.

Current police responses

2. Australian governments should refer to the Steering Committee for the Report on Government Services for review the issues of:
 - a. how the reporting framework for police services in the Report on Government Services could be extended to include reporting on child sexual abuse offences
 - b. whether any outcome measures that would be appropriate for police investigations of child sexual abuse offences could be developed and reported on.

Issues in police responses

Principles for initial police responses

3. Each Australian government should ensure that its policing agency:
 - a. recognises that a victim or survivor's initial contact with police will be important in determining their satisfaction with the entire criminal justice response and in influencing their willingness to proceed with a report and to participate in a prosecution
 - b. ensures that all police who may come into contact with victims or survivors of institutional child sexual abuse are trained to:
 - i. have a basic understanding of complex trauma and how it can affect people who report to police, including those who may have difficulties dealing with institutions or persons in positions of authority (such as the police)
 - ii. treat anyone who approaches the police to report child sexual abuse with consideration and respect, taking account of any relevant cultural safety issues
 - c. establishes arrangements to ensure that, on initial contact from a victim or survivor, police refer victims and survivors to appropriate support services.

Encouraging reporting

4. To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency:
 - a. takes steps to communicate to victims (and their families or support people where victims are children or are particularly vulnerable) that their decision whether to participate in a police investigation will be respected – that is, victims retain the right to withdraw at any stage in the process and to decline to proceed further with police and/or any prosecution
 - b. provides information on the different ways in which victims and survivors can report to police or seek advice from police on their options for reporting or not reporting abuse – this should be in a format that allows institutions and survivor advocacy and support groups and support services to provide it to victims and survivors
 - c. makes available a range of channels to encourage reporting, including specialist telephone numbers and online reporting forms, and provides information about what to expect from each channel of reporting
 - d. works with survivor advocacy and support groups and support services, including those working with people from culturally and linguistically diverse backgrounds and people with disability, to facilitate reporting by victims and survivors
 - e. allows victims and survivors to benefit from the presence of a support person of their choice if they so wish throughout their dealings with police, provided that this will not interfere with the police investigation or risk contaminating evidence
 - f. is willing to take statements from victims and survivors in circumstances where the alleged perpetrator is dead or is otherwise unlikely to be able to be tried.
5. To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, among Aboriginal and Torres Strait Islander victims and survivors, each Australian government should ensure that its policing agency:
 - a. takes the lead in developing good relationships with Aboriginal and Torres Strait Islander communities
 - b. provides channels for reporting outside of the community (such as telephone numbers and online reporting forms).
6. To encourage prisoners and former prisoners to report allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency:
 - a. provides channels for reporting that can be used from prison and that allow reports to be made confidentially
 - b. does not require former prisoners to report at a police station.

Police investigations

7. Each Australian government should ensure that its policing agency conducts investigations of reports of child sexual abuse, including institutional child sexual abuse, in accordance with the following principles:
 - a. While recognising the complexity of police rosters, staffing and transfers, police should recognise the benefit to victims and their families and survivors of continuity in police staffing and should take steps to facilitate, to the extent possible, continuity in police staffing on an investigation of a complaint.
 - b. Police should recognise the importance to victims and their families and survivors of police maintaining regular communication with them to keep them informed of the status of their report and any investigation unless they have asked not to be kept informed.
 - c. Particularly in relation to historical allegations of institutional child sexual abuse, police who assess or provide an investigative response to allegations should be trained to:
 - i. be non-judgmental and recognise that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record
 - ii. focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant.
8. State and territory governments should introduce legislation to implement Recommendation 20-1 of the report of the Australian Law Reform Commission and the New South Wales Law Reform Commission *Family violence: A national legal response* in relation to disclosing or revealing the identity of a mandatory reporter to a law enforcement agency.

Investigative interviews for use as evidence in chief

9. Each Australian government should ensure that its policing agency conducts investigative interviewing in relation to reports of child sexual abuse, including institutional child sexual abuse, in accordance with the following principles:
 - a. All police who provide an investigative response (whether specialist or generalist) to child sexual abuse should receive at least basic training in understanding sexual offending, including the nature of child sexual abuse and institutional child sexual abuse offending.
 - b. All police who provide an investigative response (whether specialist or generalist) to child sexual abuse should be trained to interview the complainant in accordance with current research and learning about how memory works in order to obtain the complainant's memory of the events.

- c. The importance of video recorded interviews for children and other vulnerable witnesses should be recognised, as these interviews usually form all, or most, of the complainant's and other relevant witnesses' evidence in chief in any prosecution.
- d. Investigative interviewing of children and other vulnerable witnesses should be undertaken by police with specialist training. The specialist training should focus on:
 - i. a specialist understanding of child sexual abuse, including institutional child sexual abuse, and the developmental and communication needs of children and other vulnerable witnesses
 - ii. skill development in planning and conducting interviews, including use of appropriate questioning techniques.
- e. Specialist police should undergo refresher training on a periodical basis to ensure that their specialist understanding and skills remain up to date and accord with current research.
- f. From time to time, experts should review a sample of video recorded interviews with children and other vulnerable witnesses conducted by specialist police for quality assurance and training purposes and to reinforce best-practice interviewing techniques.
- g. State and territory governments should introduce legislation to remove any impediments, including in relation to privacy concerns, to the use of video recorded interviews so that the relevant police officer, his or her supervisor and any persons engaged by police in quality assurance and training can review video recorded interviews for quality assurance and training purposes. This should not authorise the use of video recorded interviews for general training in a manner that would raise privacy concerns.
- h. Police should continue to work towards improving the technical quality of video recorded interviews so that they are technically as effective as possible in presenting the complainant's and other witnesses' evidence in chief.
- i. Police should recognise the importance of interpreters, including for some Aboriginal and Torres Strait Islander victims, survivors and other witnesses.
- j. Intermediaries should be available to assist in police investigative interviews of children and other vulnerable witnesses.

Police charging decisions

10. Each Australian government should ensure that its policing agency makes decisions in relation to whether to lay charges for child sexual abuse offences in accordance with the following principles:
 - a. Recognising that it is important to complainants that the correct charges be laid as early as possible so that charges are not significantly downgraded at or close to trial, police should ensure that care is taken, and that early prosecution advice is sought, where appropriate, in laying charges.
 - b. In making decisions about whether to charge, police should not:
 - i. expect or require corroboration where the victim or survivor's account does not suggest that there should be any corroboration available
 - ii. rely on the absence of corroboration as a determinative factor in deciding not to charge, where the victim or survivor's account does not suggest that there should be any corroboration available, unless the prosecution service advises otherwise.
11. The Victorian Government should review the operation of section 401 of the *Criminal Procedure Act 2009* (Vic) and consider amending the provision to restrict the awarding of costs against police if it appears that the risk of costs awards might be affecting police decisions to prosecute. The government of any other state or territory that has similar provisions should conduct a similar review and should consider similar amendments.

Police responses to reports of historical child sexual abuse

12. Each Australian government should ensure that, if its policing agency does not provide a specialist response to victims and survivors reporting historical child sexual abuse, its policing agency develops and implements a document in the nature of a 'guarantee of service' which sets out for the benefit of victims and survivors – and as a reminder to the police involved – what victims and survivors are entitled to expect in the police response to their report of child sexual abuse. The document should include information to the effect that victims and survivors are entitled to:
 - a. be treated by police with consideration and respect, taking account of any relevant cultural safety issues
 - b. have their views about whether they wish to participate in the police investigation respected
 - c. be referred to appropriate support services
 - d. contact police through a support person or organisation rather than contacting police directly if they prefer

- e. have the assistance of a support person of their choice throughout their dealings with police unless this will interfere with the police investigation or risk contaminating evidence
- f. have their statement taken by police even if the alleged perpetrator is dead
- g. be provided with the details of a nominated person within the police service for them to contact
- h. be kept informed of the status of their report and any investigation unless they do not wish to be kept informed
- i. have the police focus on the credibility of the complaint or allegations rather than focusing only on the credibility of the complainant, recognising that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record.

Police responses to reports of child sexual abuse made by people with disability

13. Each Australian government should ensure that its policing agency responds to victims and survivors with disability, or their representatives, who report or seek to report child sexual abuse, including institutional child sexual abuse, to police in accordance with the following principles:
 - a. Police who have initial contact with the victim or survivor should be non-judgmental and should not make any adverse assessment of the victim or survivor's credibility, reliability or ability to make a report or participate in a police investigation or prosecution because of their disability.
 - b. Police who assess or provide an investigative response to allegations made by victims and survivors with disability should focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant, and they should not make any adverse assessment of the victim or survivor's credibility or reliability because of their disability.
 - c. Police who conduct investigative interviewing should make all appropriate use of any available intermediary scheme, and communication supports, to ensure that the victim or survivor is able to give their best evidence in the investigative interview.
 - d. Decisions in relation to whether to lay charges for child sexual abuse offences should take full account of the ability of any available intermediary scheme, and communication supports, to assist the victim or survivor to give their best evidence when required in the prosecution process.

Police responses and institutions

Police communication and advice

14. In order to assist in the investigation of current allegations of institutional child sexual abuse, each Australian government should ensure that its policing agency:
 - a. develops and keeps under review procedures and protocols to guide police and institutions about the information and assistance police can provide to institutions where a current allegation of institutional child sexual abuse is made
 - b. develops and keeps under review procedures and protocols to guide the police, other agencies, institutions and the broader community on the information and assistance police can provide to children and parents and the broader community where a current allegation of institutional child sexual abuse is made.
15. The New South Wales Standard Operating Procedures for Employment Related Child Abuse Allegations and the Joint Investigation Response Team Local Contact Point Protocol should serve as useful precedents for other Australian governments to consider.

Blind reporting

16. In relation to blind reporting, institutions and survivor advocacy and support groups should:
 - a. be clear that, where the law requires reporting to police, child protection or another agency, the institution or group or its relevant staff member or official will report as required
 - b. develop and adopt clear guidelines to inform staff and volunteers, victims and their families and survivors, and police, child protection and other agencies as to the approach the institution or group will take in relation to allegations, reports or disclosures it receives that it is not required by law to report to police, child protection or another agency.
17. If a relevant institution or survivor advocacy and support group adopts a policy of reporting survivors' details to police without survivors' consent – that is, if it will not make blind reports – it should seek to provide information about alternative avenues for a survivor to seek support if this aspect of the institution or group's guidelines is not acceptable to the survivor.
18. Institutions and survivor advocacy and support groups that adopt a policy that they will not report the survivor's details without the survivor's consent should make a blind report to police in preference to making no report at all.

19. Regardless of an institution or survivor advocacy and support group's policy in relation to blind reporting, the institution or group should provide survivors with:
 - a. information to inform them about options for reporting to police
 - b. support to report to police if the survivor is willing to do so.
20. Police should ensure that they review any blind reports they receive and that they are available as intelligence in relation to any current or subsequent police investigations. If it appears that talking to the survivor might assist with a police investigation, police should contact the relevant institution or survivor advocacy and support group, and police and the institution or group should cooperate to try to find a way in which the survivor will be sufficiently supported so that they are willing to speak to police.

Persistent child sexual abuse offences

21. Each state and territory government should introduce legislation to amend its persistent child sexual abuse offence so that:
 - a. the actus reus is the maintaining of an unlawful sexual relationship
 - b. an unlawful sexual relationship is established by more than one unlawful sexual act
 - c. the trier of fact must be satisfied beyond reasonable doubt that the unlawful sexual relationship existed but, where the trier of fact is a jury, jurors need not be satisfied of the same unlawful sexual acts
 - d. the offence applies retrospectively but only to sexual acts that were unlawful at the time they were committed
 - e. on sentencing, regard is to be had to relevant lower statutory maximum penalties if the offence is charged with retrospective application.
22. The draft provision in Appendix H provides for the recommended reform. Legislation to the effect of the draft provision should be introduced.
23. State and territory governments (other than Victoria) should consider introducing legislation to establish legislative authority for course of conduct charges in relation to child sexual abuse offences if legislative authority may assist in using course of conduct charges.
24. State and territory governments should consider providing for any of the two or more unlawful sexual acts that are particularised for the maintaining an unlawful sexual relationship offence to be particularised as courses of conduct.

Grooming offences

25. To the extent they do not already have a broad grooming offence, each state and territory government should introduce legislation to amend its criminal legislation to adopt a broad grooming offence that captures any communication or conduct with a child undertaken with the intention of grooming the child to be involved in a sexual offence.
26. Each state and territory government (other than Victoria) should introduce legislation to extend its broad grooming offence to the grooming of persons other than the child.

Position of authority offences

27. State and territory governments should review any position of authority offences applying in circumstances where the victim is 16 or 17 years of age and the offender is in a position of authority (however described) in relation to the victim. If the offences require more than the existence of the relationship of authority (for example, that it be 'abused' or 'exercised'), states and territories should introduce legislation to amend the offences so that the existence of the relationship is sufficient.
28. State and territory governments should review any provisions allowing consent to be negated in the event of sexual contact between a victim of 16 or 17 years of age and an offender who is in a position of authority (however described) in relation to the victim. If the provisions require more than the existence of the relationship of authority (for example, that it be 'abused' or 'exercised'), state and territory governments should introduce legislation to amend the provisions so that the existence of the relationship is sufficient.
29. If there is a concern that one or more categories of persons in a position of authority (however described) may be too broad and may catch sexual contact which should not be criminalised when it is engaged in by such persons with children above the age of consent, state and territory governments could consider introducing legislation to establish defences such as a similar-age consent defence.

Limitation periods and immunities

30. State and territory governments should introduce legislation to remove any remaining limitation periods, or any remaining immunities, that apply to child sexual abuse offences, including historical child sexual abuse offences, in a manner that does not revive any sexual offences that are no longer in keeping with community standards.
31. Without limiting recommendation 30, the New South Wales Government should introduce legislation to give the repeal of the limitation period in section 78 of the *Crimes Act 1900* (NSW) retrospective effect.

Failure to report offence

Moral or ethical duty to report to police

32. Any person associated with an institution who knows or suspects that a child is being or has been sexually abused in an institutional context should report the abuse to police (and, if relevant, in accordance with any guidelines the institution adopts in relation to blind reporting under recommendation 16).

Failure to report offence

33. Each state and territory government should introduce legislation to create a criminal offence of failure to report targeted at child sexual abuse in an institutional context as follows:
- a. The failure to report offence should apply to any adult person who:
 - i. is an owner, manager, staff member or volunteer of a relevant institution – this includes persons in religious ministry and other officers or personnel of religious institutions
 - ii. otherwise requires a Working with Children Check clearance for the purposes of their role in the institutionbut it should not apply to individual foster carers or kinship carers.
 - b. The failure to report offence should apply if the person fails to report to police in circumstances where they know, suspect, or should have suspected (on the basis that a reasonable person in their circumstances would have suspected and it was criminally negligent for the person not to suspect), that an adult associated with the institution was sexually abusing or had sexually abused a child.
 - c. Relevant institutions should be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. Foster and kinship care services should be included (but not individual foster carers or kinship carers). Facilities and services provided by religious institutions, and any services or functions performed by persons in religious ministry, should be included.

- d. If the knowledge is gained or the suspicion is or should have been formed after the failure to report offence commences, the failure to report offence should apply if any of the following circumstances apply:
 - i. A child to whom the knowledge relates or in relation to whom the suspicion is or should have been formed is still a child (that is, under the age of 18 years).
 - ii. The person who is known to have abused a child or is or should have been suspected of abusing a child is either:
 - still associated with the institution
 - known or believed to be associated with another relevant institution.
 - iii. The knowledge gained or the suspicion that is or should have been formed relates to abuse that may have occurred within the previous 10 years.
- e. If the knowledge is gained or the suspicion is or should have been formed before the failure to report offence commences, the failure to report offence should apply if any of the following circumstances apply:
 - i. A child to whom the knowledge relates or in relation to whom the suspicion is or should have been formed is still a child (that is, under the age of 18 years) and is still associated with the institution (that is, they are still in the care, supervision or control of the institution).
 - ii. The person who is known to have abused a child or is or should have been suspected of abusing a child is either:
 - still associated with the institution
 - known or believed to be associated with another relevant institution.

Interaction with regulatory reporting

34. State and territory governments should:

- a. ensure that they have systems in place in relation to their mandatory reporting scheme and any reportable conduct scheme to ensure that any reports made under those schemes that may involve child sexual abuse offences are brought to the attention of police
- b. include appropriate defences in the failure to report offence to avoid duplication of reporting under mandatory reporting and any reportable conduct schemes.

Treatment of religious confessions

35. Each state and territory government should ensure that the legislation it introduces to create the criminal offence of failure to report recommended in recommendation 33 addresses religious confessions as follows:
- a. The criminal offence of failure to report should apply in relation to knowledge gained or suspicions that are or should have been formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.
 - b. The legislation should exclude any existing excuse, protection or privilege in relation to religious confessions to the extent necessary to achieve this objective.
 - c. Religious confession should be defined to include a confession about the conduct of a person associated with the institution made by a person to a second person who is in religious ministry in that second person's professional capacity according to the ritual of the church or religious denomination concerned.

Failure to protect offence

36. State and territory governments should introduce legislation to create a criminal offence of failure to protect a child within a relevant institution from a substantial risk of sexual abuse by an adult associated with the institution as follows:
- a. The offence should apply where:
 - i. an adult person knows that there is a substantial risk that another adult person associated with the institution will commit a sexual offence against:
 - a child under 16
 - a child of 16 or 17 years of age if the person associated with the institution is in a position of authority in relation to the child
 - ii. the person has the power or responsibility to reduce or remove the risk
 - iii. the person negligently fails to reduce or remove the risk.
 - b. The offence should not be able to be committed by individual foster carers or kinship carers.
 - c. Relevant institutions should be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. Foster care and kinship care services should be included, but individual foster carers and kinship carers should not be included. Facilities and services provided by religious institutions, and any service or functions performed by persons in religious ministry, should be included.

- d. State and territory governments should consider the Victorian offence in section 49C of the *Crimes Act 1958* (Vic) as a useful precedent, with an extension to include children of 16 or 17 years of age if the person associated with the institution is in a position of authority in relation to the child.

Issues in prosecution responses

Principles for prosecution responses

37. All Australian Directors of Public Prosecutions, with assistance from the relevant government in relation to funding, should ensure that prosecution responses to child sexual abuse are guided by the following principles:
 - a. All prosecution staff who may have professional contact with victims of institutional child sexual abuse should be trained to have a basic understanding of the nature and impact of child sexual abuse – and institutional child sexual abuse in particular – and how it can affect people who are involved in a prosecution process, including those who may have difficulties dealing with institutions or person in positions of authority.
 - b. While recognising the complexity of prosecution staffing and court timetables, prosecution agencies should recognise the benefit to victims and their families and survivors of continuity in prosecution team staffing and should take steps to facilitate, to the extent possible, continuity in staffing of the prosecution team involved in a prosecution.
 - c. Prosecution agencies should continue to recognise the importance to victims and their families and survivors of the prosecution agency maintaining regular communication with them to keep them informed of the status of the prosecution unless they have asked not to be kept informed.
 - d. Witness Assistance Services should be funded and staffed to ensure that they can perform their task of keeping victims and their families and survivors informed and ensuring that they are put in contact with relevant support services, including staff trained to provide a culturally appropriate service for Aboriginal and Torres Strait Islander victims and survivors. Specialist services for children should also be considered.
 - e. Particularly in relation to historical allegations of institutional child sexual abuse, prosecution staff who are involved in giving early charge advice or in prosecuting child sexual abuse matters should be trained to:
 - i. be non-judgmental and recognise that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record
 - ii. focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant.

- f. Prosecution agencies should recognise that children with disability are at a significantly increased risk of abuse, including child sexual abuse. Prosecutors should take this increased risk into account in any decisions they make in relation to prosecuting child sexual abuse offences.
38. Each state and territory government should facilitate the development of standard material to provide to complainants or other witnesses in child sexual abuse trials to better inform them about giving evidence. The development of the standard material should be led by Directors of Public Prosecutions in consultation with Witness Assistance Services, public defenders (where available), legal aid services and representatives of the courts to ensure that it:
- a. is likely to be of adequate assistance for complainants who are not familiar with criminal trials and giving evidence
 - b. is fair to the accused as well as to the prosecution
 - c. does not risk rehearsing or coaching the witness.

Charging and plea decisions

39. All Australian Directors of Public Prosecutions should ensure that prosecution charging and plea decisions in prosecutions for child sexual abuse offences are guided by the following principles:
- a. Prosecutors should recognise the importance to complainants of the correct charges being laid as early as possible so that charges are not significantly downgraded or withdrawn at or close to trial. Prosecutors should provide early advice to police on appropriate charges to lay when such advice is sought.
 - b. Regardless of whether such advice has been sought, prosecutors should confirm the appropriateness of the charges as early as possible once they are allocated the prosecution to ensure that the correct charges have been laid and to minimise the risk that charges will have to be downgraded or withdrawn closer to the trial date.
 - c. While recognising the benefit of securing guilty pleas, prosecution agencies should also recognise that it is important to complainants – and to the criminal justice system – that the charges for which a guilty plea is accepted reasonably reflect the true criminality of the abuse they suffered.
 - d. Prosecutors must endeavour to ensure that they allow adequate time to consult the complainant and the police in relation to any proposal to downgrade or withdraw charges or to accept a negotiated plea and that the complainant is given the opportunity to obtain assistance from relevant witness assistance officers or other advocacy and support services before they give their opinion on the proposal. If the complainant is a child, prosecutors must endeavour to ensure that they give the child the opportunity to consult their carer or parents unless the child does not wish to do so.

DPP complaints and oversight mechanisms

40. Each Australian Director of Public Prosecutions should:
 - a. have comprehensive written policies for decision-making and consultation with victims and police
 - b. publish all policies online and ensure that they are publicly available
 - c. provide a right for complainants to seek written reasons for key decisions, without detracting from an opportunity to discuss reasons in person before written reasons are provided.
41. Each Australian Director of Public Prosecutions should establish a robust and effective formalised complaints mechanism to allow victims to seek internal merits review of key decisions.
42. Each Australian Director of Public Prosecutions should establish robust and effective internal audit processes to audit their compliance with policies for decision-making and consultation with victims and police.
43. Each Australian Director of Public Prosecutions should publish the existence of their complaints mechanism and internal audit processes and data on their use and outcomes online and in their annual reports.

Tendency and coincidence and joint trials

44. In order to ensure justice for complainants and the community, the laws governing the admissibility of tendency and coincidence evidence in prosecutions for child sexual abuse offences should be reformed to facilitate greater admissibility and cross-admissibility of tendency and coincidence evidence and joint trials.
45. Tendency or coincidence evidence about the defendant in a child sexual offence prosecution should be admissible:
 - a. if the court thinks that the evidence will, either by itself or having regard to the other evidence, be 'relevant to an important evidentiary issue' in the proceeding, with each of the following kinds of evidence defined to be 'relevant to an important evidentiary issue' in a child sexual offence proceeding:
 - i. evidence that shows a propensity of the defendant to commit particular kinds of offences if the commission of an offence of the same or a similar kind is in issue in the proceeding

- ii. evidence that is relevant to any matter in issue in the proceeding if the matter concerns an act or state of mind of the defendant and is important in the context of the proceeding as a whole
 - b. unless, on the application of the defendant, the court thinks, having regard to the particular circumstances of the proceeding, that both:
 - i. admission of the evidence is more likely than not to result in the proceeding being unfair to the defendant
 - ii. if there is a jury, the giving of appropriate directions to the jury about the relevance and use of the evidence will not remove the risk.
46. Common law principles or rules that restrict the admission of propensity or similar fact evidence should be explicitly abolished or excluded in relation to the admissibility of tendency or coincidence evidence about the defendant in a child sexual offence prosecution.
47. Issues of concoction, collusion or contamination should not affect the admissibility of tendency or coincidence evidence about the defendant in a child sexual offence prosecution. The court should determine admissibility on the assumption that the evidence will be accepted as credible and reliable, and the impact of any evidence of concoction, collusion or contamination should be left to the jury or other fact-finder.
48. Tendency or coincidence evidence about a defendant in a child sexual offence prosecution should not be required to be proved beyond reasonable doubt.
49. Evidence of:
- a. the defendant's prior convictions
 - b. acts for which the defendant has been charged but not convicted (other than acts for which the defendant has been acquitted)
- should be admissible as tendency or coincidence evidence if it otherwise satisfies the test for admissibility of tendency or coincidence evidence about a defendant in a child sexual offence prosecution.
50. Australian governments should introduce legislation to make the reforms we recommend to the rules governing the admissibility of tendency and coincidence evidence.
51. The draft provisions in Appendix N provide for the recommended reforms for Uniform Evidence Act jurisdictions. Legislation to the effect of the draft provisions should be introduced for Uniform Evidence Act jurisdictions and non-Uniform Evidence Act jurisdictions.

Evidence of victims and survivors

Prerecording

52. State and territory governments should ensure that the necessary legislative provisions and physical resources are in place to allow for the prerecording of the entirety of a witness's evidence in child sexual abuse prosecutions. This should include both:
 - a. in summary and indictable matters, the use of a prerecorded investigative interview as some or all of the witness's evidence in chief
 - b. in matters tried on indictment, the availability of pre-trial hearings to record all of a witness's evidence, including cross-examination and re-examination, so that the evidence is taken in the absence of the jury and the witness need not participate in the trial itself.
53. Full prerecording should be made available for:
 - a. all complainants in child sexual abuse prosecutions
 - b. any other witnesses who are children or vulnerable adults
 - c. any other prosecution witness that the prosecution considers necessary.
54. Where the prerecording of cross-examination is used, it should be accompanied by ground rules hearings to maximise the benefits of such a procedure.
55. State and territory governments should work with courts to improve the technical quality of closed circuit television and audiovisual links and the equipment used and staff training in taking and replaying prerecorded and remote evidence.

Recording

56. State and territory governments should introduce legislation to require the audiovisual recording of evidence given by complainants and other witnesses that the prosecution considers necessary in child sexual abuse prosecutions, whether tried on indictment or summarily, and to allow these recordings to be tendered and relied on as the relevant witness's evidence in any subsequent trial or retrial. The legislation should apply regardless of whether the relevant witness gives evidence live in court, via closed circuit television or in a prerecorded hearing.
57. State and territory governments should ensure that the courts are adequately resourced to provide this facility, in terms of both the initial recording and its use in any subsequent trial or retrial.

58. If it is not practical to record evidence given live in court in a way that is suitable for use in any subsequent trial or retrial, prosecution guidelines should require that the fact that a witness may be required to give evidence again in the event of a retrial be discussed with witnesses when they make any choice as to whether to give evidence via prerecording, closed circuit television or in person.

Intermediaries

59. State and territory governments should establish intermediary schemes similar to the Registered Intermediary Scheme in England and Wales which are available to any prosecution witness with a communication difficulty in a child sexual abuse prosecution. Governments should ensure that the scheme:
- a. requires intermediaries to have relevant professional qualifications to assist in communicating with vulnerable witnesses
 - b. provides intermediaries with training on their role and in understanding that their duty is to assist the court to communicate with the witness and to be impartial
 - c. makes intermediaries available at both the police interview stage and trial stage
 - d. enables intermediaries to provide recommendations to police and the court on how best to communicate with the witness and to intervene in an interview or examination where they observe a communication breakdown.
60. State and territory governments should work with their courts administration to ensure that ground rules hearings are able to be held – and are in fact held – in child sexual abuse prosecutions to discuss the questioning of prosecution witnesses with specific communication needs, whether the questioning is to take place via a prerecorded hearing or during the trial. This should be essential where a witness intermediary scheme is in place and should allow, at a minimum, a report from an intermediary to be considered.

Other special measures

61. The following special measures should be available in child sexual abuse prosecutions for complainants, vulnerable witnesses and other prosecution witnesses where the prosecution considers it necessary:
- a. giving evidence via closed circuit television or audiovisual link so that the witness is able to give evidence from a room away from the courtroom
 - b. allowing the witness to be supported when giving evidence, whether in the courtroom or remotely, including, for example, through the presence of a support person or a support animal or by otherwise creating a more child-friendly environment

- c. if the witness is giving evidence in court, using screens, partitions or one-way glass so that the witness cannot see the accused while giving evidence
- d. clearing the public gallery of a courtroom during the witness's evidence
- e. the judge and counsel removing their wigs and gowns.

Courtroom issues

62. State and territory governments should introduce legislation to allow a child's competency to give evidence in child sexual abuse prosecutions to be tested as follows:
- a. Where there is any doubt about a child's competence to give evidence, a judge should establish the child's ability to understand basic questions asked of them by asking simple, non-theoretical questions – for example, about their age, school, family et cetera.
 - b. Where it does not appear that the child can give sworn evidence, the judge should simply ask the witness for a promise to tell the truth and allow the examination of the witness to proceed.

Use of interpreters

63. State and territory governments should provide adequate interpreting services such that any witness in a child sexual abuse prosecution who needs an interpreter is entitled to an interpreter who has sufficient expertise in their primary language, including sign language, to provide an accurate and impartial translation.

Judicial directions and informing juries

Reforming judicial directions

64. State and territory governments should consider or reconsider the desirability of partial codification of judicial directions now that Victoria has established a precedent from which other jurisdictions could develop their own reforms.
65. Each state and territory government should review its legislation and introduce any amending legislation necessary to ensure that it has the following provisions in relation to judicial directions and warnings:

- a. **Delay and credibility:** Legislation should provide that:
 - i. there is no requirement for a direction or warning that delay affects the complainant's credibility
 - ii. the judge must not direct, warn or suggest to the jury that delay affects the complainant's credibility unless the direction, warning or suggestion is requested by the accused and is warranted on the evidence in the particular circumstances of the trial
 - iii. in giving any direction, warning or comment, the judge must not use expressions such as 'dangerous or unsafe to convict' or 'scrutinise with great care'.
 - b. **Delay and forensic disadvantage:** Legislation should provide that:
 - i. there is no requirement for a direction or warning as to forensic disadvantage to the accused
 - ii. the judge must not direct, warn or suggest to the jury that delay has caused forensic disadvantage to the accused unless the direction, warning or suggestion is requested by the accused and there is evidence that the accused has suffered significant forensic disadvantage
 - iii. the mere fact of delay is not sufficient to establish forensic disadvantage
 - iv. in giving any direction, warning or comment, the judge should inform the jury of the nature of the forensic disadvantage suffered by the accused
 - v. in giving any direction, warning or comment, the judge must not use expressions such as 'dangerous or unsafe to convict' or 'scrutinise with great care'.
 - c. **Uncorroborated evidence:** Legislation should provide that the judge must not direct, warn or suggest to the jury that it is 'dangerous or unsafe to convict' on the uncorroborated evidence of the complainant or that the uncorroborated evidence of the complainant should be 'scrutinised with great care'.
 - d. **Children's evidence:** Legislation should provide that:
 - i. the judge must not direct, warn or suggest to the jury that children as a class are unreliable witnesses
 - ii. the judge must not direct, warn or suggest to the jury that it would be 'dangerous or unsafe to convict' on the uncorroborated evidence of a child or that the uncorroborated evidence of a child should be 'scrutinised with great care'
 - iii. the judge must not give a direction or warning about, or comment on, the reliability of a child's evidence solely on account of the age of the child.
66. The New South Wales Government, the Queensland Government and the government of any other state or territory in which Markuleski directions are required should consider introducing legislation to abolish any requirement for such directions.

Improving information for judges and legal professionals

67. State and territory governments should support and encourage the judiciary, public prosecutors, public defenders, legal aid and the private Bar to implement regular training and education programs for the judiciary and legal profession in relation to understanding child sexual abuse and current social science research in relation to child sexual abuse.
68. Relevant Australian governments should ensure that bodies such as:
- a. the Australasian Institute of Judicial Administration
 - b. the National Judicial College of Australia
 - c. the Judicial Commission of New South Wales
 - d. the Judicial College of Victoria
- are adequately funded to provide leadership in making relevant information and training available in the most effective forms to the judiciary and, where relevant, the broader legal profession so that they understand and keep up to date with current social science research that is relevant to understanding child sexual abuse.

Improving information for jurors

69. In any state or territory where provisions such as those in sections 79(2) and 108C of the Uniform Evidence Act or their equivalent are not available, the relevant government should introduce legislation to allow for expert evidence in relation to the development and behaviour of children generally and the development and behaviour of children who have been victims of child sexual abuse offences.
70. Each state and territory government should lead a process to consult the prosecution, defence, judiciary and academics with relevant expertise in relation to judicial directions containing educative information about children and the impact of child sexual abuse, with a view to settling standard directions and introducing legislation as soon as possible to authorise and require the directions to be given. The National Child Sexual Assault Reform Committee's recommended mandatory judicial directions and the Victorian Government's proposed directions on inconsistencies in the complainant's account should be the starting point for the consultation process, subject to the removal of the limitation in the third direction recommended by the National Child Sexual Assault Reform Committee in relation to children's responses to sexual abuse so that it can apply regardless of the complainant's age at trial.
71. In advance of any more general codification of judicial directions, each state and territory government should work with the judiciary to identify whether any legislation is required to permit trial judges to assist juries by giving relevant directions earlier in the trial or to otherwise assist juries by providing them with more information about the issues in the trial. If legislation is required, state and territory governments should introduce the necessary legislation.

Delays and case management

72. Each state and territory government should work with its courts, prosecution, legal aid and policing agencies to ensure that delays are reduced and kept to a minimum in prosecutions for child sexual abuse offences, including through measures to encourage:
- a. the early allocation of prosecutors and defence counsel
 - b. the Crown – including subsequently allocated Crown prosecutors – to be bound by early prosecution decisions
 - c. appropriate early guilty pleas
 - d. case management and the determination of preliminary issues before trial.
73. In those states and territories that have a qualified privilege in relation to sexual assault communications, the relevant state or territory government should work with its courts, prosecution and legal aid agencies to implement any necessary procedural or case management reforms to ensure that complainants are effectively able to claim the privilege without risking delaying the trial.

Sentencing

Excluding good character as a mitigating factor

74. All state and territory governments (other than New South Wales and South Australia) should introduce legislation to provide that good character be excluded as a mitigating factor in sentencing for child sexual abuse offences where that good character facilitated the offending, similar to that applying in New South Wales and South Australia.

Cumulative and concurrent sentencing

75. State and territory governments should introduce legislation to require sentencing courts, when setting a sentence in relation to child sexual abuse offences involving multiple discrete episodes of offending and/or where there are multiple victims, to indicate the sentence that would have been imposed for each offence had separate sentences been imposed.

Sentencing standards in historical cases

76. State and territory governments should introduce legislation to provide that sentences for child sexual abuse offences should be set in accordance with the sentencing standards at the time of sentencing instead of at the time of the offending, but the sentence must be limited to the maximum sentence available for the offence at the date when the offence was committed.

Victim impact statements

77. State and territory governments, in consultation with their respective Directors of Public Prosecutions, should improve the information provided to victims and survivors of child sexual abuse offences to:
- a. give them a better understanding of the role of the victim impact statement in the sentencing process
 - b. better prepare them for making a victim impact statement, including in relation to understanding the sort of content that may result in objection being taken to the statement or parts of it.
78. State and territory governments should ensure that, as far as reasonably practicable, special measures to assist victims of child sexual abuse offences to give evidence in prosecutions are available for victims when they give a victim impact statement, if they wish to use them.

Appeals

79. State and territory governments should introduce legislation, where necessary, to expand the Director of Public Prosecution's right to bring an interlocutory appeal in prosecutions involving child sexual abuse offences so that the appeal right:
- a. applies to pre-trial judgments or orders and decisions or rulings on the admissibility of evidence, but only if the decision or ruling eliminates or substantially weakens the prosecution's case
 - b. is not subject to a requirement for leave
 - c. extends to 'no case' rulings at trial.
80. State and territory governments should work with their appellate court and the Director of Public Prosecutions to ensure that the court is sufficiently well resourced to hear and determine interlocutory appeals in prosecutions involving child sexual abuse offences in a timely manner.

81. Directors of Public Prosecutions should amend their prosecution guidelines, where necessary, in relation to the decision as to whether there should be a retrial following a successful conviction appeal in child sexual abuse prosecutions. The guidelines should require that the prosecution consult the complainant and relevant police officer before the Director of Public Prosecutions decides whether to retry a matter.
82. State and territory governments should ensure that a relevant government agency, such as the Office of the Director of Public Prosecutions, is monitoring the number, type and success rate of appeals in child sexual abuse prosecutions and the issues raised to:
 - a. identify areas of the law in need of reform
 - b. ensure any reforms – including reforms arising from the Royal Commission’s recommendations in relation to criminal justice, if implemented – are working as intended.

Juvenile offenders

83. State and territory governments (other than the Northern Territory) should give further consideration to whether the abolition of the presumption that a male under the age of 14 years is incapable of having sexual intercourse should be given retrospective effect and whether any immunity which has arisen as a result of the operation of the presumption should be abolished. State and territory governments (other than the Northern Territory) should introduce any legislation they consider necessary as a result of this consideration.
84. State and territory governments should review their legislation – and if necessary introduce amending legislation – to ensure that complainants in child sexual abuse prosecutions do not have to give evidence on any additional occasion in circumstances where the accused, or one of two or more co-accused, is a juvenile at the time of prosecution or was a juvenile at the time of the offence.

Criminal justice and regulatory responses

85. State and territory governments should keep the interaction of:
 - a. their legislation relevant to regulatory responses to institutional child sexual abuse
 - b. their crimes legislation and the crimes legislation of all other Australian jurisdictions, particularly in relation to child sexual abuse offences and sex offender registration
 under regular review to ensure that their regulatory responses work together effectively with their relevant crimes legislation and the relevant crimes legislation of all other Australian jurisdictions in the interests of responding effectively to institutional child sexual abuse.



Royal Commission
into Institutional Responses
to Child Sexual Abuse

Commonwealth of Australia

Royal Commission into Institutional
Responses to Child Sexual Abuse

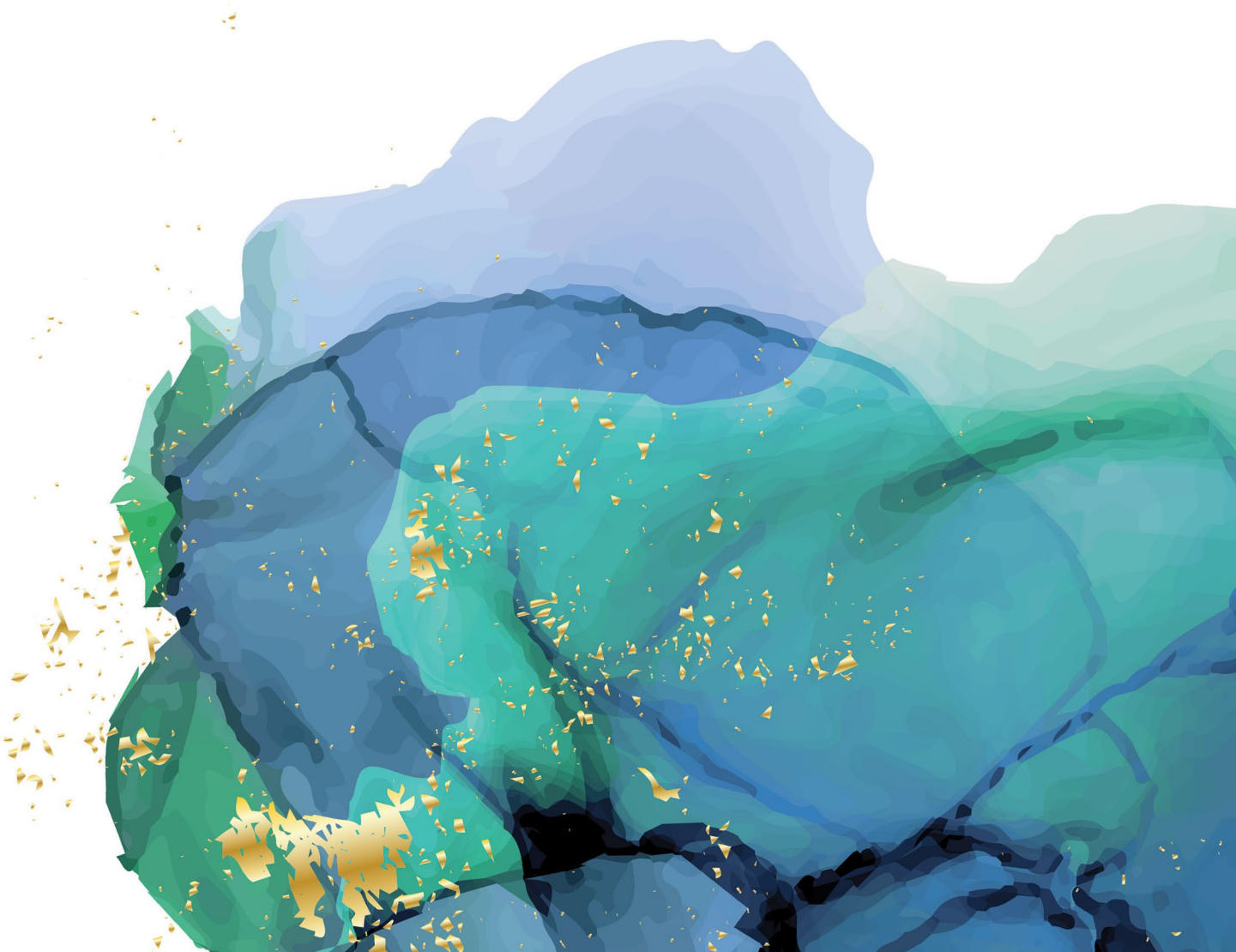


This initiative is part of the WA Government's action to create a Safer WA for Children by implementing the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

Child Safe Awareness Policy

Template for local government

May 2023



Child Safe Awareness Policy

Template for local government

Background

This Child Safe Awareness policy template is focused on the external facing and public role of Western Australian local governments in providing child safe awareness and information for their district and supporting their local communities.

The template was developed in response to Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse and the Royal Commissions recognition of the important role of local governments in community development and community safety, particularly roles that impact on child safety. The Royal Commission identified the opportunity to integrate their direct responsibilities to children and young people within their wider role in the community.

Instructions

This policy template can be used as a guide to develop a Child Safe Awareness Policy that is suited to your organisation.

Three sections of the template have been agreed broadly by local governments and should remain unchanged to provide a state-wide approach and to ensure consistency with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission). The following sections are in 'blue' boxes and should not be changed:

- policy definitions
- policy principles; and
- policy functions

Local governments should adapt the remaining sections of the policy template to suit their local contexts, particularly the sections on scope, roles and responsibilities and related legislation. Instructions and examples for implementing the policy have been included in 'blue' text.

Local governments are strongly encouraged to develop an operational document to accompany the policy template which outlines the responsibilities for particular local government roles in implementing the Policy Functions. Please note that the State Government are producing the materials to be used in completing the Policy Functions including the child safe messages and a list of child safe resources to be provided to local government community groups and organisations.

Please note there are also companion resources available to support the implementation of your local government's Child Safe Awareness policy. These can be found [online](#).

Template

Policy Statement

[Local Government] supports and values all children and young people. [Local Government] makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways [Local Government] demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. [Local Government] is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that [Local Government] is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. [Local Government] will promote the safety and wellbeing of children across the community.

Consistent with the [National Principles for Child Safe Organisations](#) and [Commonwealth Child Safe Framework](#), this policy provides a framework that outlines the role of [Local Government] in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

Scope

The safety and wellbeing of children is everyone's responsibility. This Child Safe Awareness policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the [Local Government], regardless of their work related to children or young people. It applies to occupants of [Local Government] facilities and venues, including visitors, contractors and suppliers.

Please do not change wording of this section

Definitions

Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

Child Safe Organisation: is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
 - places emphasis on genuine engagement with and valuing of children and young people
 - creates conditions that reduce the likelihood of harm to children and young people
 - creates conditions that increase the likelihood of identifying any harm, and
 - responds to any concerns, disclosures, allegations, or suspicions of harm.
- Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child safe: For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

Please do not change wording of this section. (Please add in any additional principles that may apply).

Policy Principles

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

Please do not change wording of this section

Policy Functions

[Local Government] will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- Developing a process to deliver child safe messages (for example at [Local Government] venues, grounds and facilities or events).
- Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

Responsibilities

[Local Government] has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Although [Local Government] is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise [Local Government] facilities to operate in alignment with the Child Safe Awareness policy.

[Local Government] will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

Related [Local Government] Policies

Include here a list of any local government policies that are relevant to this policy or could be impacted by this policy, for example:

- Aboriginal / First Nations / Cultural Policy
- Child Safety Policy
- Employee Code of Conduct
- Corporate Communications Policy
- Community Signage Policy
- Employee Complaints Management Policy
- Engagement Policy
- Information Technology Policy
- Record Keeping Policy
- Strategic Community Plan
- Strategic and Operational Risk Plans
- Volunteer Policy
- Working with Children Checks Policy
- Youth Policy

Related Legislation and Policy

Include here a list of any legislation or policy frameworks that inform local government requirements, for example:

- *Child Care Services Act 2007*
- *Children and Community Services Act 2004*
- *Civil Liability Act 2002*
- *Corruption, Crime and Misconduct Act 2003*
- *Equal Opportunity Act 1984*

- *Freedom of Information Act 1997*
- *Local Government Act 1995*
- National Principles for Child Safety Organisations
- *Parliamentary Commissioner Act 1971*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*
- United Nations Convention on the Rights of the Child (CRC)
- *Work Health and Safety Act 2020*
- *Working with Children (Criminal Record Checking) Act 2004*

Review

This policy will be reviewed every two years or upon the introduction of other relevant policy or legislation related to the safety and wellbeing of children and young people.

Approval

Date:

Version	Date

Shire of Morawa Policy Manual

ADM08 Child Safe Awareness Policy

Aim	This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. The Shire of Morawa is committed to encouraging local organisations to be child safe and ensure children are safe and empowered. The safety and wellbeing of children is everyone's responsibility.
Application	<p>This Child Safe Awareness policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire of Morawa, regardless of their work related to children or young people.</p> <p>It applies to occupants of Shire of Morawa facilities and venues, including visitors, contractors and suppliers. Whole of Organisation</p>
Statutory Environment	<ul style="list-style-type: none"> • Child Care Services Act 2007 • Children and Community Services Act 2004 • Civil Liability Act 2002 • National Principles for Child Safety Organisations • United Nations Convention on the Rights of the Child (CRC) • Working with Children (Criminal Record Checking) Act 2004
Approval Date	
Last Review	
Next Review	2025
Review Period	Every 2 years

Objectives

To outline the commitment to developing a Child Safe Organisation and District, through clear principles, functions, and responsibilities.

To ensure compliance with recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse and providing a framework for outlining the role of Shire of Morawa in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework.

Policy

Definitions

The following definitions apply to this document:

Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

Shire of Morawa Policy Manual

Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

Child Safe Organisation: is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions.
- places emphasis on genuine engagement with and valuing of children and young people.
- creates conditions that reduce the likelihood of harm to children and young people.
- creates conditions that increase the likelihood of identifying any harm, and responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child safe: For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

Child Safe Principles

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

Policy Statement

The Shire of Morawa supports and values all children and young people and makes a commitment to support the safety and wellbeing of all children and young people, including their protection from abuse.

Shire of Morawa Policy Manual

As part of the Shire's leadership role in our community it will support relevant organisations to be child safe and protect children and young people from harm and/or abuse. As well as promoting child safe practices and messaging to enhance the safety and wellbeing of children across the community.

This Child Safe Awareness policy is one of the ways Shire of Morawa demonstrates its commitment to being child safe and its zero-tolerance approach to child abuse. Although the Shire is not legally responsible for providing oversight of compliance with child safe practices, it will take reasonable steps to engage with persons who utilise Shire facilities to ensure they operate in alignment with the Child Safe Practices and the principles of this Policy

Policy Functions and Responsibilities

Shire of Morawa CEO must ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- Developing a process to deliver child safe messages (for example at Shire of Morawa venues, grounds and facilities or events).
- Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

Ordinary Council Meeting 20 July 2023

Attachment 1- 11.1.7a Reviewed Council Policies (Stage 1)

Item 11.1.7- Policy Manual Review – Stage 1

4. EMPLOYEES (EMP)

EMP01 Equal Employment Opportunity

Aim	This policy recognises the Shire's legal obligations under anti-discrimination legislation and ensures employment practices follow the criteria for providing employment opportunities will be based solely on the principle of merit and equity.
Application	Council Employees All staff, eContractors and Volunteers
Statutory Environment	N/A
Approval Date	
Last Review	OCM 19 November 2020
Next Review	2025 2
Review Period	Every 2 years

Objectives

This policy applies to all employees at the Shire and where relevant those performing work (paid and unpaid) for the Shire, including but not limited to direct employees, contractors, labour hire, work experience, volunteers and those performing work through a third party.

Policy

Commitment

The Shire is committed to the principles of equal employment opportunity. This involves the improvement in the skill and competency levels of all employees to provide equal access to further employment or career path progression. The Shire acknowledges and celebrates diversity and commits to continuing to actively and flexibly seek to appoint and accommodate the unique needs of many different employees.

The Shire is committed to providing an environment free from all forms of discrimination, harassment and bullying and all employees will be treated in a fair and equitable manner in all decisions and processes.

Environment

The Shire recognises that when conflict, discrimination and harassment occurs in the workplace, job satisfaction, morale and productivity suffers. A healthy and safe work environment free from discrimination, harassment and bullying is the primary objective of the Shire.

Diversity

The Shire appreciates the inherent value in a diverse workforce. Diversity may result from a range of factors; origin, age, gender, race, cultural heritage, lifestyle, education, physical ability, appearance, language or other factors.

Awareness

Upon appointment, all employees are to be given a copy of this policy and ensure it is easily accessible electronically on the Shire's website.

Shire of Morawa Policy Manual

Monitoring

Employment related practices are to be periodically reviewed in accordance with this policy, with particular consideration of practices and directives covering:

- Recruitment;
- Conditions of service;
- Appointment, promotion and transfer; and
- Training and development.

Shire of Morawa Policy Manual

EMP02 Senior Employees

Aim	The objective of this policy is to clearly identify employees to be Senior Employees and for those same employees to be designated employees, also pursuant to the provisions of the Act.
Application	Senior Employees
Statutory Environment	<i>Local Government Act 1995 s5.37</i>
Approval Date	OCM 19 November 2020
Last Review	OCM 19 November 2020 N/A
Next Review	2024 <u>2027</u>
Review Period	4 years

Objective

To clearly identify a class of employees to be “Senior Employees” pursuant to the provisions of the *Local Government Act 1995* and for those same employees to be designated employees, also pursuant to the provisions of the *Act*.

Policy

Pursuant to s.5.37 of the *Local Government Act 1995*, the class of executive management positions with the title “Executive Manager” and reporting directly to the Chief Executive Officer are designated as Senior Employees.

Shire of Morawa Policy Manual

EMP03—Grievance Investigation and Resolution

Aim	To provide guidance on processes in relation to receiving and actioning internal employee grievances.
Application	All staff
Statutory Environment	Local Government Act 1995 (WA) State Records Act 2000 (WA) Privacy Act 1988 (cth) Freedom of Information Act 1992 (WA) Equal Opportunity Act 1984 (WA) Public Interest Disclosure Act (2003) Occupational Safety & Health Act 1984 (WA) Fair Work Act 2009 (cth)
Approval Date	OCM 19 November 2020
Last Review	N/A
Next Review	2024
Review Period	4 Years

Objective

~~All employees have a right to express any genuine grievances or complaints through an impartial internal process.~~

~~All employees involved in a grievance process are expected to participate in good faith. For the purposes of this directive, the term "employee/s" will extend to cover contractors, volunteers and any person performing work for or with the Shire of Morawa in any capacity.~~

Policy

Scope

~~This Policy applies to all workers performing work (paid and unpaid) for the Shire, including but not limited to direct hire, contractors, labour hire, project workers, volunteers and those performing work through a third party.~~

Responsibilities

~~**Complainant:** An employee who raises a complaint about a matter regarding the workplace.~~

~~**Respondent:** An employee who is alleged to have acted in a manner which caused the complaint~~

~~**Support Person:** A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of a Support Person is not to advocate on behalf of anyone, but to simply provide emotional support.~~

~~**Witness:** A person (including an employee) who is requested by the Shire of Morawa to assist the process by providing relevant information regarding the complaint.~~

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~~**Investigator:** Appropriate Shire of Morawa employee or a suitable person external to the Shire appointed to conduct investigations.~~

~~What to do if you have a Complaint~~

~~If a Complainant believes they are the victim of behaviour of a Respondent which is inconsistent with the Shire of Morawa's policies, procedures or guidelines, the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the Complainant should contact his/her Manager or Human Resources directly, instead of approaching the Respondent.~~

~~If the alleged inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to his/her direct manager. If the direct manager is the Respondent in the matter or if the Complainant feels uncomfortable approaching his/her manager, the Complainant should approach Human Resources.~~

~~Where a complaint is received it must be forwarded in a timely manner to Human Resources for a decision upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.~~

~~Any grievances lodged against the Chief Executive Officer are to be dealt with by the Shire President and Council under this policy. Grievances should be lodged with the Manager Human Resources or Executive Manager of Corporate Services.~~

~~Investigations~~

~~**Shire Instigated Investigations**~~

~~Where the Shire becomes aware of allegations of employee/s breaching Shire of Morawa's policies, procedures or guidelines, an investigation may commence in accordance with this Policy. This is without the need of a formal complaint being lodged.~~

~~**External Government Agencies**~~

~~There may be times where the investigation of a complaint may be undertaken by an external government agency before or instead of being investigated by the Shire. Circumstances include investigations being conducted by the Corruption and Crime Commission (CCC), Public Sector Commission (PSC) or the Police.~~

~~**Stand Down**~~

~~Where allegations of misconduct are considered by the Chief Executive Officer (or President) to be sufficiently serious or pose a threat to health and safety the Respondent may be stood down while the matter is being investigated.~~

~~Key Principles in the Complaint Process~~

~~The following principles are necessary for the fair investigation and resolution of a complaint:~~

~~**Confidentiality**~~

~~Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The Chief Executive Officer (President) may inform or appoint a third party to investigate and advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential. Only the outcome to the investigation will be placed on the employee's personal file. All documentation will otherwise be kept in a confidential file; and~~

~~**Impartiality**~~

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~~Both parties will have an opportunity to put their cases forward. No assumptions are made and no action will be taken until available and relevant information practicable has been collected and considered. No employee who is a Witness or Respondent may be involved in any decision making capacity as to the outcome of the grievance; and~~

Sensitivity

~~The employees who assist in responding to complaints should be specifically trained or equipped to treat all complaints sensitively and ensure the process is free of coercion or intimidation; and~~

Timeliness

~~The Shire aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements; and~~

Documented

~~All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient; and~~

Procedurally Fair

~~The principles of procedural fairness provide that:~~

- ~~• The Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;~~
- ~~• A Respondent is entitled to receive verbal or written communication from the Shire of Morawa of the potential consequences of given forms of conduct, as applicable to the situation;~~
- ~~• The Respondent is given an opportunity to respond to any allegations made against him/her by a Complainant;~~
- ~~• Any mitigating circumstances presented to the Chief Executive Officer (President) through the grievance process are investigated and considered;~~
- ~~• Any witnesses who can reasonably be expected to help with any inquiry or investigation process should be interviewed; and~~
- ~~• All interviews of witnesses are conducted separately and confidentially.~~

Outcomes of Making a Complaint

~~Where a complaint is substantiated, there are a number of possible outcomes:~~

- ~~• If the complaint involves a performance issue, the manager of the Respondent may commence a formal or informal performance management process with the Respondent or elect to discipline the Respondent in accordance with the applicable industrial instruments, policies, and management directives; or~~
- ~~• If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the manager of the Respondent, in consultation with Human Resources, may elect to discipline the Respondent in accordance with the applicable industrial instruments, policies, and management directives.~~

Vexatious or Malicious Complaints

~~Where a Complainant has been found to have deliberately made a vexatious or malicious complaint that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.~~

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~~Victimisation of Complainant~~

~~A Complainant must not be victimised by the Respondent or any other employee of the Shire for making a complaint. Anyone responsible for victimising a Complainant may be subject to disciplinary action, including but not limited to, termination of employment.~~

~~Patterns of unsubstantiated Complaints~~

~~Where an abnormally strong pattern of separate unsubstantiated complaints about a given Respondent becomes apparent, the matter may be considered further from a performance management or disciplinary perspective.~~

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EMP04 ~~Occupational Work~~ Health & Safety

Aim	To provide guidance on Council's expectations of employees in relation to Health and Safety
Application	All workers performing work (paid and unpaid) for the Shire, including but not limited to direct hire, contractors, labour hire, project workers, volunteers, <u>work experience</u> and those performing work through a third party.
Statutory Environment	Work Health and Safety Act 2020Occupational Safety and Health Act 1984, Work Health and Safety (General) Regulations 2022Occupational Safety and Health Regulations 1996 Health and Safety Codes of Practice, Guidance Notes and Australian Standards.
Approval Date	OCM 19 November 2020
Last Review	OCM 19 November 2020N/A
Next Review	2021-2024
Review Period	Annually

Objective

To provide guidance on Council's expectations of employees in relation to Health and Safety.

Policy

We at the Shire of Morawa believe that the health, safety and wellbeing of our people employed at work, or people affected by our work, is a priority and must be considered during all work performed by us or on our behalf in accordance with the ~~Work Health and Safety Act 2020Occupational Safety and Health Act 1984, Work Health and Safety (General) Regulations 2022Occupational Safety and Health Regulations 1996~~ and relevant Codes of Practice, Guidance Notes and Australian Standards.

The Shire applies the following principles in all we do:

- **Management commitment** supporting high standards of safety and health, performance and the continual improvement of behaviours and processes.
- Sustaining effective mechanisms for **consultation** between management and employees.
- Clear **Fitness for Work** expectations
- **Hazard and risk management** ensuring safe work methods and a safe work environment through the reporting, identification, assessment and control of hazards and their associated risks.
- Appropriate **training** and development for managers, employees and contractors, ensuring they are equipped with the knowledge and skills to carry out their duties in a safe manner.
- **Planning** for the establishment and maintenance of essential safety management systems to continuously improve workplace health and safety.

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- Clear **accountability** of health and safety responsibilities at all levels that cannot be delegated.
- Delivering **wellbeing** initiatives which empower employees to positively influence their health and wellbeing.

The Shire of Morawa is committed to:

- Creating a positive health and safety culture.
- Supporting clear and thorough Fitness for Work directives, detailed in Executive Policies.
- Consulting and co-operating with employees on health, safety and wellbeing issues directly as well as through their Health and Safety Representatives.
- Providing the necessary human, physical and financial resources to achieve safety outcomes.
- Developing key performance indicators that demonstrate we perform above and beyond minimum health and safety legislative requirements.
- Achieving continuous improvement through the monitoring and review of measurable targets and objectives and improvement of Health and Safety management systems and initiatives.
- Building an enduring reporting culture where hazards and risks are consistently reported, so that:
 - risks are actively identified, assessed and effectively controlled using the highest level of controls; and
 - Investigations can identify root causes and appropriate action taken to prevent recurrences.
- Recognising excellence in safety and health performance.
- Providing support and time to undertake health and safety related tasks.
- Supporting and encouraging employees to participate in a range of health and wellbeing initiatives and activities.

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EMP05 Corporate Credit Card

Aim	This Policy is to provide a clear framework to enable the use of corporate credit cards and provide all cardholders with guidance for correct usage of Corporate Credit Cards
Application	Nominated Staff <u>Council Employees</u>
Statutory Environment	<i>Local Government Act 1995 Section 2.7 (2) (a) & (b) Section 6.5 (a)</i> <i>Local Government (Financial Management) Regulation 11(1)(a)</i> <i>Use of Corporate Credit Cards (Department of Local Government Guideline No 11)</i>
Approval Date	
Last Review	<u>OCM 19 November 2020</u>
Next Review	<u>2026</u>
Review Period	3 years

Objective

To ensure that credit cards are responsibly managed in order to ensure good governance and financial accountabilities.

Policy

The Council supports the use of corporate credit cards on the basis it provides a necessary and efficient financial management tool for the Shire. The CEO shall ensure there are Corporate Credit Card Management Procedures that suitably accommodate these sentiments and the following protocols–

- a) The Corporate Credit Cards are maintained in a secure manner.
- b) The Corporate Credit Cards are not to be used for personal expenses under any circumstances.
- c) All Corporate Credit Card payments (included disputed transactions) are to be listed in the Schedule of Accounts and Credit Card Purchases section of the monthly financial report to Council.
- d) Where applicable, purchases are to be made in accordance with the Shire of Morawa's Purchasing Policy, and associated Procedures.
- e) Inappropriate purchases, even on the basis of them being operationally related, may be recoverable from the cardholder. The cardholder is required to conclude that purchases are fair and reasonable business expenses.
- f) Where possible, purchases should be processed through the Purchase Order / Creditor's system
- g) Corporate Credit Cards are not to be used for cash withdrawals at any facility. Cardholders responsibilities, as outlined by the card provider (i.e. the Bank), are met at all times.
- h) Corporate Credit Card Credit limits are not to be exceeded.
- i) The Cardholder is responsible to pursue and resolve incorrect charges (as due to privacy legislation, only the cardholder can initiate any request for information from the bank).

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- j) All relevant documentation regarding each transaction is retained by the cardholder and transactions are to be acquitted and reconciled on a monthly basis as per of the reconciliation procedure. A copy of all of the Corporate Credit Card Statements and a summary thereof (including sufficient information to adequately articulate the purchase details) are to be incorporated as attachments to the signed financial statements submitted each month to Council).
- k) The use of the credit Card shall not be tied to any type of reward systems that provides cardholders with any personal benefit or reward.
- l) Cardholders are to read and acknowledge the Corporate Credit Card Policy and associated Procedures prior to being issued with the card, to ensure that the above matters, including breaches of this Policy are agreed.

~~Overall~~Overall, the onus of responsibility for above controls are with you the cardholder. Failure to adhere to these conditions may result in disciplinary action or termination of your employment.

The CEO and Council have zero tolerance towards misuse of Corporate Credit Cards – the risk of bringing the financial or reputational standing of the Shire into question will not be accepted under any circumstances.

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EMP06 Removal Expenses

Aim	This Policy is to provide a clear direction for the reimbursement of employee's removal expenses when relocating to Morawa for Shire employment.
Application	Nominated Staff Council Employees
Statutory Environment	Local Government Act 1995
Approval Date	
Last Review	OCM 16 April 2020
Next Review	2025 2
Review Period	2 years

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Objective

To establish guidelines for the reimbursement of employee's removal expenses when relocating to Morawa for Shire employment.

Policy

The reimbursement of employee removal expenses is to be provided as follows:-

- Chief Executive Officer to a maximum of \$7,000 or other value as agreed to by Council.
- Executive Manager position to a maximum of \$5,000 or other value as agreed to by Council.
- Other Staff to a maximum of \$2,000.

In all instances, prior to the Shire authorising the above relocation expenses, the employee will be required to confirm in writing that the removal expenses as approved shall be reimbursed to the Shire of Morawa on the following basis:

- 0-6 months 75%;
- ~~7~~6-12 months 50%;
- ~~13~~2-18 months 25%; or
- Over ~~19~~8 months 0%

This policy can have minor variation by agreement of the Chief Executive Officer with regards to amount or time frame of payments.

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EMP07 — Fitness for Work

Aim	To provide guidance on Council's expectations of employees in relation to fitness for work
Application	All workers performing work (paid and unpaid) for the Shire, including but not limited to direct hire, contractors, labour hire, project workers, volunteers and those performing work through a third party.
Statutory Environment	<i>Occupational Health & Safety Act 1984 – Fair Work Regulations 2009</i>
Approval Date	OCM 19 November 2020
Last Review	N/A
Next Review	2024
Review Period	4 Years

Objective

The principle objective of this Policy is to highlight the Shire of Morawa's ongoing commitment to its workers and meeting its obligations under the *Occupational Safety & Health Act 1984* of creating and maintaining a safe work environment, by managing and reducing the risks associated with personnel presenting to, or throughout the day, being in an unfit state.

Purpose

The purpose of this Policy is to identify the risks and to put measures in place to ensure all workers are aware of their obligations and the Shire's commitment to fitness for work. Conditions which could impact on a person's fitness for work (FFW) include, but are not limited to:

- Sleep deprivation
- Physical injury
- Temporary or ongoing illness
- Alcohol use and subsequent impairment
- Other drug use; prescription, over the counter and illicit
- Stress
- Emotional distress
- Mental health
- Grief and loss
- Family issues

Scope

This Policy applies to all workers performing work (paid and unpaid) for the Shire, including but not limited to direct hire, contractors, labour hire, project workers, volunteers and those performing work through a third party.

RESPONSIBILITIES

Executive Managers, Managers, Leading Hands

Executive Managers, Supervisors and Leaders remain accountable for the following in relation to FFW at the Shire:

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- Assess and report on any person who appears to be, or has been reported as being, unfit for duty
- Ensure workers comply with this Policy
- Maintain accurate and confidential documentation relating to FFW events
- Reinforce the need for reporting any FFW issues and for individual self-awareness and management of their exposure to alcohol and other drugs to ensure safe work conditions for all.

All Personnel

All persons performing work for the Shire remain accountable for the following in relation to FFW at the Shire:

- Ensure they are fit for work with no impairment or other factors that compromise their own safety, or the safety of others
- Notify their direct Supervisor, Shire representative or HR if they are concerned about their FFW
- Participate in health, wellbeing and FFW activities where requested by the Shire
- Comply with health monitoring and FFW requirements

Fitness For Work Controls

Medical Assessments

The purpose of medical assessments is to identify and allow the Shire to manage pre-existing conditions, injuries or illnesses which may otherwise predispose personnel to further injury or illness.

Depending on the role and risk, candidates may be required to undergo pre-employment medical assessments prior to appointment. The pre-employment medical assessment measures the individual's functional capacity against the Position Description and range of tasks involved in the role.

Pre-Employment Medical Assessment Requirements

The following table outlines the general pre-employment medical assessment (PEMA) requirements based on the risk of the role. The Shire may also at any time request additional assessments to be completed. A PEMA must be completed by a certified medical practitioner.

Risk ID	Examples of Roles	Medical Requirement
Low Risk	Nonphysical roles e.g. Administration, Finance, primarily office based	Medical declaration questionnaire and Drug and Alcohol Screen (DAS) prior to commencement
Medium & High Risk	Field presence and small physical labour requirement or physical and labour intensive roles.	Full medical assessment prior to commencement (PEM, Audiometry, and Spirometry & DAS).

Health Surveillance

Various health surveillance or health related activities may be requested by Health & Safety at any time which may include but is not limited to the following:

- Pathology testing
- Spirometry testing
- Fit testing
- Biochemical

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- ◆ ~~Skin screening — Health Surveillance is conducted for the purpose of monitoring changes to a person's health as a result of exposure to hazardous substances in accordance with the Occupational Safety and Health Regulations 1996.~~

~~The Shire will be responsible for Health Surveillance expenses and employees are expected to participate where requested and reasonable.~~

Training

~~All personnel will be inducted as to the requirements and their responsibility to present to work in a fit state as well as resources and support services available to them to help manage this process.~~

~~Authorised collectors shall be trained and qualified. Regular audits will be completed to ensure correct standards and protocols are maintained.~~

Drug & Alcohol Screens

~~All personnel may be subject to drug and alcohol testing on entry to site, commencement of work or at any time whilst performing work for the Shire. Testing (other than self testing) will be conducted in accordance with AS/NZ Standards applicable at the time of testing by a suitably trained, qualified collector.~~

~~The Shire has a zero (0.00%) alcohol limit, and measures drug levels in accordance with AS/NZ Standards.~~

~~Types of testing are detailed in **Appendix A**.~~

Prescription Medication

~~Prior to undertaking testing, the person must advise the tester if they are taking any medication such as over the counter or prescription. An attempt to declare after testing will not be considered under any circumstances. Some prescription and over the counter medication can register as a non-negative result when drug testing occurs. For example:~~

- ◆ ~~Codeine™ with Opioids~~
- ◆ ~~Codral™ with Opioids~~
- ◆ ~~Demazin™ with Amphetamines~~
- ◆ ~~Actifed™ with Amphetamines~~

~~All personnel have a responsibility to ensure they have consulted with their doctor or pharmacist as to what effect the drug or medication may have and if there is a risk that it may adversely affect their fitness for work, or lead to a positive test result.~~

~~If at any time personnel is taking medication or drugs which may affect their fitness for work, they have a responsibility to declare this to their direct Supervisor in writing. This will allow the direct Supervisor to arrange safe and suitable work tasks are assigned (where possible) or seek appropriate information to ensure the person and/or others are not placed at risk.~~

Mental Wellbeing

~~Mental wellbeing is a crucial factor for the overall health of employees in the workplace. Both internal and external factors can be a contributor to poor mental wellbeing and the Shire encourages employees to self-monitor and seek assistance if/where required.~~

~~Poor mental wellbeing can present itself in many ways and may include:~~

- ◆ ~~Mood swings~~
- ◆ ~~Low energy and motivation~~
- ◆ ~~Anxiety and/or excessive worry~~
- ◆ ~~Withdrawal~~
- ◆ ~~Extreme confidence or energy~~

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~~Where a person is considered unfit for work due to their level of mental wellbeing, they may be stood down from duties until such time as they are deemed fit to return.~~

Fatigue Management

~~Fatigue is a general term used to describe the feeling of being tired, drained or exhausted and is accompanied by poor judgment, slower reactions to events and decreased skill levels.~~

~~Where the effects of fatigue and/or the nature of the work being performed induces fatigue causing impairment to a person's health and safety, the Shire will ensure that appropriate and reasonable action is taken.~~

~~Identification of personnel who may be affected by fatigue may include:~~

- ~~• Self assessment and voluntary disclosure by the person affected; or~~
- ~~• Direct observation of the persons behaviour; or~~
- ~~• Following workplace incidents or investigations.~~

~~Where a person is unfit for work due to fatigue, they may be stood down from duties until such time as they are deemed fit to return. Any removal from the workplace or duties will only be done in consultation with HR.~~

Employee Assistance Program

~~To assist personnel, the Shire's Employee Assistance Program is available to all Shire employees and their immediate family members. The program consists of professional counselling services in a number of areas, which include, but are not limited to:~~

- ~~• Drugs and alcohol~~
- ~~• Personal affairs~~
- ~~• Support services~~
- ~~• Addictions~~
- ~~• Stress~~

~~Contract companies should ensure they have a designated contact point for their personnel to approach to and discuss any related issue. These discussions must remain confidential.~~

Provision for Medical Assessment

~~A person may be referred to a certified medical practitioner of the Shires choosing for a fitness for work medical assessment where the Shire has a genuine indication of the need for such examination and in deciding the need will take into account the following:~~

- ~~• Has there been a prolonged absence from the workplace without explanation or evidence?~~
- ~~• Has adequate medical information been provided to explain the absence and demonstrate the person's fitness for work?~~
- ~~• What level of risk is involved in the person's normal duties?~~
- ~~• Are there legitimate concerns that the person's illness or injury will impact on others in the workplace?~~

~~Where a certified medical practitioner will not, or is unable to confirm a person's fitness for the stated duties, they will be requested to refer the person to a specialist. Further action will be dependent on the fitness for duty report.~~

Work Related Injury or Illness

~~All work related injuries or illnesses will be dealt with by the Health & Safety Team in accordance with Injury Management and/or Workers Compensations processes.~~

Non-Work Related Injury or Illness (NWRI)

~~Non work related injury or illness (including physical, mental or psychological conditions) are those which do not arise out of the course of employment or have not been deemed compensable~~

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~~under the *Workers Compensation and Injury Management Act 1981*. If an employee experiences a significant non-work related injury or illness that has the potential to impact on their ability to undertake the full duties of their position, then a medical clearance from their treating practitioner, confirming the employees abilities to undertake the duties of their role, will be required before returning to work.~~

~~If an employee presents to work and is subsequently unable to carry out the duties of their position, or where their Supervisor reasonably believes there is a risk to them or other employees, the employee may be stood down in consultation with HR until independent medical advice is received, confirming their fitness for work.~~

Alcohol and Drugs in Shire Workplaces

~~Unless there is express written permission from the CEO, no personnel are to consume or store alcohol and/or drugs in Shire workplaces. This includes any place where work is conducted and in Shire vehicles.~~

~~Random searches of workplaces and vehicles may be conducted which may include bag searches.~~

~~Where an approved event has taken place in a Shire workplace, any remaining alcohol must be removed immediately following the event.~~

Risk Management

Self-Management

~~Any person, who believes they may be unfit for work for any reason is expected to inform their Direct Supervisor accordingly and not to commence work.~~

~~Self management is also supported by access to hand held and wall mounted testing units, available on request. The results from these units are for personal use only and cannot be used as evidence.~~

Identify & Assess

~~Where it is suspected that a person has presented to work in an unfit condition or such condition arises while at work, an assessment must be carried out and may include:~~

- ~~• Face to face discussion between Direct Supervisor and the employee~~
- ~~• Determine whether prescribed or over the counter medication may be producing their behaviour~~
- ~~• Assess work duties that may contribute to levels of stress or fatigue~~
- ~~• Arrange for a medical assessment~~
- ~~•~~
- ~~• Arrange for testing of alcohol and/or other drugs~~
- ~~• Psychological/emotional assessment~~
- ~~• Where practicable, obtain witness statement of incident involving affected person~~

Action

~~If, following an assessment, there is concern for the wellbeing of the person and their fitness for work, then appropriate action to ensure their safety is to be taken. Such action may include:~~

- ~~• Arrangements for further medical treatment~~
- ~~• Discuss in confidence with the person options to manage identified risks~~
- ~~• Offer for appropriate and reasonable counselling such as EAP services~~
- ~~• The person being stood down from duties and suitable transport being arranged~~

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- Inform the person they are being stood down from work pending investigation
- Develop an appropriate review and case management plan if applicable
- Keep in regular contact with the person, offer support and assistance where appropriate

Disciplinary Action

Section 1.07(3)(b) of the *Fair Work Regulations 2009* defines serious misconduct as an employee being intoxicated at work and as such, non-compliance with this Policy may result in disciplinary action being taken, up to and including termination of employment, or removal from the Shire workplace if a contractor.

Each case of fitness for work will be treated individually and will be in accordance with Shire Policies, Standards and related Directives.

If personnel refuse a request to undertake a test in accordance with this Policy, or intentionally leave the workplace without participating in a test, they will be deemed to have returned a confirmed positive result.

Record Keeping

All test results, whether positive or negative, will be maintained in a confidential personnel file in accordance with recording keeping requirements. Non-negative drug screening test result will not be considered a positive result until confirmed by a secondary confirmatory test.

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APPENDICES

APPENDIX A – Types of Testing

~~Random Testing~~

~~It is a condition of work with the Shire that all personnel will submit to random drug and alcohol testing if selected.~~

~~Positive results for illicit drugs, miss use or failure to declare illicit drugs or alcohol, or other relevant information (such as a person's refusal to test or tamper with a sample) will be provided to the CEO and relevant Executive Manager. If the person is a contractor, this information will be provided to their employer who will be expected to implement appropriate action in accordance with this Policy.~~

~~Blanket Testing~~

~~The Shire will administer blanket testing of personnel for drugs and/or alcohol at any time. Blanket testing is defined as testing of persons within a defined area or work group at any time, including consecutive testing carried out each day.~~

~~For Cause Testing~~

~~For cause testing will be carried out where:~~

- ~~1. There is an incident;~~
- ~~2. The person displays behaviour that raised concerns; or~~
- ~~3. There is evidence of possible recent drug or alcohol use.~~

~~Information about for cause test results may be made available if required, for any subsequent incident investigations.~~

~~Alcohol Self-Testing~~

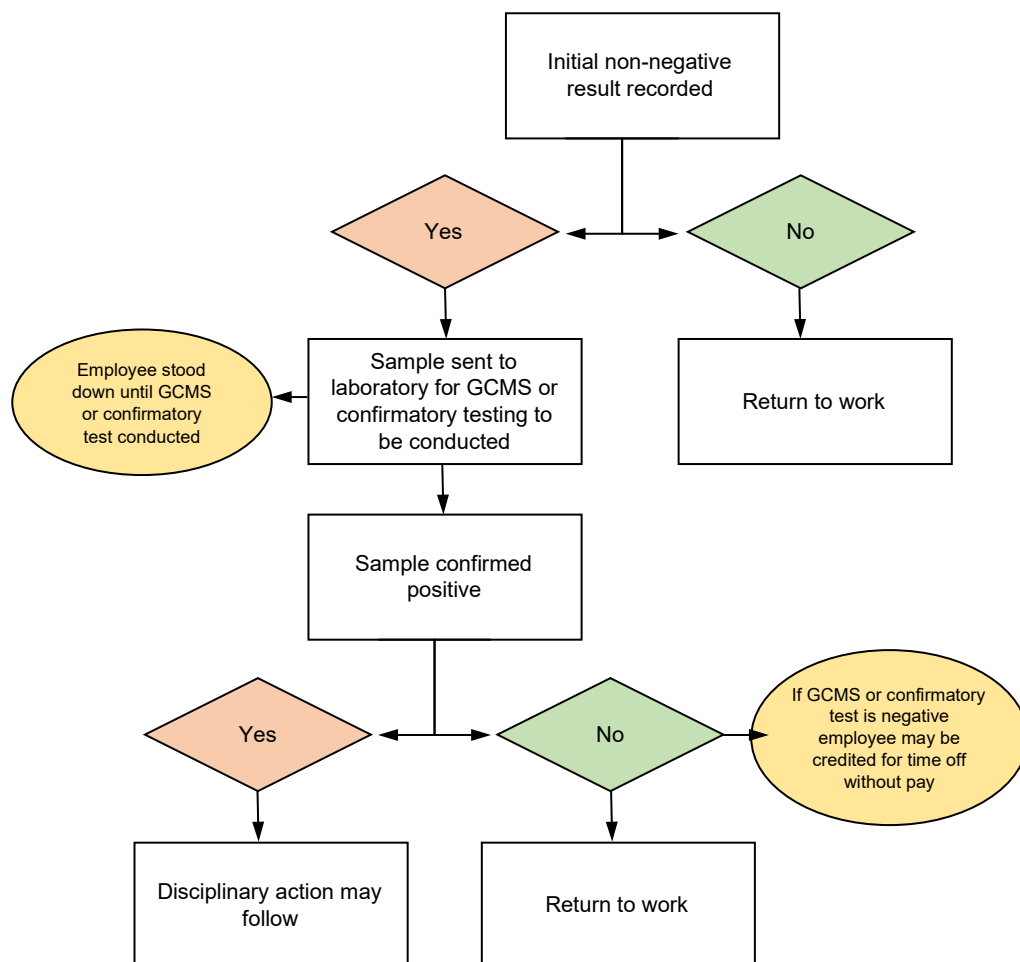
~~Personnel may choose to regulate their own fitness for work by undertaking a self-test prior to presenting for work.~~

~~Where following self-testing a person notifies his or her direct Supervisor that they will not be commencing work due to fitness for, the direct Supervisor must make arrangements for the safe transport of the person to their accommodation as appropriate.~~

~~NOTE: Self testing is not considered to be a positive result for the purpose of this Policy and will be managed through appropriate performance management as an attendance issue, not as fitness for work.~~

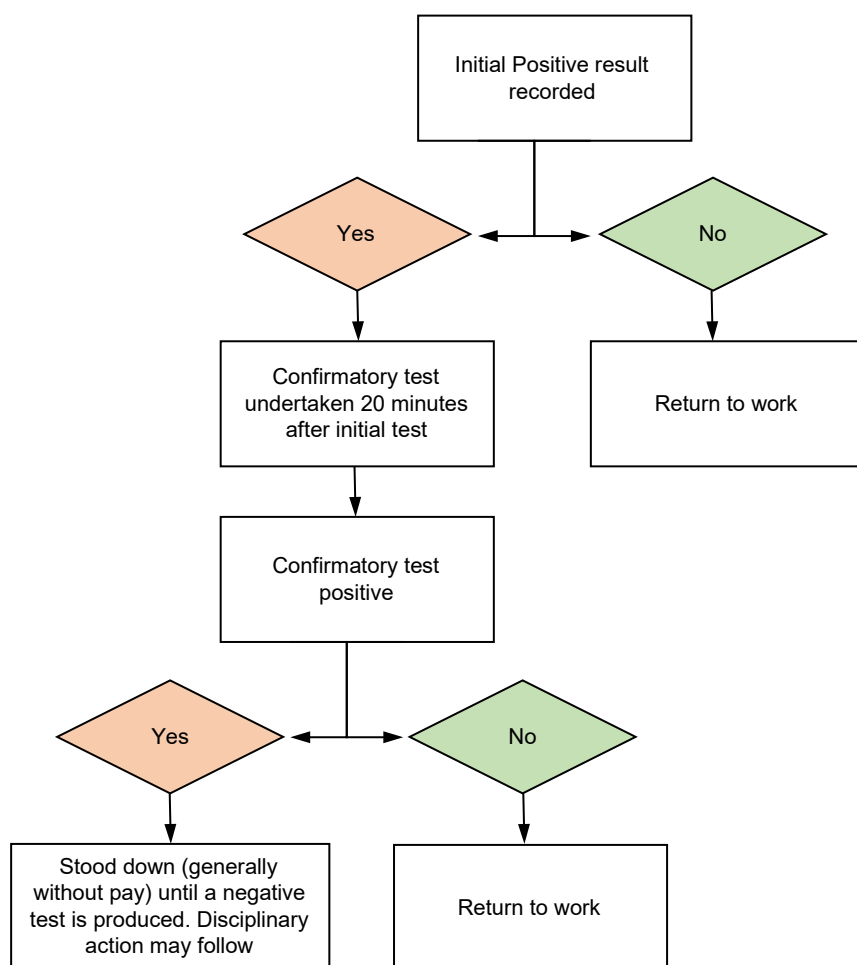
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APPENDIX B – Testing Procedure (Drugs and Illicit Substances)



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Appendix C – Testing Procedure (Alcohol – BrAC)



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EMP09 Staff Superannuation

Aim	To outline the criteria for the payment of additional superannuation to staff.
Application	<u>All Staff Council Employees</u>
Statutory Environment	<i>Superannuation Guarantee Administration Act 1992</i> <i>Superannuation Charge Act 1992</i>
Approval Date	<u>OCM 20 February 2020</u>
Last Review	<u>OCM 20 February 2020/2020</u>
Next Review	<u>2022 2025</u>
Review Period	Every 2 years

Objectives

This policy sets out the criteria for the payment of additional co=-contribution superannuation to staff Employees. It provides for guidance for officers involved in the recruitment and retention of staff. Employee payroll process.

~~The Shire of Morawa is obliged to pay superannuation into a complying fund on behalf of all staff under the provisions of Federal legislation, and this component is known as Superannuation Guarantee Levy (SGL). The percentage payment may be adjusted by legislation from time to time.~~

~~The Shire of Morawa and its employees may also make additional voluntary contributions to a complying fund.~~

Policy

In addition to the Superannuation Guarantee Administration Act 1992 and Superannuation Charge Act 1992, Employees may elect to make both salary sacrifice and post-tax contributions up to 5% of their salary as an additional superannuation contribution.

Council will make superannuation co-contributions of up to 5% of their salary ~~for employees on the following basis:~~

- ~~• In addition to the Superannuation Guarantee Administration Act 1992 and Superannuation Charge Act 1992, employees may elect to make both salary sacrifice and post tax contributions up to 5% of their salary as an additional superannuation contribution.~~
- ~~This policy applies to all permanent employees except where superannuation benefits have been varied for Senior Employees who are employed under negotiated performance based contracts.~~
- ~~Employees shall have freedom of choice over the complying fund that their superannuation contributions are paid to, providing this choice is not changed more regularly than annually.~~
- ~~The default fund shall be WA Super.~~

Shire of Morawa Policy Manual

EMP11 Gratuity Payments to Finishing Employees

Aim	To set out the circumstances in which the Shire may pay an employee whose employment with the Shire is finishing as a gratuity.
Application	<u>All staff Council Employees</u>
Statutory Environment	<i>Local Government Act 1995 Division 4 Section 5.50</i> <i>Local Government (Administration) Regulations 1996</i>
Approval Date	<u>OCM 11 February 2021</u>
Last Review	<u>OCM 11 February 2021</u> N/A
Next Review	<u>2023</u> 2025
Review Period	Every 2 years

Objectives

To comply with section 5.50(1) of the *Local Government Act 1995* and set out the circumstances in which the Shire may pay to an employee whose employment with the Shire is finishing, an amount in addition to any amount which the employee is entitled to under a contract of employment or Award, and the manner of assessment of the additional amount.

Policy

This policy outlines the circumstances in which gratuity payments may be made to a finishing employee. These payments, when made, are in addition to any amount that the employee is entitled to under a contract of employment or Award.

The imposition of this parameter does not form a contractual entitlement under employment relationships and as such the Council may choose to modify this position by way of resolution.

Gratuity payments are a way for the Shire to honour and thank employees who have made long term contributions towards the Shire successfully meeting objectives. Council reserves the right to resolve to increase the value of gifts to employees whose commitment and contribution to the community is of an exemplary level. In line with Part (2) of section 5.50 of the *Local Government Act 1995*, any payment above the amounts specified in this policy must only be made if adopted by Council and will be subject to local public notice.

When an employee's services are ceasing with the Shire, the employee will be entitled to a gratuity as outlined below based on completed years of service. An employee who has been dismissed by the Shire of Morawa for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy.

The Shire's gratuity payments will be in the form of a gift in line with the prescribed amounts below:

Years of Service	Amount of Gratuity
5 to 15 years of continuous service	A gift to the value of \$25 for each year of service
15 to 30 years of continuous service	A gift to the value of \$35 for each year of service
30 + years of continuous service	A gift to the value of \$45 for each year of service

Shire of Morawa Policy Manual

For Council's designated senior employees and the Chief Executive Officer (CEO), the value of any finishing gift will be at the above prescribed amount plus an extra \$25 for each year of service, in recognition of the level of responsibility and influence associated with their role. In recognition of the extra responsibility associated with the CEO position the Shire President may provide a CEO whose service has been less than 5 years with a gift to the value of \$350 if their performance and contribution to the community has warranted a gift.

For the purpose of this policy, continuous service shall be deemed to include:

- a) Any period of absence from duty of annual leave, long service leave, accrued paid bereavement leave, accrued paid personal leave and public holidays.
- b) Any period of authorised paid absence from duty necessitated by sickness or injury to the employee but only to the extent of three months in each calendar year but not including leave without pay or parental leave.
- c) Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of one year.

For the purpose of this policy, continuous service shall not include:

- a) Any period of unauthorised absence from duty unless the Shire determines otherwise.
- b) Any period of unpaid leave unless the Shire determines otherwise.

No gratuity payment to any employee shall exceed one year's salary or the limits set as per regulations.

The purchasing of gifts to all employees is to be managed by the CEO, gifts for the CEO are to be managed by another Senior Employee in collaboration with the Shire President.

Shire of Morawa Policy Manual

EMP12 Standards for CEO Recruitment, Performance and Termination

Aim	The Code provides mandatory minimum standards that cover recruitment, selection, performance review and early termination of local government Chief Executive Officers.
Application	Chief Executive Officers
Statutory Environment	<i>The Local Government (Administration) Amendment Regulations 2021</i>
Approval Date	OCM 20 May 2021
Last Review	OCM 20 May 2021 2020
Next Review	2025 3
Review Period	2 years

Objectives

To establish, in accordance with section 22 of the *Local Government (Administration) Amendment Regulations 2021* and the Shire of Morawa Standards for CEO Recruitment, Performance and Termination, the requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEOs). This policy is intended to ensure best practice and greater consistency in these processes between local governments.

Policy Statement

This policy applies to the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEOs).

Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Policy Details

Division 1 - Preliminary provisions

1. Citation

These are the *Shire of Morawa* Standards for CEO Recruitment, Performance and Termination.

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

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job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the *Shire of Morawa*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application for Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
- (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
- (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

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7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

independent person means a person other than any of the following —

- (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
- (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
- (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —

Shire of Morawa Policy Manual

- (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl.5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —

Shire of Morawa Policy Manual

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

- (2) This clause applies if —
- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
 - and
 - (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
- (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

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17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.

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- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

FIN03 Authorised Signatures for Cheque/Electronic Funds Transfer Payments

Aim	To ensure effective security and properly authorised use of cheques/EFT payments whilst ensuring that the Shire provides good customer service through the timely signing of cheques/ETFs.
Application	<u>All Staff Council Employees</u>
Statutory Environment	<i>Local Government Act 1995 Section 6.10</i> <i>Local Government (Financial Management) Regulations 1996 Part 2</i>
Approval Date	<u>Staff 20 July 2023</u>
Last Review	<u>OCM 19 November 2020</u>
Next Review	<u>2026</u>
Review Period	<u>2 years 3 years</u>

Objective

To ensure the effective security and properly authorised use of cheques/EFT payments whilst ensuring that the Shire provides good customer service through the timely signing of cheques/ETFs.

Policy

~~All payments made by cheque/EFT require the authorisation of two signatories. The authorised signatories are to be a combination of:~~

- ~~• Chief Executive Officer and/or~~
- ~~• Executive Manager Corporate and Community Services; or~~
- ~~• Executive Manager Works and Assets~~

All payments made by cheque/EFT require the authorisation of two signatories, at least one signatory must be a designated senior employee.

Ordinary Council Meeting 20 July 2023

Attachment 1- 11. 2.1a Monthly Financial Report for the period ending 30 June 2023

Attachment 2- 11.2.1b Bank Reconciliation for the period ending 30 June 2023

Attachment 3- 11.2.1c List of Accounts Paid for the period ending 30 June 2023

Item 11.2.1- Statement of Financial Activity – June 2023

SHIRE OF MORAWA
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 June 2023

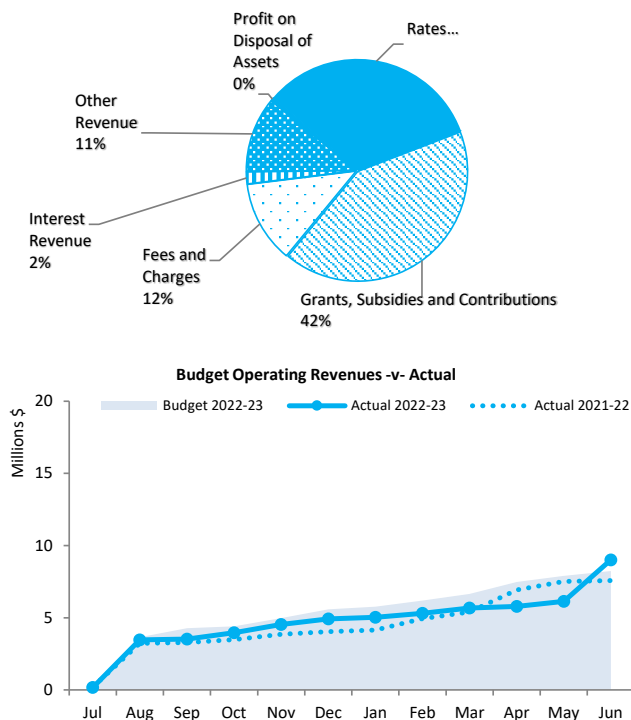
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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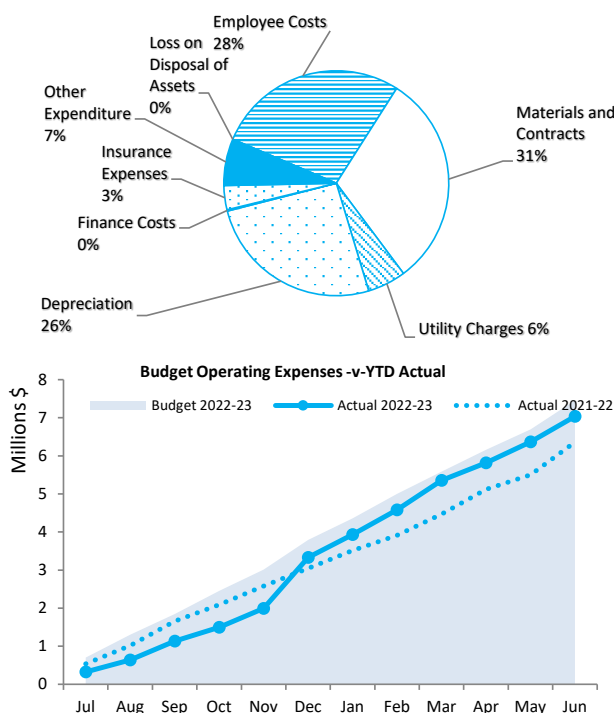
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OPERATING ACTIVITIES

OPERATING REVENUE

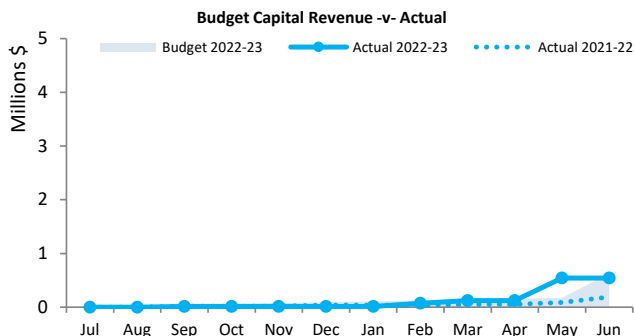


OPERATING EXPENSES

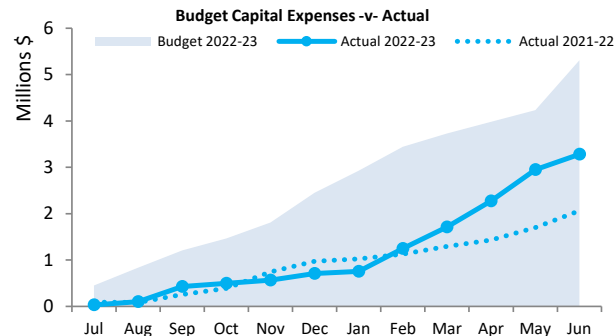


INVESTING ACTIVITIES

CAPITAL REVENUE



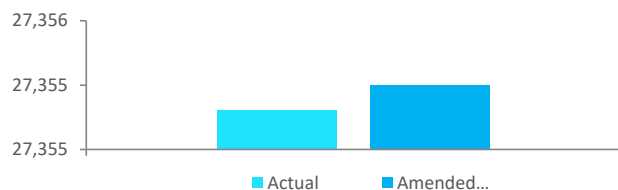
CAPITAL EXPENSES



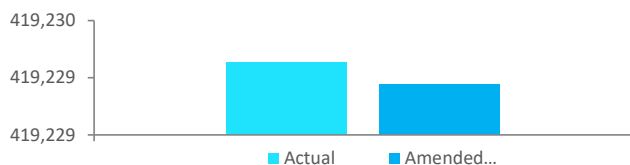
FINANCING ACTIVITIES

BORROWINGS

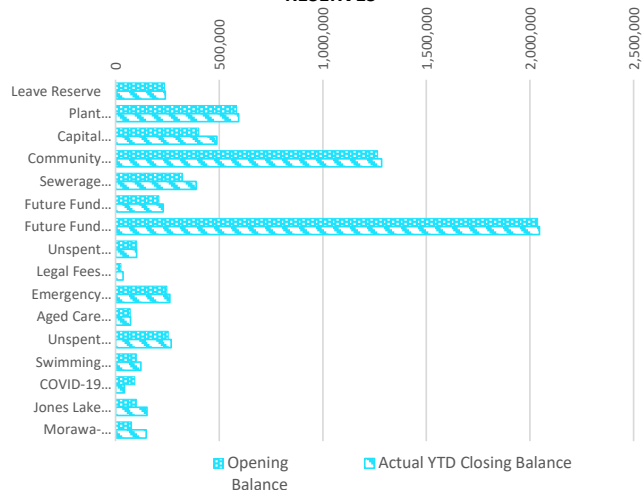
Principal Repayments



Principal Outstanding



RESERVES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.38 M	\$2.38 M	\$2.38 M	\$0.00 M
Closing	\$0.08 M	\$0.08 M	\$2.40 M	\$2.32 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$9.49 M	% of total
Unrestricted Cash	\$2.76 M	29.1%
Restricted Cash	\$6.73 M	70.9%
Refer to Note 2 - Cash and Financial Assets		

Payables		
	\$0.24 M	% Outstanding
Trade Payables	\$0.12 M	
0 to 30 Days		99.2%
30 to 90 Days		0.8%
Over 90 Days		0%
Refer to Note 5 - Payables		

Receivables		
	\$0.53 M	% Collected
Rates Receivable	\$0.46 M	87.3%
Trade Receivable	\$0.07 M	% Outstanding
30 to 90 Days		60.3%
Over 90 Days		12.9%
Refer to Note 3 - Receivables		

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)		Var. \$ (b)-(a)
\$0.26 M	\$0.26 M	\$2.56 M	\$2.31 M
Refer to Statement of Financial Activity			

Rates Revenue		
YTD Actual	\$2.56 M	% Variance
YTD Budget	\$2.56 M	0.3%
Refer to Note 6 - Rate Revenue		

Grants and Contributions		
YTD Actual	\$3.27 M	% Variance
YTD Budget	\$1.90 M	71.9%
Refer to Note 13 - Operating Grants and Contributions		

Fees and Charges		
YTD Actual	\$0.95 M	% Variance
YTD Budget	\$0.95 M	(0.1%)
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$4.61 M)	(\$4.61 M)	(\$3.28 M)	\$1.33 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.19 M	%
Amended Budget	\$0.19 M	2.1%
Refer to Note 7 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$3.28 M	% Spent
Amended Budget	\$4.61 M	(28.8%)
Refer to Note 8 - Capital Acquisitions		

Capital Grants		
YTD Actual	\$1.19 M	% Received
Amended Budget	\$2.13 M	(44.0%)
Refer to Note 8 - Capital Acquisitions		

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.26 M)	(\$0.26 M)	(\$0.64 M)	(\$0.38 M)
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	\$0.03 M
Interest expense	\$0.01 M
Principal due	\$0.42 M
Refer to Note 9 - Borrowings	

Reserves		
Reserves balance	\$6.73 M	
Interest earned	\$0.09 M	0.0%
Refer to Note 11 - Cash Reserves		

Lease Liability	
Principal repayments	\$0.01 M
Interest expense	\$0.00 M
Principal due	\$0.01 M
Refer to Note 10 - Lease Liabilities	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 JUNE 2023

STATUTORY PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME AND OBJECTIVES	ACTIVITIES
GOVERNANCE To manage Councils' Elected Members	Includes Members of Council, Civic Functions and Public Relations, Council Elections, Training/Education of members.
GENERAL PURPOSE FUNDING To manage Council's finances	Includes Rates, Loans, Investments & Grants.
LAW, ORDER, PUBLIC SAFETY To provide, develop & manage services in response to community needs.	Includes Emergency Services, Fire Services and Animal Control
HEALTH To provide, develop & manage services in response to community needs.	Includes Environmental Health, Medical and Health facilities and providers
EDUCATION AND WELFARE To provide, develop & manage services in response to community needs.	Includes Education, Welfare & Children's Services, Youth Development
HOUSING To ensure quality housing and appropriate infrastructure is maintained.	Includes Staff and other housing, including aged care units and Dreghorn Street units.
COMMUNITY AMENITIES To provide, develop & manage services in response to community needs.	Includes Refuse Collection, Sewerage, Cemetery, Building Control and Town Planning.
RECREATION AND CULTURE To ensure the recreational & cultural needs of the community are met.	Includes the Swimming Pool, Halls, Library, Oval, Parks and Gardens and Recreational Facilities.
TRANSPORT To effectively manage transport infrastructure within the shire.	Includes Roads, Footpaths, Private Works, Plant Operating Costs, Outside Crew wages and maintenance of the Airstrip.
ECONOMIC SERVICES To foster economic development, tourism & rural services in the district.	Includes Tourism, Rural Services, Economic Development & Caravan Park.
OTHER PROPERTY AND SERVICES To provide control accounts and reporting facilities for all other operations.	Includes Private Works, Public Works Overheads, Plant Recovery Costs, Administration Overheads and Unclassified Items

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

BY PROGRAM

	Ref	YTD	YTD	Var. \$	Var. %	
	Note	Budget	Actual	(b)-(a)	(b)-(a)/(a)	Var.
		(a)	(b)			
		\$	\$	\$	%	
OPERATING ACTIVITIES						
Revenue from operating activities						
Governance		25	725	725	1,817	1,092 150.57%
General purpose funding - general rates	6	2,551,128	2,551,128	2,551,128	2,563,231	12,103 0.47%
General purpose funding - other		1,353,988	1,353,988	1,353,988	2,864,305	1,510,317 111.55% ▲
Law, order and public safety		176,435	175,285	175,285	136,767	(38,518) (21.97%) ▼
Health		7,050	7,050	7,050	9,891	2,841 40.30%
Education and welfare		7,000	16,500	16,500	16,081	(419) (2.54%) ▼
Housing		100,800	111,500	111,500	97,455	(14,045) (12.60%) ▼
Community amenities		493,741	569,941	569,941	542,060	(27,881) (4.89%) ▲
Recreation and culture		86,200	127,700	127,700	156,936	29,236 22.89% ▲
Transport		700,326	700,326	700,326	657,349	(42,977) (6.14%) ▼
Economic services		239,572	241,572	241,572	253,179	11,607 4.80%
Other property and services		219,300	254,300	254,300	525,469	271,169 106.63% ▲
		5,935,565	6,110,015	6,110,015	7,824,540	1,714,525
Expenditure from operating activities						
Governance		(527,195)	(527,383)	(527,383)	(366,870)	160,513 30.44% ▲
General purpose funding		(283,311)	(283,515)	(283,515)	(267,397)	16,118 5.69%
Law, order and public safety		(260,489)	(263,504)	(263,504)	(213,974)	49,530 18.80% ▲
Health		(195,834)	(237,051)	(237,051)	(202,024)	35,027 14.78% ▲
Education and welfare		(195,625)	(201,652)	(201,652)	(113,163)	88,489 43.88% ▲
Housing		(219,445)	(239,522)	(239,522)	(242,349)	(2,827) (1.18%) ▼
Community amenities		(775,914)	(882,031)	(882,031)	(649,905)	232,126 26.32% ▲
Recreation and culture		(1,564,330)	(1,576,173)	(1,576,173)	(1,568,498)	7,675 0.49%
Transport		(2,322,932)	(2,333,051)	(2,333,051)	(2,521,422)	(188,371) (8.07%) ▼
Economic services		(801,809)	(806,025)	(806,025)	(598,160)	207,865 25.79% ▲
Other property and services		(102,215)	(105,715)	(105,715)	(292,148)	(186,433) (176.35%) ▼
		(7,249,099)	(7,455,622)	(7,455,622)	(7,035,912)	419,710
Non-cash amounts excluded from operating activities	1(a)	1,601,192	1,601,192	1,601,192	1,772,066	170,874 10.67% ▲
Amount attributable to operating		287,658	255,585	255,585	2,560,694	2,305,109
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from Capital grants, subsidies and contributions	14	2,083,602	2,126,491	2,126,491	1,190,411	(936,080) (44.02%) ▼
Proceeds from disposal of assets	7	178,200	188,200	188,200	192,200	4,000 2.13%
		2,261,802	2,314,691	2,314,691	1,382,611	(932,080)
Outflows from investing activities						
Payments for Infrastructure	9	(2,529,370)	(2,773,698)	(2,773,698)	(2,009,796)	763,902 27.54% ▲
Payments for property, plant and equipment	8	(1,774,867)	(1,836,867)	(1,836,867)	(1,270,753)	566,114 30.82% ▲
		(4,304,237)	(4,610,565)	(4,610,565)	(3,280,549)	1,330,016
Amount attributable to investing		(2,042,435)	(2,295,874)	(2,295,874)	(1,897,938)	397,936
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from reserves	11	441,640	441,640	441,640	350,000	(91,640) (20.75%) ▼
		441,640	441,640	441,640	350,000	(91,640)
Outflows from financing activities						
Payments for principal portion of lease liabilities	10	(28,922)	(14,479)	(14,479)	(14,479)	(0) (0.00%) ▼
Repayment of debentures	9	(27,355)	(27,355)	(27,355)	(27,355)	0 0.00%
Transfer to reserves	11	(656,564)	(656,564)	(656,564)	(949,253)	(292,689) (44.58%) ▼
		(712,841)	(698,398)	(698,398)	(991,087)	(292,689)
Amount attributable to financing activities		(271,201)	(256,758)	(256,758)	(641,087)	(384,329)
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	1(c)	2,025,977	2,379,523	2,379,523	2,379,523	0 0.00%
Amount attributable to operating activities		287,658	255,585	255,585	2,560,694	
Amount attributable to investing activities		(2,042,435)	(2,295,874)	(2,295,874)	(1,897,938)	
Amount attributable to financing activities		(271,201)	(256,758)	(256,758)	(641,087)	
Surplus or deficit after imposition of general rates	1(c)	(1)	82,476	82,476	2,401,192	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note ` for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 30 JUNE 2023

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST REVENUE

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION

Depreciation expense raised on all classes of assets.

FINANCE COSTS

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

BY NATURE

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
OPERATING ACTIVITIES								
Revenue from operating activities								
General rates	6	2,551,128	2,551,128	2,551,128	2,563,231	12,103	0.47%	
Rates excluding general rates	6	5,668	5,668	5,668	1,113	(4,555)	(80.37%)	
Grants, subsidies and contributions	13	1,795,291	1,902,791	1,902,791	3,271,016	1,368,225	71.91%	▲
Fees and charges		918,363	946,313	946,313	945,465	(848)	(0.09%)	
Interest revenue		63,564	63,564	63,564	137,747	74,183	116.71%	▲
Other revenue		571,425	610,425	610,425	868,096	257,671	42.21%	▲
Profit on disposal of assets	7	30,126	30,126	30,126	37,873	7,747	25.72%	
Gain on FV Adjustment of Financial Asstes through P&L		0	0	0	0	0	0.00%	
		5,935,565	6,110,015	6,110,015	7,824,540	1,714,525		
Expenditure from operating activities								
Employee costs		(2,122,849)	(2,185,178)	(2,185,178)	(1,944,386)	240,792	11.02%	▲
Materials and contracts		(2,386,532)	(2,521,203)	(2,521,203)	(2,166,353)	354,850	14.07%	▲
Utility charges		(377,375)	(376,875)	(376,875)	(389,163)	(12,288)	(3.26%)	
Depreciation		(1,582,699)	(1,582,699)	(1,582,699)	(1,806,162)	(223,463)	(14.12%)	▼
Finance costs		(16,757)	(16,580)	(16,580)	(13,503)	3,077	18.56%	
Insurance expenses		(243,898)	(248,898)	(248,898)	(244,154)	4,744	1.91%	
Other expenditure		(476,318)	(481,518)	(481,518)	(472,192)	9,326	1.94%	
Loss on disposal of assets	7	(42,671)	(42,671)	(42,671)	0	42,671	100.00%	▲
		(7,249,099)	(7,455,622)	(7,455,622)	(7,035,912)	419,710		
Non-cash amounts excluded from operating activities	1(a)	1,601,192	1,601,192	1,601,192	1,772,066	170,874	10.67%	▲
Amount attributable to operating activities		287,658	255,585	255,585	2,560,694	2,305,109		
INVESTING ACTIVITIES								
Inflows from investing activities								
Proceeds from capital grants, subsidies and contributions	14	2,083,602	2,126,491	2,126,491	1,190,411	(936,080)	(44.02%)	▼
Proceeds from disposal of assets	7	178,200	188,200	188,200	192,200	4,000	2.13%	
		2,261,802	2,314,691	2,314,691	1,382,611	(932,080)		
Outflows from investing activities								
Payments for infrastructure	8	(2,529,370)	(2,773,698)	(2,773,698)	(2,009,796)	763,902	(27.54%)	
Payments for property, plant and equipment	8	(1,774,867)	(1,836,867)	(1,836,867)	(1,270,753)	566,114	(30.82%)	▲
		(4,304,237)	(4,610,565)	(4,610,565)	(3,280,549)	(534,144)		
Amount attributable to investing activities		(2,042,435)	(2,295,874)	(2,295,874)	(1,897,938)	397,936		
FINANCING ACTIVITIES								
Inflows from financing activities								
Transfer from reserves	11	441,640	441,640	441,640	350,000	(91,640)	(20.75%)	▼
		441,640	441,640	441,640	350,000	(91,640)		
Outflows from financing activities								
Repayment of borrowings	9	(27,355)	(27,355)	(27,355)	(27,355)	0	0.00%	
Payments for principal portion of lease liabilities	10	(28,922)	(14,479)	(14,479)	(14,479)	(0)	(0.00%)	
Transfer to reserves	11	(656,564)	(656,564)	(656,564)	(949,253)	(292,689)	(44.58%)	▼
		(712,841)	(698,398)	(698,398)	(991,087)	(292,689)		
Amount attributable to financing activities		(271,201)	(256,758)	(256,758)	(641,087)	(384,329)		
MOVEMENT IN SURPLUS OR DEFICIT								
Surplus or deficit at the start of the financial year	1(c)	2,025,977	2,379,523	2,379,523	2,379,523	0	0.00%	
Amount attributable to operating activities		287,658	255,585	255,585	2,560,694	2,305,109	901.90%	
Amount attributable to investing activities		(2,042,435)	(2,295,874)	(2,295,874)	(1,897,938)	397,936	(17.33%)	
Amount attributable to financing activities		(271,201)	(256,758)	(256,758)	(641,087)	(384,329)	149.69%	
Surplus or deficit after imposition of general rates	1(c)	(1)	82,476	82,476	2,401,192			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note ` for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 JUNE 2023**

	30 June 2022	30 June 2023
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	9,147,956	9,487,536
Trade and other receivables	545,968	492,986
Inventories	20,965	20,965
Other assets	92,578	11,581
TOTAL CURRENT ASSETS	9,807,467	10,013,068
NON-CURRENT ASSETS		
Trade and other receivables	36,091	36,091
Other financial assets	58,353	58,353
Property, plant and equipment	24,167,442	24,560,555
Infrastructure	50,632,901	59,282,081
Right-of-use assets	33,819	0
TOTAL NON-CURRENT ASSETS	74,928,606	83,937,080
TOTAL ASSETS	84,736,073	93,950,148
CURRENT LIABILITIES		
Trade and other payables	650,717	239,174
Other liabilities	528,111	528,111
Lease liabilities	28,922	14,443
Borrowings	27,355	0
Employee related provisions	357,043	357,043
TOTAL CURRENT LIABILITIES	1,592,148	1,138,771
NON-CURRENT LIABILITIES		
Borrowings	419,229	419,229
Employee related provisions	28,983	28,983
TOTAL NON-CURRENT LIABILITIES	448,212	448,212
TOTAL LIABILITIES	2,040,360	1,586,983
NET ASSETS	82,695,713	92,363,165
EQUITY		
Retained surplus	35,619,211	36,998,997
Reserve accounts	6,127,967	6,727,220
Revaluation surplus	40,948,534	48,636,946
TOTAL EQUITY	82,695,712	92,363,163

This statement is to be read in conjunction with the accompanying notes.

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 June 2023

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities					
		\$	\$	\$	\$
Adjustments to operating activities					
Less: Profit on asset disposals	7	(30,126)	(30,126)	(30,126)	(37,873)
Less: Movement in liabilities associated with restricted cash		5,948	5,948	5,948	3,777
Add: Loss on asset disposals	7	42,671	42,671	42,671	0
Add: Depreciation on assets		1,582,699	1,582,699	1,582,699	1,806,162
Total non-cash items excluded from operating activities		1,601,192	1,601,192	1,601,192	1,772,066

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

		Last Year Closing	This Time Last Year	Year to Date
		30 June 2022	30 Jun 2022	30 Jun 2023
Adjustments to net current assets				
Less: Reserves - restricted cash	11	(6,127,967)	(6,127,967)	(6,727,220)
Add Back: Component of Leave Liability not Required to be Fur	12	235,895	235,895	239,672
Add: Borrowings	9	27,355	27,355	0
Add: Lease liabilities	10	28,922	28,922	14,443
Total adjustments to net current assets		(5,835,795)	(5,835,795)	(6,473,105)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	9,143,287	9,143,287	9,485,840
Rates receivables	3	520,882	520,882	422,319
Receivables	3	25,085	25,085	70,667
Other current assets	4	113,542	113,542	32,546
Less: Current liabilities				
Payables	5	(646,048)	(646,048)	(237,478)
Borrowings	9	(27,355)	(27,355)	0
Contract liabilities	12	(528,111)	(528,111)	(528,111)
Lease liabilities	10	(28,922)	(28,922)	(14,443)
Provisions	12	(357,043)	(357,043)	(357,043)
Less: Total adjustments to net current assets	1(b)	(5,835,795)	(5,835,795)	(6,473,105)
Closing funding surplus / (deficit)		2,379,523	2,379,523	2,401,192

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as at current if expected to be settled within the next 12 months, being the Council's operational cycle.

Liabilities under transfers to acquire or construct non-financial assets to be controlled by the entity

Description	Classification	Unrestricted \$	Restricted \$	Total Cash \$	Trust \$	Institution	Interest Rate	Maturity Date
Cash on hand								
Cash On Hand	Cash and cash equivalents	400		400			NIL	On Hand
At Call Deposits								
Municipal Cash at Bank	Cash and cash equivalents	2,215,680		2,215,680		Bankwest	0.10%	At Call
Muni Business Telenet Saver	Cash and cash equivalents	542,539		542,539		Bankwest	0.10%	At Call
CAB - Future Fund Grant (Interest) Reserve	Cash and cash equivalents	0	229,992	229,992		Bankwest	0.10%	At Call
CAB - Leave Reserve Account	Cash and cash equivalents	0	239,672	239,672		Bankwest	0.10%	At Call
CAB - Swimming Pool Reserve	Cash and cash equivalents	0	122,561	122,561		Bankwest	0.10%	At Call
CAB - Plant Replacement Reserve	Cash and cash equivalents	0	593,653	593,653		Bankwest	0.10%	At Call
CAB - Capital Works Reserve	Cash and cash equivalents	0	489,598	489,598		Bankwest	0.10%	At Call
CAB - Sewerage Reserve	Cash and cash equivalents	0	388,760	388,760		Bankwest	0.10%	At Call
CAB - Unspent Loans Reserve	Cash and cash equivalents	0	101,640	101,640		Bankwest	0.10%	At Call
CAB - Community & Economic Development Reserve	Cash and cash equivalents	0	783,482	783,482		Bankwest	0.10%	At Call
CAB - Future Funds (Principal) Reserve	Cash and cash equivalents	0	446,263	446,263		Bankwest	0.10%	At Call
CAB - Legal Reserve	Cash and cash equivalents	0	36,615	36,615		Bankwest	0.10%	At Call
CAB - Emergency Response Reserve	Cash and cash equivalents	0	261,759	261,759		Bankwest	0.10%	At Call
CAB - Aged Care Units 1-4 (JVA) Reserve	Cash and cash equivalents	0	72,005	72,005		Bankwest	0.10%	At Call
CAB - Aged Care Units (Excl. 1-4) Reserve	Cash and cash equivalents	0	268,675	268,675		Bankwest	0.10%	At Call
CAB - COVID-19 Emergency Response Reserve	Cash and cash equivalents	0	43,149	43,149		Bankwest	0.10%	At Call
CAB - Jones Lake Road Rehab Reserve	Cash and cash equivalents	0	151,688	151,688		Bankwest	0.10%	At Call
CAB - Unspent Grants & Contributions Reserve	Cash and cash equivalents	0	250,000	250,000		Bankwest	0.10%	At Call
CAB - Morawa-Yalgoo Road Maintenance Reserve	Cash and cash equivalents	0	147,708	147,708		Bankwest	0.10%	At Call
Term Deposits		0						
TD: ... 8410 (Future Funds 1)	Cash and cash equivalents	0	800,000	800,000		Bankwest	4.20%	30/06/2023
TD: ... 8428 (Future Funds 2)	Cash and cash equivalents	0	800,000	800,000		Bankwest	4.20%	30/06/2023
TD: ... 8436 (Community Development Fund)	Cash and cash equivalents	0	500,000	500,000		Bankwest	4.20%	30/06/2023
Trust Deposits								
Trust Bank	Cash and cash equivalents	0			1,697		0.00%	At Call
Total		2,758,619	6,727,220	9,485,840	1,697			
Comprising								
Cash and cash equivalents		2,758,619	6,727,220	9,485,840	1,697			
		2,758,619	6,727,220	9,485,840	1,697			

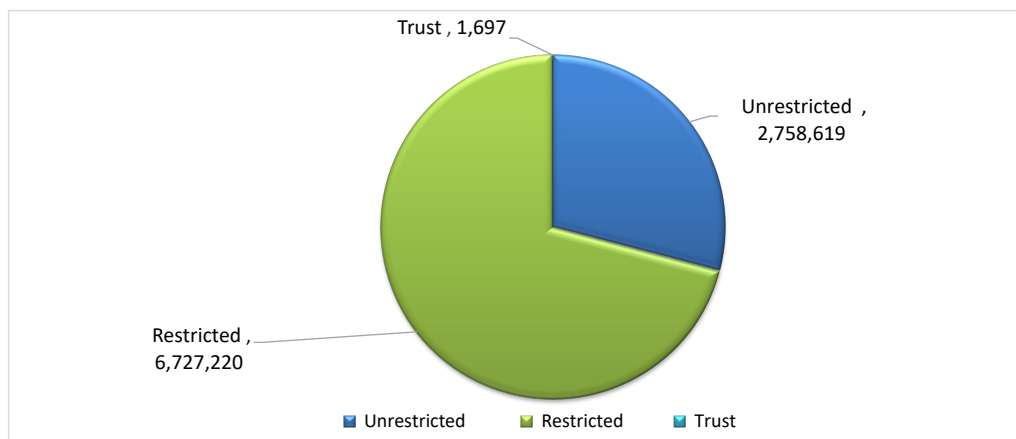
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

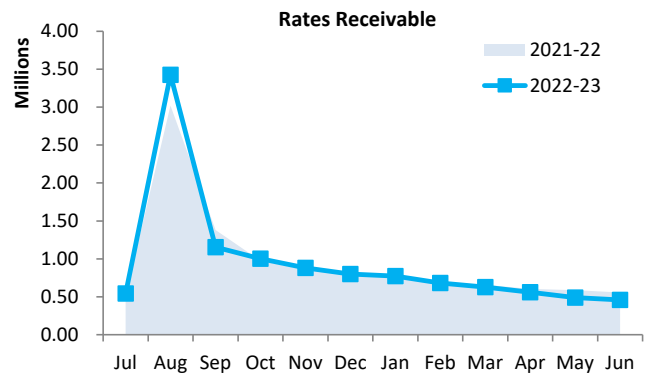
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

Rates receivable	30 June 2022	30 Jun 2023
	\$	\$
Opening arrears previous years	527,201	556,973
Levied this year	2,590,351	3,053,071
Less - collections to date	(2,560,579)	(3,151,634)
Equals current outstanding	556,973	458,410
Net rates collectable	556,973	458,410
% Collected	82.1%	87.3%

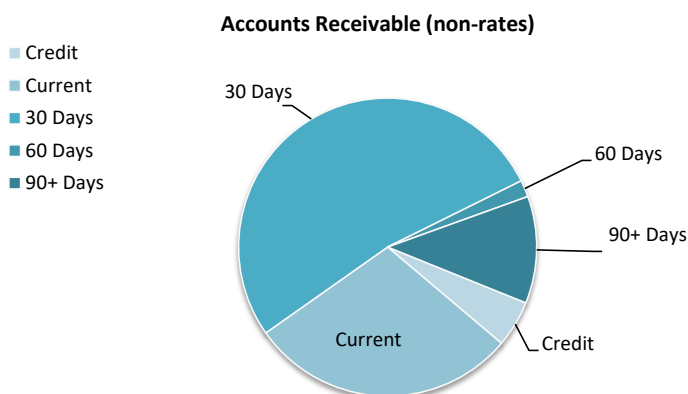


Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(2,028)	11,652	21,030	730	4,659	36,043
Percentage	(5.6%)	32.3%	58.3%	2%	12.9%	
Balance per trial balance						
Sundry receivable						36,043
GST receivable						58,928
Increase in Allowance for impairment of receivables from contracts with customers						(25,012)
Total receivables general outstanding						70,667

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.



	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 30 Jun 2023
Other current assets	\$	\$	\$	\$
Inventory				
Fuel, Oils and Materials on Hand	20,965	0	0	20,965
Other current assets				
Accrued income	92,578	0	(80,997)	11,581
Total other current assets	113,543	0	(80,997)	32,546
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

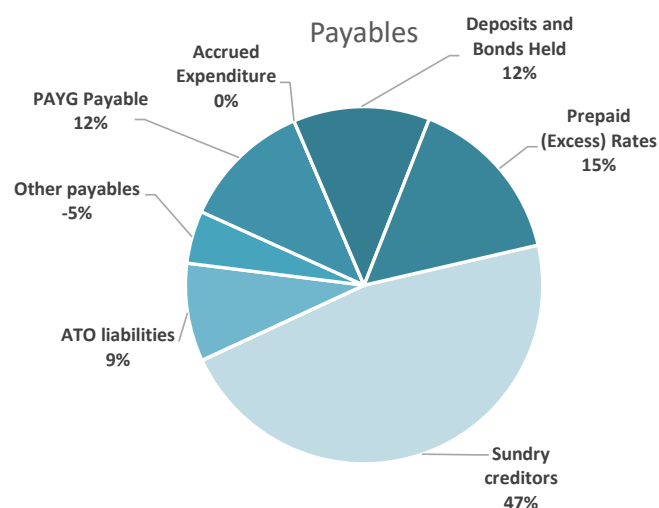
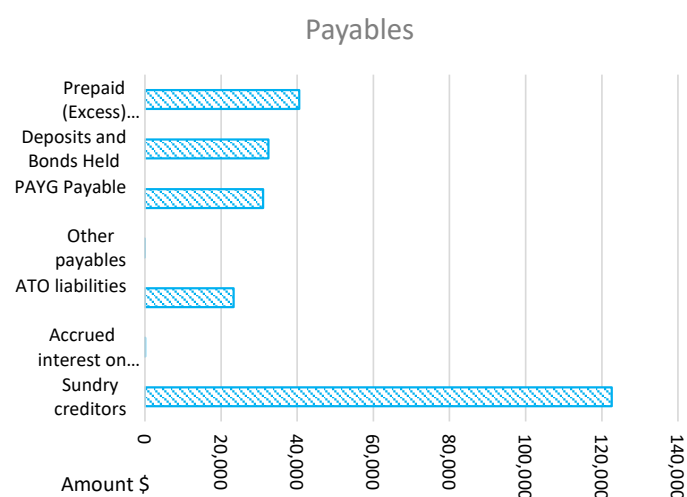
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	121,613	0	935	0	122,548
Percentage	0%	99.2%	0%	0.8%	0%	
Balance per trial balance						
Sundry creditors						122,596
Accrued interest on Loans						27
ATO liabilities						23,315
Other payables						(12,523)
PAYG Payable						31,066
Accrued Expenditure						0
Deposits and Bonds Held						32,462
Prepaid (Excess) Rates						40,534
Total payables general outstanding						237,477

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023

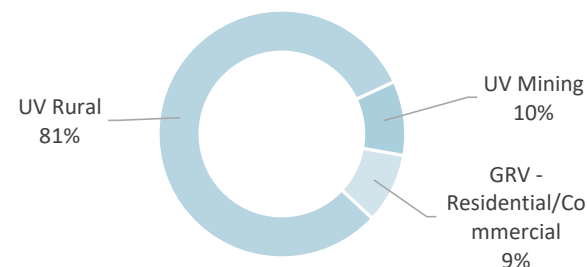
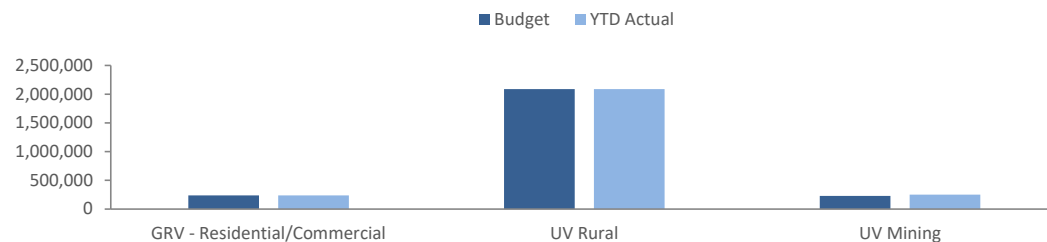
OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

General rate revenue

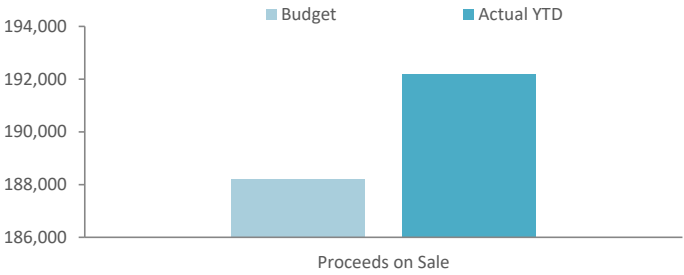
RATE TYPE	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
				\$	\$	\$	\$	\$	\$	\$	\$
General Rate											
Gross rental valuations											
GRV - Residential/Commercial	0.084538	268	2,799,272	236,645	0	0	236,645	236,645	0.00	0.00	236,645
Unimproved value											
UV Rural	0.024439	207	85,452,000	2,088,313	0	0	2,088,313	2,088,362	0.00	0.00	2,088,362
UV Mining	0.301974	31	827,575	231,376	0	0	231,376	249,906	0.00	0.00	249,906
Sub-Total		506	89,078,847	2,556,334	0	0	2,556,334	2,574,912	0	0	2,574,912
Minimum payment	Minimum \$										
Gross rental valuations											
GRV - Residential/Commercial	324.50	46	27,993	14,927	0	0	14,927	14,927	0	0	14,927
Unimproved value											
UV Rural	324.50	9	54,070	2,920	0	0	2,920	2,921	264	0	3,184
UV Mining	683.00	9	9,082	6,147	0	0	6,147	6,147	(4,330)	0	1,817
Sub-total		64	91,145	23,994	0	0	23,994	23,995	(4,066)	0	19,928
		570	89,169,992	2,580,328	0	0	2,580,328	2,598,907	(4,066)	0	2,594,841
Discount							(29,200)				(31,610)
Amount from general rates							2,551,128				2,563,231
Rates Written Off							(1,000)				(8,654)
Ex-gratia rates							6,668				9,766
Total general rates							2,556,796				2,564,344

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2021 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Asset Ref.	Asset description	Updated Budget				YTD Actual			
		Value	Proceeds	Profit	(Loss)	Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Transport								
	Iveco 6700 Powerstar	24,252	45,000	20,748	0	23,074	45,000	21,926	0
	Isuzu Truck	6,261	13,200	6,939	0	4,890	13,200	8,310	0
	Kubota F3680 & Catcher	11,561	14,000	2,439	0	10,800	14,000	3,200	0
	Nissan Navara - 000 MO	20,065	15,000	0	(5,065)	0	0	0	0
	Fuel Tanker	1,046	1,000	0	(46)	0	0	0	0
	John Deere Grader 670 GP	127,560	100,000	0	(27,560)	115,562	120,000	4,438	0
		190,745	188,200	30,126	(32,671)	154,327	192,200	37,873	0



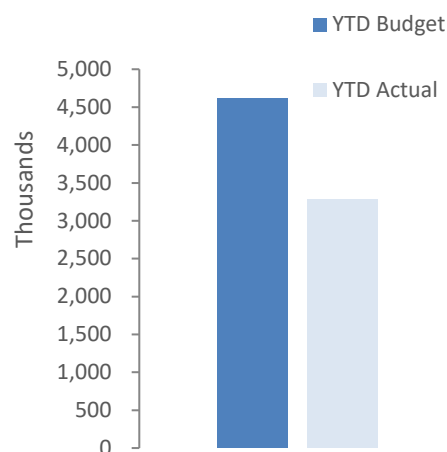
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

**INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS**

	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	YTD Actual Variance
Capital acquisitions					
		\$	\$	\$	\$
Land and Buildings	870,000	817,000	817,000	379,323	(437,677)
Furniture and equipment	0	55,000	55,000	50,000	(5,000)
Plant and equipment	904,867	964,867	964,867	841,430	(123,437)
Infrastructure - roads	1,632,000	1,677,000	1,677,000	1,385,656	(291,344)
Infrastructure - Footpaths	126,520	126,520	126,520	122,007	(4,513)
Infrastructure - Drainage	50,000	50,000	50,000	4,800	(45,200)
Infrastructure - Parks & Ovals	131,640	131,640	131,640	17,799	(113,841)
Infrastructure - Sewerage	60,000	60,000	60,000	21,603	(38,397)
Infrastructure - Playground Equipment	90,000	110,000	110,000	74,412	(35,588)
Infrastructure - Other	275,854	455,182	455,182	383,277	(71,905)
Infrastructure - Airfields	163,356	163,356	163,356	243	(163,113)
Payments for Capital Acquisitions	4,304,237	4,610,565	4,610,565	3,280,549	(1,330,016)
Total Capital Acquisitions	4,304,237	4,610,565	4,610,565	3,280,549	(1,330,016)
Capital Acquisitions Funded By:					
		\$	\$	\$	\$
Capital grants and contributions	2,083,602	2,126,491	2,126,491	1,190,411	(936,080)
Other (disposals & C/Fwd)	178,200	188,200	188,200	192,200	4,000
Cash backed reserves					
Plant Replacement Reserve	300,000	300,000	0	300,000	300,000
Future Fund Grants (Interest) Reserve	0	40,000	0	0	0
Unspent Loans Reserve	0	101,640	0	0	0
COVID-19 Emergency Response Reserve	0	0	0	50,000	50,000
Contribution - operations	1,742,435	1,854,234	2,295,874	1,547,938	(747,936)
Capital funding total	4,304,237	4,610,565	4,610,565	3,280,549	(1,330,016)

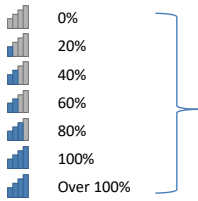
SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.




































Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

		Adopted	Amended			
Account/Job Description		Budget	Budget	YTD Budget	YTD Actual	Variance (Under)/ Over
Buildings						
	Building Renewals	0	0	0	(20,041)	(20,041)
	Land & Buildings Renewal - Other Culture	(20,000)	(20,000)	(20,000)	(11,800)	8,200
	Purchase Land & Buildings	(70,000)	(100,000)	(100,000)	(131,691)	(31,691)
	Purchase Land & Buildings - Other Housing	0	(50,000)	(50,000)	(45,239)	4,761
	Old Roads Board Building - Storage, entrance, water tank	(200,000)	(325,000)	(325,000)	(103,570)	221,430
	Recreation Centre - Renewals	(500,000)	(70,000)	(70,000)	0	70,000
	Purchase Land and Buildings	(20,000)	(20,000)	(20,000)	0	20,000
	Caravan Park Chalets/Units - Renewals	(60,000)	(60,000)	(60,000)	(37,338)	22,662
	Caravan Park Disabled Toilets Addition	0	(172,000)	(172,000)	(29,643)	142,357
		(870,000)	(817,000)	(817,000)	(379,323)	437,677
Plant & Equipment						
	Purchase Plant & Equipment - Road Plant Purchases	(904,867)	(964,867)	(964,867)	(841,430)	123,437
		(904,867)	(964,867)	(964,867)	(841,430)	123,437
Furniture & Equipment						
	Purchase Furniture & Equipment - Other Recreation & Sport	0	(55,000)	(55,000)	(50,000)	5,000
		0	(55,000)	(55,000)	(50,000)	5,000
Infrastructure Other						
	Other Infrastructure	(80,000)	(80,000)	(80,000)	(79,901)	99
	Other Infrastructure - Fire Prevention	0	(74,328)	(74,328)	(83,079)	(8,751)
	Infrastructure Other - Solar Initiatives	(20,000)	0	0	0	0
	Cemetery Entrance Road & Carpark	(175,854)	(300,854)	(300,854)	(220,296)	80,558
		(275,854)	(455,182)	(455,182)	(383,277)	71,905
Infrastructure Sewerage						
	Sewerage Upgrade	(60,000)	(60,000)	(60,000)	(21,603)	38,397
		(60,000)	(60,000)	(60,000)	(21,603)	38,397
Infrastructure Parks & Ovals						
	Electric Vehicle Charging Stations	(30,000)	(30,000)	(30,000)	(15,676)	14,324
	Netball Courts - Shed Replacement	(101,640)	(101,640)	(101,640)	(2,123)	99,517
		(131,640)	(131,640)	(131,640)	(17,799)	113,841
Infrastructure Roads						
	Morawa Yalgoo Road	(450,000)	(450,000)	(450,000)	(479,644)	(29,644)
	Nanekine Road	(450,000)	(450,000)	(450,000)	(490,948)	(40,948)
	Canna North East Road	(300,000)	(300,000)	(300,000)	(116,991)	183,009
	Gutha West Rd	(100,000)	(100,000)	(100,000)	(150,620)	(50,620)
	White Road - Gravel Resheeting	(112,000)	(112,000)	(112,000)	(95,691)	16,309
	Black Spot Evaside Rd Expenditure	0	(45,000)	(45,000)	(5,413)	39,587
	Main Street Lighting Upgrade	(110,000)	(110,000)	(110,000)	(459)	109,541
	Townsite Construction - Valentine Street	(60,000)	(60,000)	(60,000)	0	60,000
	Kerbing Construction - Townsite Roads	(50,000)	(50,000)	(50,000)	(45,890)	4,110
		(1,632,000)	(1,677,000)	(1,677,000)	(1,385,656)	291,344
Infrastructure Footpaths						
	Granville Street - Footpath	(65,584)	(65,584)	(65,584)	(61,493)	4,091
	Dreghorn Street - Footpath	(60,936)	(60,936)	(60,936)	(60,514)	422
		(126,520)	(126,520)	(126,520)	(122,007)	4,513
Infrastructure Drainage						
	Drainage Construction	(50,000)	(50,000)	(50,000)	(4,800)	45,200
		(50,000)	(50,000)	(50,000)	(4,800)	45,200
Infrastructure - Playground Equipment						
	Purchase Playground Equipment	(90,000)	0	0	0	0
	Purchase Playground Equipment	0	(110,000)	(110,000)	(74,412)	35,588
		(90,000)	(110,000)	(110,000)	(74,412)	35,588
Infrastructure Aerodrome						
	Community Stewardship Grant Exp - Airport Vermin Fencing	(163,356)	(163,356)	(163,356)	(243)	163,113
		(163,356)	(163,356)	(163,356)	(243)	163,113
		(4,304,237)	(4,610,565)	(4,610,565)	(3,280,549)	1,330,016

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

FINANCING ACTIVITIES

NOTE 9

BORROWINGS

Repayments - borrowings

Information on borrowings			New Loans			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Loan No.	1 July 2022	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing														
24 Harley Street - Staff Housing	136	264,472	0	0	0	15,186	15,186	15,186	249,285	249,286	249,286	10,864	12,046	12,046
Recreation and culture														
Netball Courts Redevelopment	139	182,112	0	0	0	12,169	12,169	12,169	169,944	169,943	169,943	2,615	4,509	4,509
Total		446,584	0	0	0	27,355	27,355	27,355	419,229	419,229	419,229	13,479	16,555	16,555
Current borrowings		27,355							0					
Non-current borrowings		419,229							419,229					
		446,584							419,229					

All debenture repayments were financed by general purpose revenue.

Unspent borrowings

Particulars	Date Borrowed	Unspent Balance 30/06/2022	Borrowed During Year	Expended During Year	Unspent Balance 30 Jun 2023
		\$	\$	\$	\$
New Shed	1 Sep 2020	101,640	0	(2,105)	99,535
		101,640	0	(2,105)	99,535

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

**FINANCING ACTIVITIES
NOTE 10
LEASE LIABILITIES**

Movement in carrying amounts

Information on leases			New Leases			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Lease No.	1 July 2022	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget	Actual	Amended Budget	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Recreation and culture														
Lease - Gymnasium Equipment		28,922	0	0	0	14,479	14,479	28,922	14,443	14,443	0	24	25	202
Total		28,922	0	0	0	14,479	14,479	28,922	14,443	14,443	0	24	25	202
Current lease liabilities		28,922							14,443					
Non-current lease liabilities		0							0					
		28,922							14,443					

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	235,895	948	3,777	5,000	0	0	0	241,843	239,672
Plant Replacement Reserve	584,297	1,734	9,356	300,000	300,000	(300,000)	(300,000)	586,031	593,653
Capital Works Reserve	401,174	1,912	6,424	100,000	82,000	0	0	503,086	489,598
Community & Economic Development Reserve	1,264,779	5,010	18,703	0	0	0	0	1,269,789	1,283,482
Sewerage Reserve	323,579	1,125	5,181	60,000	60,000	0	0	384,704	388,760
Future Fund Grants (Interest) Reserve	209,080	6,660	20,912	0	0	(40,000)	0	175,740	229,992
Future Fund (Principal) Reserve	2,036,179	2,049	10,084	0	0	0	0	2,038,228	2,046,263
Unspent Loans Reserve	101,640	0	0	0	0	(101,640)	0	(0)	101,640
Legal Fees Reserve	26,196	107	419	10,000	10,000	0	0	36,303	36,615
Emergency Response Reserve	247,792	813	3,968	10,000	10,000	0	0	258,605	261,759
Aged Care Units 1-4 (JVA) Reserve	70,870	291	1,135	0	0	0	0	71,161	72,005
Unspent Loans Reserve	254,599	375	4,077	10,000	10,000	0	0	264,974	268,675
Swimming Pool Reserve	100,945	333	1,616	20,000	20,000	0	0	121,278	122,561
COVID-19 Emergency Response Reserve	93,149	0	0	0	0	0	(50,000)	93,149	43,149
Jones Lake Road Rehab Reserve	100,085	207	1,603	50,000	50,000	0	0	150,292	151,688
Morawa-Yalgoo Road Maintenance Reserve	77,708	0	0	70,000	70,000	0	0	147,708	147,708
	6,127,967	21,564	87,253	635,000	862,000	(441,640)	(350,000)	6,342,891	6,727,220

		Opening Balance	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance
Other current liabilities	Note	1 July 2022				30 Jun 2023
		\$		\$	\$	\$
Other liabilities						
- Contract liabilities		528,111	0	0	0	528,111
Total other liabilities		528,111	0	0	0	528,111
Provisions						
Provision for annual leave		186,070	0	0	0	186,070
Provision for long service leave		170,973	0	0	0	170,973
Total Provisions		357,043	0	0	0	357,043
Total other current liabilities		885,154	0	0	0	885,154
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Grants, subsidies and contributions revenue

Provider	Adopted Budget Revenue	Amended YTD Budget	Annual Budget	Budget Variations	YTD Revenue Actual
	\$	\$	\$	\$	\$
Grants, contributions and subsidies					
General purpose funding					
Grants- FAGS WALGGC - General	842,773	842,773	842,773	(985,170)	1,827,943
Grants- FAGS WALGGC - Local Roads	427,983	427,983	427,983	(431,320)	859,303
Law, order, public safety					
Grant - ESL BFB Operating Grant	20,000	20,000	20,000	(564)	20,564
Grant - ESL BFB Operating Grant - Bushfire Risk Planning	149,785	149,785	149,785	38,442	111,343
Education and welfare					
Grant - Youth Events	2,000	8,000	8,000	500	7,500
Other Income	1,500	5,000	5,000	0	5,000
Community amenities					
Grants/Contributions	20,000	20,000	20,000	5,000	15,000
Grants Income	0	80,000	80,000	20,000	60,000
Drummuster Contribution	250	250	250	250	0
Recreation and culture					
Grant Income - Arts & Culture Plan GEN	0	0	0	(25,000)	25,000
Grant - NAIDOC week	2,000	2,000	2,000	(11,636)	13,636
Australia Day Grant	12,000	30,000	30,000	(0)	30,000
Transport					
Grant - Main Roads - Direct	151,000	151,000	151,000	(13,489)	164,489
Street Light Subsidy	10,000	10,000	10,000	5,173	4,827
Maintenance Contribution -Silverlake - Morawa Yalgoo Road	100,000	100,000	100,000	5,842	94,158
Road Maintenance Contribution	55,000	55,000	55,000	22,748	32,252
Other property and services					
Income related to Unclassified	1,000	1,000	1,000	1,000	0
TOTALS	1,795,291	1,902,791	1,902,791	(1,368,225)	3,271,016

Capital grants, subsidies and contributions revenue

Provider	Adopted Budget Revenue	Amended Budget Revenue	Amended YTD Budget	Budget Variations	YTD Revenue Actual
	\$	\$	\$	\$	\$
Capital grants and subsidies					
Law, order, public safety					
Grant - Dept Water & Environment	0	53,728	53,728	48,355	5,373
Community amenities					
Grants - LRCIP GEN	175,854	300,854	300,854	266,041	34,813
Recreation and culture					
Grant - LRCIP - Old Roads Board Building	200,000	325,000	325,000	258,340	66,660
Grant Income - LRCIP	422,000	0	0	(28,367)	28,367
Transport					
Grant - Regional Road Group - Road Projects	600,000	600,000	600,000	0	600,000
Black Sport Grant Income	0	30,000	30,000	30,000	0
Grant - Roads to Recovery	499,971	499,971	499,971	192,604	307,367
LRCIP Grant Income - Transport Construction GEN	0	0	0	(7,181)	7,181
Grant - WA Bicycle Network	63,260	63,260	63,260	10,554	52,706
Grant - Airstrip Upgrade	122,517	81,678	81,678	51,977	29,701
Grant - LRCIP - Tourism & Area Development. GEN	0	172,000	172,000	113,757	58,243
	2,083,602	2,126,491	2,126,491	936,080	1,190,411

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023**

**NOTE 15
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 30 Jun 2023
	\$	\$	\$	\$
Drug Action Group	660	0	0	660
Youth Fund Raising	865	0		865
BRB/BCITF	3,144	4,276	(7,248)	172
	4,669	4,276	(7,248)	1,697

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 JUNE 2023

EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2022-23 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Explanation of positive variances		Explanation of negative variances	
			Timing	Permanent	Timing	Permanent
Revenue from operating activities	\$	%				
General purpose funding - other	1,510,317	111.55%	▲	Positive variance due to receipt of 23/34 FAGS Grant - Local Roads paid in advance.		
Law, order and public safety	(38,518)	(21.97%)	▼		Fire Prevention revenue is tracking lower than budgeted due to refund of under spent Grant for Bushfire Risk Planning.	
Housing	(14,045)	(12.60%)	▼		Both Other Housing and Aged Housing are tracking lower than budgeted due to less revenue received from 345 Grove St and all Aged Care Units with the exceptions of Units 7 & 9.	
Recreation and culture	29,236	22.89%	▲	Positive variance due to receipt of both Art & Culture Plan - Grant Income and Naidoc week income..		
Other property and services	271,169	106.63%	▲	Insurance Claim reimbursements over budget due to 2nd Interim Instalment for Cyclone Seroja.		
Expenditure from operating activities						
Governance	160,513	30.44%	▲	Expenditure account budgets for both Member of Council and Governance General are higher than the actuals with the Audit Fee expense of \$55,000 not yet paid.		
Law, order and public safety	49,530	18.80%	▲	Fire Services Manager for 4 Shires, Fire Hydrant Maintenance, Bushfire Risk Planning Co-Ordinator and Ranger Services tracking GL's tracking lower than budgeted.		
Health	35,027	14.78%	▲		Several GL's within Other Health are tracking higher than budget.	
Education and welfare	88,489	43.88%	▲	Other Welfare expenditure is tracking lower than budgeted.		
Community amenities	232,126	26.32%	▲	Other Community Amenities tracking lower than budgeted in general.		
Economic services	207,865	25.79%	▲	Both Tourism & Area Promotion and Economic Development are both tracking lower the budgeted with the \$40,000 budgeted for the Morawa Future Fund yet to be expensed.		
Other property and services	(186,433)	(176.35%)	▼		Public Works Overheads, Plant Operation Cost are tracking substantially higher than budgeted.	
Investing activities						
Proceeds from Capital grants, subsidies and contributions	(936,080)	(44.02%)	▼		LRCIP and Road Grant income budgets higher than actual Grant and Income received. For Additional Info refer to note 14	
Payments for Infrastructure	763,902	27.54%	▲	Payments for Infrastructure Projects lower the budgeted. As per note 8, 291k roads, 113k parks and ovals and 163k underspent on airport.		
Payments for property, plant and equipment	566,114	30.82%	▲	Payments for Property Plant and equipment is lower than budgeted. 437k land & buildings and 123k P&E.		
Financing activities						
Transfer from reserves	(91,640)	(20.75%)	▼	Transfer from Reserve are budgeted to happen at end on year.		
Transfer to reserves	(292,689)	(44.58%)	▼		Transfer to Reserve are budgeted to happen at end on year.	

Shire of Morawa

Bank Reconciliation Report

For Period Ending 30 June 2023

	Municipal Account	Municipal Online Saver	Trust Account	Reserve Account	Term Deposits - Reserves
Balance as per Bank Statement	3,089,107.07	542,539.25	1,525.11	3,955,220.38	2,100,000.00
Balance as per General Ledger	2,215,680.11	542,539.25	1,696.76	4,627,220.38	2,100,000.00
Unpresented Payments					
Unpresented Payments	-201,802.06				
Muni to Reserve	-672,000.00			\$672,000.00	
Unpresented Payments					
Transfer BCITF to Trust	-171.65		\$171.65		
Outstanding Deposits					
Unallocated Bank Deposits	-553.20				
Outstanding Deposits	1,099.95				
Difference	2,215,680.11 0.00	542,539.25 0.00	1,696.76 0.00	4,627,220.38 0.00	2,100,000.00 0.00

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16726	07/06/2023	North Midlands Electrical	Repair Football Oval Light Switch, New Youth Centre Oven	2,583.78	1
EFT16727	07/06/2023	Department of Fire & Emergency Services	2022/23 Esl Quarter 4 Contribution	5,238.86	1
EFT16728	07/06/2023	Everlastings Guesthouse	Family Room Rate Booking For Shire Project	330.00	1
EFT16729	07/06/2023	McDonalds Wholesalers	Milk Uht Dairy Pc 15Ml	36.95	1
EFT16730	07/06/2023	Refuel Australia	Supply Of Diesel Shire To Depot 9000 Litres	15,182.10	1
EFT16731	07/06/2023	Geraldton Lock and Key Specialists	Supply Hr 4 Drawer Cabinet - Fire Rated & Open Old Cabinet	4,150.00	1
EFT16732	07/06/2023	Geraldton Mower & Repairs Specialists	Various Items For The Small Plant Items - Mowers	557.00	1
EFT16733	07/06/2023	The Paper Company of Australia	A4 80Gsm Optix Red Paper X10	205.15	1
EFT16734	07/06/2023	McLeods Barristers and Solicitors	Use Of Letters Of Administration - Legal Fees For Rates	512.73	1
EFT16735	07/06/2023	Aerodrome Management Services Pty Ltd	Annual Technical Inspection,Mobilisation And Accommodation	16,971.36	1
EFT16736	07/06/2023	Porter Consulting Engineers	Site Surveillance And Inspections For Cemetery Project	11,000.00	1
EFT16737	07/06/2023	Jansen Family Trust T/A Geraldton Air	Inspection Of Compressor And Travel Hours	921.80	1
EFT16738	07/06/2023	Herrings Coastal Plumbing & Gas	Hot Water System Replacement For Shire Residential Property	2,197.77	1
EFT16739	07/06/2023	Blackwoods	Masonry Drill, Dispenser Gun & Chemical Injection For Jubilee P	717.26	1
EFT16740	07/06/2023	SafeRoads WA	Provide Washed Stone 14Mm & 7Mm For Cemetery Project	34,138.49	1
EFT16741	07/06/2023	Coral Coast Homes And Construction	Addition Of Store Room To Morawa Town Hall And Decking	52,633.44	1
EFT16742	07/06/2023	Town of Victoria Park	Recoup Eho Wages Michael Van Der Wiele	2,736.00	1
EFT16743	07/06/2023	Pat's Mobile Mechanical	Grader - Remove Injector & Send Off For Service	2,732.79	1
EFT16744	07/06/2023	Midmech Pty Ltd	Hydraulic To Hydraulic Hoses For Steering On Roller	460.72	1
EFT16745	07/06/2023	IKNOYX MEDICAL SERVICES PTY LTD	Pre-Employment Medical - New Employee	220.00	1
EFT16746	07/06/2023	SMS Group WA	Hire Of Water Cart @\$2,200 Per Week	4,455.00	1
EFT16747	07/06/2023	Founder Enterprises T/as Fortus Group	Grader Blades Heat Treated X 50, Plow Nut And Bolt	12,734.15	1
EFT16748	07/06/2023	Winc	Photocopier Usage Charges And Colour Tabs	217.17	1
EFT16749	07/06/2023	E & MJ Rosher Pty Ltd	Kubota Hh150-32094 Oil Filter	95.76	1
EFT16750	07/06/2023	Australian Services Union	Payroll Deductions	51.80	1
EFT16751	07/06/2023	Department of Human Services	Payroll Deductions	426.21	1
EFT16752	15/06/2023	Building & Construction Industry Training Fund	Building And Construction Industry Training Fund Trust Payment	4,884.98	1
EFT16753	22/06/2023	Australian Services Union	Payroll Deductions	51.80	1
EFT16754	22/06/2023	Department of Human Services	Payroll Deductions	426.21	1
EFT16755	27/06/2023	North Midlands Electrical	Electrical Upgrade Works For Ev Charger Project	16,451.36	1
EFT16756	27/06/2023	Rip-It Security Shredding (Primecode Pty Ltd)	Records Archiving And Storage	104.50	1

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16757	27/06/2023	Morawa Drapery Store	X2 Embroroidary On Shirt And Stell Blue Zip Release Work Boots	242.95	1
EFT16758	27/06/2023	Morawa Traders	Refreshments For Council Meetings And Admin	118.98	1
EFT16759	27/06/2023	Think Water Geraldton	Sds-50E Controllor For Irrigation Management	2,860.45	1
EFT16760	27/06/2023	OCLC (UK) Ltd	Amlib Maintenance - Library Software	1,772.71	1
EFT16761	27/06/2023	Quantum Surveys Pty Ltd	Evaside Road Engineering Survey Quote No: Q1420	5,954.30	1
EFT16762	27/06/2023	Winchester Industries	Supply And Delivery Of 50 Tonne Of Fill Sand	2,707.65	1
EFT16763	27/06/2023	Local Government Professionals Australia WA	Ignite Leadership Program - July 2023 - Nathan Edwards	6,320.00	1
EFT16764	27/06/2023	Atom Supply	10 X Wheel Stops Rubber And Freight	1,253.78	1
EFT16765	27/06/2023	Truckline	Supply Of Truck Wash , Windex, Cable Ties An Washer Broom	669.46	1
EFT16766	27/06/2023	Snap Osborne Park	Rates Notices A4 Full Colour 90Gsm	418.00	1
EFT16767	27/06/2023	IGA Morawa	Iga Purchase - May Total	812.89	1
EFT16768	27/06/2023	Central Regional TAFE	Cert 3 In Civil Construction For Employees X 8	6,240.00	1
EFT16769	27/06/2023	Great Southern Fuel Supplies	Fuel Purchase	384.54	1
EFT16770	27/06/2023	Infinitum Technologies Pty Ltd	Monthly It Support - Trusted Ssl Certificate 1 Year - Shire Website	44.00	1
EFT16771	27/06/2023	Avon Waste	279 Domestic General Waste Services Per Week	7,736.10	1
EFT16772	27/06/2023	Pat's Mobile Mechanical	Remove And Repair Fuel Pump & Reinstall Case X80	6,312.74	1
EFT16773	27/06/2023	Team Global Express	Delivery Of Grader Blades And 2 Parcels	1,901.35	1
EFT16774	27/06/2023	Breeze Connect Pty Ltd	Admin Office Voip Telephone Lines	232.00	1
EFT16775	27/06/2023	Little West Wood	43 Non Local Postage, 56 Local Postage And 250 Shire Snippets	186.87	1
EFT16776	27/06/2023	CORSIGN WA PTY LTD	High Yellow Sign, Long Vehicle Signs And Orange Cones	2,048.20	1
EFT16777	27/06/2023	Australia Day Council Of WA Inc	Annual Membership- Gold Membership Subscription	720.00	1
EFT16778	27/06/2023	Bob Waddell Consultant	Assistance With Monthly Financial Statements	1,650.00	1
EFT16779	27/06/2023	Lydia Highfield Consultancy	Consultancy Fees - Recruitment Of Emwa 2023	4,850.00	1
EFT16780	27/06/2023	NodeOne	Nodeone Fixed Wireless N1 Home Fast	119.00	1
EFT16781	27/06/2023	Fleet Fitness	Callout 19/4 General Scheduled Service	1,408.00	1
EFT16782	27/06/2023	AFGRI Equipment	Filter Elements X 6 And Oil Filter X2	689.04	1
EFT16783	27/06/2023	Resonline Pty Ltd	Monthly Subscription To Room Manager Booking Software	134.31	1
EFT16784	27/06/2023	Thurkle's Earthmoving & Maintenance P/L	Wet Hire Of Cat Dozer - Landfil Rehab And Material Stockpile	19,250.00	1
EFT16785	27/06/2023	Industrial Automation Industrial Automation	Annual Cloud Server Access 1Y & Standpipe Remote Access 3Y	2,665.30	1
EFT16786	27/06/2023	LG Best Practices Pty Ltd	Completion Of Month End Rates Balancing And Queries	165.00	1
EFT16787	27/06/2023	Cloud Collections Pty Ltd	Debt Collection Service - Rates	1,278.55	1

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16788	27/06/2023	Port Denison Plumbing	Fit New 250Lt Hot Water System On Shire Residential Property	4,132.60	1
EFT16789	27/06/2023	Brooks Hire	Hitachi Excavator Hire	1,897.43	1
EFT16790	27/06/2023	SMS Group WA	Hire Of Water Cart @\$2,200 Per Week	9,900.00	1
EFT16791	27/06/2023	West Coast FM Group	Supply & Install Artwork - Jubilee Park Street Bond	26,410.56	1
EFT16792	27/06/2023	Winc	Stationary Order & Archive Boxes	133.21	1
EFT16793	27/06/2023	Central West Concrete PTY LTD	Supply And Deliver Concrete For Jubilee Park	814.00	1
EFT16794	27/06/2023	Incite Security	Quarterly Monitoring Service Fee	126.00	1
EFT16795	30/06/2023	North Midlands Electrical	Electrical Maintenance Various Shire Venues And Properties	3,058.56	1
EFT16796	30/06/2023	BOC Limited	Annual Container Service Charge	935.29	1
EFT16797	30/06/2023	Nutrien Ag Solutions	20 Lt Drum Of Liquid Chlorine X42 For Sewerage	1,386.00	1
EFT16798	30/06/2023	WesTrac Equipment Pty Ltd	Air Condition Check And Service And Travel Fee	5,685.59	1
EFT16799	30/06/2023	Left of Centre Concepts & Events Pty Ltd	General Consultancy - 76 Hours	9,009.00	1
EFT16800	30/06/2023	Eastman Poletti Sherwood Pty Ltd	Morawa Town Hall - Landscaping, Work Completed To Date	8,013.50	1
EFT16801	30/06/2023	McLeods Barristers and Solicitors	Effect Of Consent Orders On Rate Recovery	269.50	1
EFT16802	30/06/2023	Logo Appointments WA	Employment Of Contract Sfo For Approximately 6Months @	2,588.65	1
EFT16803	30/06/2023	Dongara Tree Service	Trim Palms At Swimming Pool Trim Trees Around Town As Instructed	14,025.00	1
EFT16804	30/06/2023	Simon Rob Taylor	Healthy Living Reimbursement.	150.00	1
EFT16805	30/06/2023	CJD Equipment PTY LTD	Air Dryer For Street Sweeper	2,981.72	1
EFT16806	30/06/2023	DMIRS (Department of Mines, Industry Regulation	Payment Of Bsl Levies Due	3,282.79	1
EFT16807	30/06/2023	Mitchell and Brown Communications	Monthly Security Monitoring	50.00	1
EFT16808	30/06/2023	G W Mechanical (Glen Wallace)	Service Nissian Patrol 100000 Km Service	789.10	1
EFT16809	30/06/2023	Rahul Ramabhadran	Work Phone Case And Screen Protector	50.00	1
EFT16810	30/06/2023	IKNOYX MEDICAL SERVICES PTY LTD	Pre-Employment Medical And D&A Screen	82.50	1
EFT16811	30/06/2023	Bellaluca Construction	Hair Dressing Salon Demolition,	37,247.33	1
EFT16812	30/06/2023	Clare Nash	Gym Bond Reimbursement	30.00	1
EFT16813	30/06/2023	Ausrecord Pty Ltd	2D Extra File With Fasteners Pre Attached	648.45	1
EFT16814	05/07/2023	North Midlands Electrical	Supply And Install Airconditioners To Shire Units	9,911.50	1
EFT16815	05/07/2023	Rip-It Security Shredding (Primecode Pty Ltd)	Records Archiving And Storage	179.50	1
EFT16816	05/07/2023	TP & MB Shields	Spread, Level And Compact Sand Pads. Wildflower Park	2,586.10	1
EFT16817	05/07/2023	Morawa Drapery Store	High Visability Jacket 3 Xl	69.95	1
EFT16818	05/07/2023	Nutrien Ag Solutions	Kings Rt-200 Rhino Tank & 80Mm Fire Outlet	18,746.99	1

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
EFT16819	05/07/2023	Think Water Geraldton	Sprinkler control system	1,970.75	1
EFT16820	05/07/2023	Canine Control	Ranger Services	2,956.47	1
EFT16821	05/07/2023	Quantum Surveys Pty Ltd	Kerb Setout - Morawa Cemetery	2,326.50	1
EFT16822	05/07/2023	Cramer & Neill	Replace Existing A/C With 4 Split System Units A Per Quote 19913	22,045.33	1
EFT16823	05/07/2023	Winchester Industries	5Mm Washed Stone And 7 Mm Washed Stone.	17,985.56	1
EFT16824	05/07/2023	Frank Gilmour	Inspection ,Baiting And General Pest Spraying Of All Shire Houses	4,775.00	1
EFT16825	05/07/2023	Bunnings Group Limited	12X4Lt Tinpaint All Colours	1,636.68	1
EFT16826	05/07/2023	Logo Appointments WA	Employment Of Contract Sfo For Approximately 6Months	2,876.28	1
EFT16827	05/07/2023	Alinta Sales Pty Ltd	Electricity Charges	1,347.92	1
EFT16828	05/07/2023	LGISWA	Eap Services For 85 Total Employees	5,445.00	1
EFT16829	05/07/2023	Coates Hire	Hire Of 2 Multi Tyre Adjustable Balance Rollers As Per Quote 1416083	5,707.79	1
EFT16830	05/07/2023	Northstar Asset Pty Ltd	School Holiday'S Movie Screening Licence And Postage	808.50	1
EFT16831	05/07/2023	Herrings Coastal Plumbing & Gas	Hot Water System Repair Due To Low Water Pressure	1,276.95	1
EFT16832	05/07/2023	IGA Morawa	Iga Purchase From 01/06/2023-17/06/2023	278.85	1
EFT16833	05/07/2023	RJ & LJ King	Repair Tyre 17.5 Grader Tyre	154.00	1
EFT16834	05/07/2023	Forpark Australia	Wildflower Park Furniture Supply And Install	31,139.02	1
EFT16835	05/07/2023	Infinitum Technologies Pty Ltd	Monthly It Support	5,312.34	1
EFT16836	05/07/2023	Mitchell and Brown Communications	Annual Security Monitoring At Youth Centre	792.46	1
EFT16837	05/07/2023	Coral Coast Homes And Construction	Addition Of Store Room To Morawa Town Hall	35,241.56	1
EFT16838	05/07/2023	Team Global Express	Freight Charges	26.41	1
EFT16839	05/07/2023	Breeze Connect Pty Ltd	Admin Office Voip Telephone Lines	232.00	1
EFT16840	05/07/2023	CORSIGN WA PTY LTD	Sign Order - Signs W6-1 B And Signs W6-3 B	686.40	1
EFT16841	05/07/2023	Bob Waddell Consultant	Assistance With Monthly Financial Statements	1,031.25	1
EFT16842	05/07/2023	Core Business Australia PTY Ltd	1084 Agrn Flooding March 2022	16,871.47	1
EFT16843	05/07/2023	G W Mechanical (Glen Wallace)	Carries Out Service On Ute 27826 Klm	383.25	1
EFT16844	05/07/2023	Kick Solutions	Supply 7X A2 Stencils, Cut From 1.6Mm Clear Polyguard	300.00	1
EFT16845	05/07/2023	Winc	Photocopier Usage Charges From July 2022 To June 2023	833.23	1

Total Eft Payments 604,203.10

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
DD9383.1	01/06/2023	Exetel Pty Ltd	Monthly Charge On Plan Tmll100R1Unlimited 975 For June 2023	780.00	1
DD9367.6	02/06/2023	Synergy	Electricity Expense For Shire Property	411.49	1
DD9391.1	05/06/2023	Telstra Corporation Limited	Telephone Expenses For Shire Property	50.00	1
DD9367.2	06/06/2023	Synergy	Electricity Expense For Shire Property	244.19	1
DD9345.11	07/06/2023	HESTA	Superannuation Contributions	251.29	1
DD9345.10	07/06/2023	HOSTPLUS Superannuation Fund	Superannuation Contributions	285.68	1
DD9345.1	07/06/2023	Aware Super	Payroll Deductions	5,837.73	1
DD9345.4	07/06/2023	mobiSuper	Superannuation Contributions	300.51	1
DD9345.5	07/06/2023	Australian Super	Superannuation Contributions	1,489.69	1
DD9345.2	07/06/2023	Maritime Super	Superannuation Contributions	302.23	1
DD9345.6	07/06/2023	Hawkins Super	Superannuation Contributions	934.80	1
DD9345.7	07/06/2023	MLC Super Fund	Superannuation Contributions	490.94	1
DD9345.3	07/06/2023	Australian Retirement Trust	Payroll Deductions	411.30	1
DD9345.9	07/06/2023	MLC Super Fund	Superannuation Contributions	262.30	1
DD9345.8	07/06/2023	CBUS	Superannuation Contributions	208.25	1
DD9367.4	08/06/2023	Synergy	Electricity Expense For Shire Property	2,482.15	1
DD9367.1	09/06/2023	Synergy	Electricity Expense For Shire Property	311.90	1
DD9384.1	15/06/2023	Westnet Pty Ltd	Monthly Internet Tourism Centre For June 2023	29.95	1
DD9382.1	15/06/2023	Fleet Partners Pty Limited	Monthly Lease On Bush Fire Planning Officer June 2023	1,089.00	1
DD9365.3	16/06/2023	Telstra Corporation Limited	Telephone Expenses For Shire Adminstration	1,041.36	1
DD9367.3	19/06/2023	Synergy	Electricity Expense For Shire Property	1,348.26	1
DD9356.11	21/06/2023	HESTA	Superannuation Contributions	251.29	1
DD9356.10	21/06/2023	HOSTPLUS Superannuation Fund	Superannuation Contributions	285.68	1
DD9365.1	21/06/2023	Telstra Corporation Limited	Telephone Expenses For Shire	112.23	1
DD9356.9	21/06/2023	MLC Super Fund	Superannuation Contributions	262.30	1
DD9356.8	21/06/2023	CBUS	Superannuation Contributions	208.25	1
DD9356.7	21/06/2023	MLC Super Fund	Superannuation Contributions	485.78	1
DD9356.6	21/06/2023	Hawkins Super	Superannuation Contributions	1,088.55	1
DD9356.5	21/06/2023	Australian Super	Superannuation Contributions	1,578.53	1
DD9356.4	21/06/2023	mobiSuper	Superannuation Contributions	363.75	1

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
DD9356.3	21/06/2023	Australian Retirement Trust	Payroll Deductions	411.30	1
DD9356.2	21/06/2023	Maritime Super	Superannuation Contributions	302.23	1
DD9356.1	21/06/2023	Aware Super	Payroll Deductions	6,319.00	1
DD9333.3	22/06/2023	Telstra Corporation Limited	Doctors Residence Landline Exp	109.77	1
DD9367.5	22/06/2023	Synergy	Electricity Expense For Shire Property	3,935.53	1
DD9365.2	27/06/2023	Telstra Corporation Limited	Telephone Expenses For Shire Property	507.66	1
DD9378.1	17/07/2023	Synergy	Electricity Usage: 27 Apr 23 - 26 Jun 2023	1,478.87	1
DD9378.2	04/07/2023	Synergy	Electricity Usage: 27 Apr 23 - 26 Jun 2023	190.39	1
DD9379.1	18/07/2023	Synergy	Electricity Usage: 27 Apr 23 - 26 Jun 2023	1,045.06	1
DD9380.1	20/07/2023	Synergy	Electricity Usage: 28 Apr 23 - 27 Jun 2023	2,486.61	1
DD9388.1	17/07/2023	Synergy	Electricity Usage: 27 Apr 23 - 26 Jun 2023	144.23	1

Total Direct Debit Payments **40,130.03**

	01/06/2023	Bank West	Bank Charges	73.20	1
	05/06/2023	Bank West	Merchant Fees	450.68	1
	23/06/2023	Australian Taxation Office	BAS payment for May	13,443.00	1
	07/06/2023	Payroll	Payroll For Pay Cycle - Week50	56,493.88	1
	16/06/2023	WA Treasury Corp	Payment of Loan 136	12,716.11	1
	22/06/2023	Payroll	Payroll For Pay Cycle - Week52	61,642.77	1
	30/06/2023	Bank West	Reserve Transfers	672,000.00	
	30/06/2023	Department of Transport	Being Payment Of Licensing Collection	20,539.95	1
	30/06/2023	Australian Taxation Office	Payment to ATO of outstanding Liabilities	17,320.96	1
	30/06/2023	Corrections to Rates	Corrections to receipting Journal 1808	176.00	1
	30/06/2023	Corrections to Debtors	Corrections to receipting Batches 42018	289.83	1
	30/06/2023	Centrelink	Centrlink 0.99 Sundry debtors fees	18.81	1
	30/06/2023	Payroll Creditors	Payroll employee Deduction Payments	855.00	1
	30/06/2023	Corrections to Receipts	Adjustment Journals	2,068.00	1

Total Bank Transfers/ Payments **858,088.19**

Shire of Morawa List of Payments Report

For Period Ending 30 June 2023

Chq/EFT	Date	Name	Description	Amount	Bank
2223-12.01	05/06/2023	Bank West	Corporate Card Purchases Paid In May 2023	1,131.94	1
		EMCCS - Corporate Credit Card			
	2/05/2023	Crown Perth	Refund for Hotel Excess Charge	-78.66	
	7/05/2023	Caltex Hamilton Hill	Fuel for shire vehicle	90.04	
	9/05/2023	Shire of Morawa	Change of Plates for New grader	30.50	
	13/05/2023	Spotlight 107	Manchester For caravan Park	396.10	
	27/05/2023	Bunnings	Entrance Door Knob for shire residential property	34.00	
	27/05/2023	Spotlight 107	Manchester for shire residential accomodation	204.70	
	29/05/2023	Ink station	Ink Cartridges for Office Printers	187.01	
			Sub Total	863.69	
		CEO - Corporate Credit Card			
	2/05/2023	Bindoon Roadhouse	Fuel for Shire Vehicle	94.46	
	3/05/2023	AGUAGENTRY PTY LTD	Wrong Card Used - Reimbursed	9.79	
	5/05/2023	Zoom.US	Zoom Standard Pro Monthly Subscription For Council	22.39	
	5/05/2023	Bank West	Foreign Transaction Fee (Zoom)	0.66	
	18/05/2023	Petals Network Pty Ltd	Flowers for employee bereavement	140.95	
			Sub Total	268.25	

TOTAL Corporate Credit Card Payment 1,131.94

Ordinary Council Meeting 20 July 2023

Attachment 1- 12.1a Minutes of WALGA State Council Meeting, 5 July 2023

Item 12.1 July 2023 Minutes of WALGA State Council Meeting

State Council

Summary Minutes

5 July 2023





Ordinary meeting no. 3 of 2023 of the Western Australian Local Government Association (WALGA) State Council held in the boardroom at ONE70, LV1, 170 Railway Parade, West Leederville on Wednesday, 5 July 2023.

OPEN and WELCOME

The Chair declared the meeting open at 4:15pm.

1. ATTENDANCE & APOLOGIES

1.1 Attendance

The Chair welcomed:

- State Councillors
- LG Professionals WA President, Ms Annie Riordan
- WALGA secretariat

1.2 Apologies

- Goldfields Esperance Country Zone State Councillor, President Cr Laurene Bonza
- Goldfields Esperance Country Zone Deputy State Councillor, President Cr Malcolm Cullen
- Northern Country Zone State Councillor, President Cr Moira Girando
- Northern Country Zone Deputy State Councillor, Cr Isabel Scott
- The Rt. Hon. Lord Mayor Basil Zempilas
- South East Metropolitan Zone Deputy State Councillor, Cr Melissa Northcott (observer)

2. ACKNOWLEDGEMENT OF COUNTRY

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Noongar People, where WALGA is located and we acknowledge and pay respect to Elders past and present.

WALGA is committed to supporting the efforts of WA Local Governments to foster respectful partnerships and strengthen relationships with local Aboriginal communities.

3. ANNOUNCEMENTS

3.1 WALGA Policy Priorities Workshop

Invitations have been sent to all State Councillors for a Policy Priorities Workshop on Thursday, 3 August at the WALGA offices at ONE70.

Earlier this year, WALGA established its policy priorities for 2023. A copy of this document can be found [here](#). We are commencing a process to update these priorities, to inform our policy development and advocacy over the next term of Government. As part of this process, we will be hosting a policy prioritisation workshop with the State Council. This will be externally facilitated.

Noted

4. MINUTES OF THE PREVIOUS MEETINGS

4.1 Minutes of the State Council meeting held 3 May 2023

RECOMMENDATION

Moved: Mayor Logan Howlett JP

Seconded: Cr Catherine Ehrhardt

That the Minutes of the WALGA State Council meeting held on [Wednesday, 3 May 2023](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 459.3/2023

CARRIED

4.1.1 Business arising from the Minutes of meeting held 3 May 2023

Nil.

4.2 Flying Minute – Submission for 2023 State Wage Case

RECOMMENDATION

Moved: Mayor Logan Howlett JP

Seconded: Cr Catherine Ehrhardt

That the [Flying Minute – Submission for 2023 State Wage Case](#) be confirmed as a true and correct records of proceedings.

RESOLUTION 459.3/2023

CARRIED

4.2.1 Business arising from the Flying Minute – Submission for 2023 State Wage Case

Nil.

5. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

- Mayor Logan Howlett JP declared an impartiality interest in item 7.8 Selection Committee Flying Minute.

6. EMERGING ISSUES

Nil.

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7. MATTERS FOR DECISION

7.1 Review of Urban Forest Advocacy Position

By Chris Hossen, Policy Manager, Planning and Building

WALGA RECOMMENDATION

That WALGA endorse a new Advocacy Position 4.6 Urban Forest as follows:

To promote the growth of Western Australia's urban forest the State Government should:

- 1. Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.***
- 2. In consultation with Local Government:***
 - a. Develop an Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:***
 - i. an overall tree canopy target for the Perth and Peel regions,***
 - ii. robust and contemporary data to inform decision making,***
 - iii. funding mechanisms to support growth in urban canopy.***
 - b. Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:***
 - i. an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development.***
 - ii. prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities.***
 - iii. consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.***
- 3. Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.***
- 4. Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.***

COMPOSITE RECOMMENDATION

That WALGA endorse a new Advocacy Position 4.6 Urban Forest as follows:

To promote the growth of Western Australia's urban forest the State Government should:

- 1. Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.**
- 2. In consultation with Local Government:**
 - a. Develop a state-wide Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:**
 - i. a minimum tree canopy target of 30% by 2040 for the Perth and Peel regions,**
 - ii. robust and contemporary data to inform decision making,**
 - iii. funding mechanisms to support growth in urban canopy.**
 - b. Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:**
 - i. an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development,**
 - ii. incentivising the provision and retention of trees on private property within the state planning framework,**
 - iii. prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities,**
 - iv. consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.**
- 3. Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.**
- 4. Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.**

ALTERNATE MOTION

The alternate motion is changing the order of the recommendations only.

Moved: Cr Catherine Ehrhardt

Seconded: Cr John Daw

That WALGA endorse a new Advocacy Position 4.6 Urban Forest as follows:

To promote the growth of Western Australia's urban forest the State Government should:

- 1. Identify a lead agency with responsibility for setting the strategic direction and oversight of urban forest initiatives.**
- 2. Provide recurrent funding for a comprehensive and accessible Urban Greening Grant program to support Local Government investment in public realm planting, focusing on high urban heat areas and enhancing biodiversity outcomes.**
- 3. In consultation with Local Government:**
 - a. Develop a state-wide Urban Forest Strategy, based on the overarching principles of a resilient, connected, expanded and equitable urban forest including:**
 - i. a minimum tree canopy target of 30% by 2040 for the Perth and Peel regions,**
 - ii. robust and contemporary data to inform decision making,**
 - iii. funding mechanisms to support growth in urban canopy.**
 - b. Develop contemporary legislative and policy mechanisms to enable the protection and growth of urban forest, including:**
 - i. an effective and efficient regulatory mechanism that allows Local Government to consider the removal or alteration of a significant tree as a form of development,**
 - ii. incentivising the provision and retention of trees on private property within the state planning framework,**
 - iii. prioritisation of trees and vegetation as a key structural element in the design of new neighbourhoods to facilitate climate resilient and liveable communities,**
 - iv. consideration of public realm design to maximise opportunities for tree retention and new planting consistent with any tree canopy targets.**
- 4. Work with Local Government and other stakeholders to increase community awareness and promote behaviour change in relation to urban forest growth and retention to support State and Local Government targets and action.**

RESOLUTION 460.3/2023

CARRIED

7.2 State Planning Policy 3.7 Bushfire

By Chris Hossen, Policy Manager, Planning and Building

WALGA RECOMMENDATION

Moved: Mayor Ruth Butterfield
Seconded: President Cr Michelle Rich

That WALGA endorse the submission on *State Planning Policy 3.7 Bushfire* and the *Planning for Bushfire Guidelines*.

RESOLUTION 461.3/2023

CARRIED

7.3 Reforming WA Disability Legislation Submission

By Alina Hobson, Policy Officer Community

WALGA RECOMMENDATION

Moved: President Cr Michelle Rich
Seconded: President Cr Chris Pavlovich

That WALGA endorse the submission to the Department of Communities relating to the *Consultation Paper – Reforming WA Disability Legislation*.

RESOLUTION 462.3/2023

CARRIED

7.4 Landfill Bans Advocacy Position

By Rebecca Brown, Manager, Waste and Environment

WALGA RECOMMENDATION

That WALGA endorse the following Landfill Ban Advocacy Position:

Landfill bans are not supported in the absence of effective product stewardship schemes, or other funding mechanisms, for products which would be subject to the ban.

COMPOSITE RECOMMENDATION

Moved: Cr Doug Thompson

Seconded: Cr Chris Mitchell

That WALGA endorse the following Landfill Ban Advocacy Position:

Landfill bans are only supported in the presence of effective product stewardship schemes, or other funding mechanisms, for products which would be subject to the ban.

RESOLUTION 463.3/2023

CARRIED

7.5 Audit Experience Survey Results Summary and Advocacy Position

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That:

- 1. State Council note the Audit Experience Survey Results Summary; and**
- 2. WALGA advocate to the Office of the Auditor General (OAG) to reform the audit process for Local Governments by seeking:**
 - a. Audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied.**
 - b. That the OAG review the requirements for pre-audit information with a view to reducing the need for additional information where possible;**
 - c. That the OAG review their costing formulae for Local Government audits and show constraint in audit cost increases;**
 - d. That the OAG provide a breakdown on the cost of the audit and justification for any variance to the estimate to the Local Government as part of the final billing process;**
 - e. That auditors be required to improve their communication and information management and avoid repeated requests for information that has already been provided;**
 - f. That Local Governments only be required to communicate with contract Auditors (*unless the OAG is directly auditing the Local Government*) and the onus be placed on the contract Auditors to confirm their advice with the OAG before instructing the Local Government; and**
 - g. In-conjunction with the Department of Local Government, Sport and Cultural Industries, review the application of Fair Value principles in the context of the audit.**

COMPOSITE RECOMMENDATION

Moved: Cr Chris Mitchell
Seconded: Mayor Logan Howlett JP

That:

1. State Council note the Audit Experience Survey Results Summary; and
2. WALGA advocate to the Office of the Auditor General (OAG) to reform the audit process for Local Governments by seeking:
 - a. Audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied.
 - b. That the OAG review the requirements for pre-audit information with a view to reducing the need for additional information where possible;
 - c. That the OAG review their costing formulae for Local Government audits and show constraint in audit cost increases;
 - d. That the OAG provide a breakdown on the cost of the audit and justification for any variance to the estimate to the Local Government as part of the final billing process;
 - e. That auditors be required to improve their communication and information management and avoid repeated requests for information that has already been provided or that is publicly available;
 - f. That Local Governments only be required to communicate with contract Auditors (*unless the OAG is directly auditing the Local Government*) and the onus be placed on the contract Auditors to confirm their advice with the OAG before instructing the Local Government;
 - g. In-conjunction with the Department of Local Government, Sport and Cultural Industries, review the application of Fair Value principles in the context of the audit; and
 - h. Seek an opportunity for Local Government to make representations in relation to any adverse findings prior to the publication of the report.

RESOLUTION 464.3/2023

CARRIED

7.6 Amendments to WALGA's Constitution

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: President Cr Chris Pavlovich

Seconded: Mayor Patrick Hall

That State Council endorse putting two items to the 2023 Annual General Meeting that:

- 1. propose a new Constitution to give effect to the alternate governance model as per the attached; and**
- 2. amend the Constitution to retain the current governance model with necessary changes, as per the attached mark-up.**

VOTING REQUIREMENT: 75% SPECIAL MAJORITY

AMENDMENT

Moved: Cr Les Price

Seconded: President Cr Tony Dean

- 1. In recommendation point 1, delete “propose” and replace with “considers”;**
- 2. In recommendation 1 point 1, add the words “subject to amending clause 2 in respect to the definition of “Special Majority” by inserting the words “the Board or of” after the words “in relation to” and inserting the words “the Board Members or” after the words “comprising enough of” and amending clause 32 as per the following;**
 - a. Replace “An Absolute” with “A Special”; and**
 - b. Insert the word “Special” before majority and delete “of not less than 75%”.**

The intent of amendment point 2 is to require a Special Majority of Board Members to approve any constitutional change rather than an Absolute Majority.

THE AMENDMENT WAS PUT AND CARRIED

RESOLUTION 465.3/2023

CARRIED

THE MOTION NOW READS:

That State Council endorse putting two items to the 2023 Annual General Meeting that:

- 1. considers a new Constitution to give effect to the alternate governance model as per the attached, subject to amending clause 2 in respect to the definition of “Special Majority” by inserting the words “the Board or of” after the words “in relation to” and inserting the words “the Board Members or” after the words “comprising enough of” and amending clause 32 as per the following:**
 - a. Replace “An Absolute” with “A Special”; and**
 - b. Insert the word “Special” before majority and delete “of not less than 75%”;**
and
- 2. amend the Constitution to retain the current governance model with necessary changes, as per the attached mark-up.**

AMENDMENT

Moved: President Cr Phil Blight
Seconded: President Cr Michelle Rich

1. In recommendation 1, insert the words “subject to amending clause 23(k) as per the following:
 - a. Replace the words “a candidate” with the words “an endorsed candidate”;
 - b. Insert the word “or” before “on or after the date”;
 - c. Insert the words “whichever comes first” after the word “issued”.
2. In recommendation 2, insert the words “subject to amending clause 22(k) as per the following:
 - a. Replace the words “a candidate” with the words “an endorsed candidate”;
 - b. Insert the word “or” before “on or after the date”;
 - c. Insert the words “whichever comes first” after the word “issued”.

The intent of the amendment is for clause (k) to read:

“an endorsed candidate for election to State or Federal Parliament or on or after the date of the election writ is issued, whichever comes first.”

THE AMENDMENT WAS PUT AND LOST

THE SUBSTANTIVE MOTION WAS PUT

That State Council endorse putting two items to the 2023 Annual General Meeting that:

1. considers a new Constitution to give effect to the alternate governance model as per the attached, subject to amending clause 2 in respect to the definition of “Special Majority” by inserting the words “the Board or of” after the words “in relation to” and inserting the words “the Board Members or” after the words “comprising enough of” and amending clause 32 as per the following:
 - a. Replace “An Absolute” with “A Special”; and
 - b. Insert the word “Special” before majority and delete “of not less than 75%”;
and
2. amend the Constitution to retain the current governance model with necessary changes, as per the attached mark-up.

RESOLUTION 466.3/2023

CARRIED BY 75% SPECIAL MAJORITY

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

7.7 Finance and Services Committee Minutes incorporating the Governance Budget 2023-24 – 28 June 2023 – CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Cr David Lagan
Seconded: Cr Frank Cvitan

That:

1. the Minutes of the Finance and Services Committee meeting held on 28 June 2023 be endorsed; and
2. the Governance Budget 2023-24, being for the full year ending 30 June 2024, as recommended by the Finance and Services Committee be endorsed.

VOTING REQUIREMENT: ABSOLUTE MAJORITY

RESOLUTION 467.3/2023

CARRIED BY ABSOLUTE MAJORITY

7.8 Selection Committee Flying Minute – 20 June 2023 – CONFIDENTIAL

By Chantelle O'Brien, Governance Support Officer

Mayor Logan Howlett JP declared an interest in this item and left the meeting at 5:18pm.

WALGA RECOMMENDATION

Moved: Cr Paul Kelly
Seconded: Cr Les Price

That the recommendations contained in the 20 June 2023 Selection Committee Flying Minute be endorsed.

RESOLUTION 468.3/2023

CARRIED

Mayor Logan Howlett JP returned to the meeting at 5:19pm.

7.9 LGIS Fees and Board Minutes – CONFIDENTIAL

By Craig Hansom, Manager Commercial Contract Services, Member Services

WALGA RECOMMENDATION

Moved: Cr Doug Thompson

Seconded: Cr Helen Sadler

That State Council:

- 1. Approve the annual Scheme Management fee payable to JLT is increased by 3.71% for the 2023-24 financial year as recommended by the LGIS Board;**
- 2. Approve a 3.71% increase to the WALGA Trustee Fee from the Scheme;**
- 3. Endorse the reappointment of Mary Woodford as an Independent Director of the LGIS Board for a three-year term upon the expiry of her current term on 31 December 2023; and**
- 4. Note the minutes of the LGISWA Scheme Board meeting held on 11 May 2023.**

RESOLUTION 469.3/2023

CARRIED

7.10 Local Government House Trust Board of Management Minutes – 28 June 2023 – CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: Cr Chris Mitchell

Seconded: Cr Doug Thompson

That the Minutes of the Local Government House Trust board of management meeting held on 28 June 2023 be noted.

RESOLUTION 470.3/2023

CARRIED

7.11 Use of the Association's Common Seal**WALGA RECOMMENDATION**

Moved: Cr Doug Thompson
Seconded: Cr Chris Mitchell

That the use of the Association's Common Seal be noted.

RESOLUTION 471.3/2023

CARRIED

The Association's Common Seal was used on 29 June 2023. Details below.

Document	Document Description	Signatories	State Council prior approval
Fourth Deed of Amendment to Facility Agreement	New Building Loan Facility between the Commonwealth Bank, WALGA and Qube to extend the loan facility over 170 Railway Parade West Leederville, from 1 July 2023 to 24 January 2024.	WALGA in the capacity as Trustee for the Local Government House Trust Karen Chappel President Nick Sloan WALGA CEO	No

7.12 CEO Performance Review Report 2022-2023 – CONFIDENTIAL

Ms Annie Riordan and all WALGA staff left the meeting at 5:26pm.

Mr Nick Sloan, WALGA CEO, returned to the meeting at 5:28pm.

WALGA RECOMMENDATION

Moved: Cr Paul Kelly

Seconded: Mayor Logan Howlett JP

That State Council:

- 1. Note the appraisal of Mr Nick Sloan Chief Executive Officer has been completed for the period of July 2022 to June 2023.**
- 2. Endorse the findings of the 2022-23 Annual Performance Review Report as presented by Price Consulting and thank Mr Sloan for his efforts.**
- 3. Endorse the proposed CEO's Performance Criteria for the 2023-2024 period, as per the attached report.**
- 4. Endorse the next annual performance review process to include 360-degree feedback.**

RESOLUTION 472.3/2023

CARRIED

Ms Annie Riordan and all remaining WALGA staff returned to the meeting at 5:31pm.

8. POLICY TEAM AND COMMITTEE REPORTS

8.1 Environment and Waste Policy Team Report

Presented by Policy Team Chair, Cr Les Price

WALGA RECOMMENDATION

Moved: Cr Les Price

Seconded: Mayor Logan Howlett JP

That State Council note the matters considered by the Environment and Waste Policy Team.

RESOLUTION 473.3/2023

CARRIED

8.2 Governance and Organisational Services Policy Team Report

Presented by Policy Team Chair, Cr Russ Fishwick

WALGA RECOMMENDATION

Moved: Cr Russ Fishwick JP

Seconded: Cr Chris Mitchell

That State Council:

- 1. retain, without amendment, Advocacy Positions:
(a) 2.1.10 Recovery of Rates and Service Charges; and
(b) 2.5.31 Annual Electors' General Meetings;**
- 2. delete Advocacy Position 2.5.25 Attendance at Council Meetings by Technology; and**
- 3. notes that the Governance and Organisational Services Policy Team endorsed the WALGA 2023 State Wage Case submission.**

RESOLUTION 474.3/2023

CARRIED

8.3 Infrastructure Policy Team Report

Presented by Policy Team Chair, President Cr Chris Pavlovich

WALGA RECOMMENDATION

Moved: President Cr Chris Pavlovich

Seconded: Cr Helen Sadler

That State Council note the matters considered by the Infrastructure Policy Team.

RESOLUTION 475.3/2023

CARRIED

8.4 People and Place Policy Team Report

Presented by Policy Team Chair, President Cr Tony Dean

WALGA RECOMMENDATION

Moved: President Cr Tony Dean

Seconded: Cr Frank Cvitan

That State Council note the matters considered by the People and Place Policy Team.

RESOLUTION 476.3/2023

CARRIED

8.5 Municipal Waste Advisory Council (MWAC) Report

Presented by MWAC Chair, Cr Doug Thompson

WALGA RECOMMENDATION

Moved: Cr Doug Thompson

Seconded: Mayor Logan Howlett

That State Council note the resolutions of the 19 April 2023 Municipal Waste Advisory Council.

RESOLUTION 477.3/2023

CARRIED

9. MATTERS FOR NOTING / INFORMATION

9.1 Flying Minute – Submission to 2023 State Wage Case

By Davina Hunter, Employee Relations Service Manager

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the WALGA 2023 State Wage Case submission, as endorsed by State Council via Flying Minute.

RESOLUTION 478.3/2023

CARRIED

9.2 Environmental Protection Amendment Regulations 2022: Consultation Response

By Chris Hossen, Policy Manager, Planning and Building

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the consultation response to the Environmental Protection Amendment Regulations 2022.

RESOLUTION 478.3/2023

CARRIED

9.3 Local Government Performance Monitoring Project

By Chris Hossen, Policy Manager, Planning and Building

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the results of the 2021-22 Local Government Performance Monitoring Project.

RESOLUTION 478.3/2023

CARRIED

9.4 Street Lighting Tariffs

By Dana Mason, Manager Economics

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the update on the 2023-24 street lighting tariffs.

RESOLUTION 478.3/2023

CARRIED

9.5 2023-24 Federal and State Budgets

By Daniel Thomson, Economist

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the update on the 2023-24 Federal and State Budgets and impacts on Local Government.

RESOLUTION 478.3/2023

CARRIED

9.6 Update on the Commencement of the *Aboriginal Cultural Heritage Act 2021*

By Hannah Godsave, Senior Policy Advisor Community

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the update on the *Aboriginal Cultural Heritage Act 2021*.

RESOLUTION 478.3/2023

CARRIED

9.7 State Award Variations Impacting on Local Governments

By Davina Hunter, Employee Relations Service Manager

WALGA RECOMMENDATION

Moved: Cr Ken Seymour

Seconded: Cr Paul Kelly

That State Council note the update on the State award variation applications currently before the Western Australian Industrial Relations Commission.

RESOLUTION 478.3/2023

CARRIED

10. ORGANISATIONAL REPORTS

10.1 Key Activity Reports

10.1.1 Report on Key Activities, Advocacy Portfolio
--

By Narelle Cant, Executive Manager Advocacy

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Cr Chris Pavlovich

That the Key Activities Report from the Advocacy Portfolio to the July 2023 State Council meeting be noted.

RESOLUTION 479.3/2023

CARRIED

10.1.2 Report on Key Activities, Infrastructure Portfolio
--

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Cr Chris Pavlovich

That the Key Activities Report from the Infrastructure Portfolio to the July 2023 State Council meeting be noted.

RESOLUTION 479.3/2023

CARRIED

10.1.3 Report on Key Activities, Member Services Portfolio

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Cr Chris Pavlovich

That the Key Activities Report from the Member Services Portfolio to the July 2023 State Council meeting be noted.

RESOLUTION 479.3/2023

CARRIED

10.1.4 Report on Key Activities, Policy Portfolio
--

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: President Cr Phil Blight
Seconded: President Cr Chris Pavlovich

That the Key Activities Report from the Policy Portfolio to the July 2023 State Council meeting be noted.

RESOLUTION 479.3/2023

CARRIED

10.2 President's Report

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Stephen Strange

That the President's Report for July 2023 be received.

RESOLUTION 480.3/2023

CARRIED

10.3 CEO's Report

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: President Cr Stephen Strange

That the CEO's Report for July 2023 be received.

RESOLUTION 480.3/2023

CARRIED

10.4 Ex-Officio Reports

10.4.1 City of Perth Report

The Rt. Hon. Lord Mayor Basil Zempilas was an apology for this meeting.

10.4.2 LG Professional's Report

Ms Annie Riordan, President, LG Professionals WA, provided a report to the meeting.

11. ADDITIONAL ZONE RESOLUTIONS

WALGA RECOMMENDATION

Moved: Mayor Logan Howlett JP
Seconded: Cr Frank Cvitan

That the additional Zone resolutions from the June 2023 round of Zone meetings as follows be referred to the appropriate Portfolio or Policy Team for consideration and appropriate action, noting that some may have already been referred.

RESOLUTION 481.3/2023

CARRIED

CENTRAL COUNTRY ZONE (People and Place Policy Team)

Aboriginal Cultural Heritage

That the Central Country Zone request:

1. the Department of Planning Lands and Heritage to provide information on the cost to Local Governments of implementing the regulations;
2. WALGA to collate the information from the Local Governments feedback on the *Aboriginal Heritage Act* and the implementation of the Regulations; and
3. the State Government to underwrite any potential costs of Local Government complying with the requirements of the *Aboriginal Heritage Act*.

CENTRAL COUNTRY ZONE (Infrastructure Policy Team)

Line Marking and Road Safety

That WALGA be requested to engage with Main Roads WA with a view to providing Local Government with greater flexibility and autonomy in relation to line marking thresholds and approval guidelines for rural and regional roads, consistent with the body of the report presented to the Central Country Zone meeting on 23 June 2023.

GASCOYNE COUNTRY ZONE (Policy Portfolio)

Review of the Biosecurity and Agriculture Management Act 2007: Stage 3 Review

That the Gascoyne Country Zone requests the timeframe is extended for Local Governments to provide comments.

GREAT EASTERN COUNTRY ZONE (People and Place Policy Team)

Aboriginal Cultural Heritage Act 2021 – Aboriginal Cultural Heritage Act Update

That the Great Eastern Country Zone:

1. request the Department of Planning Lands and Heritage (DPLH) to provide information on the cost to Local Governments and to fund implementation of the regulations.
2. request WALGA to collate the information on the impacts/anticipated costs to Local Governments of the *Aboriginal Cultural Heritage Act 2021* and the implementation of the Regulations.
3. writes urgently to DPLH to raise concerns the community feedback from the Wheatbelt Community Forum on the *Aboriginal Cultural Heritage Act 2021*, held in Merredin on 19 June 2023 needs to be addressed urgently. Key concerns include:
 - a. Further details and guidance is needed to understand how decision-making criteria should be applied, and the consultation process with the LACHs (Local Aboriginal Cultural Heritage Services).
 - b. Traditional Owners raised concerns about who can talk for County in the Eastern Wheatbelt, calling on communities and Shires for their support for an additional LACH to be endorsed for our area. As the Act will be in effect within weeks, this is something that urgently need consideration by the Government and Minister.
 - c. Based on the above, WALGA State Council advocate for a delay in the implementation of the *Aboriginal Cultural Heritage Act 2021* until such time as all affected stakeholders are satisfied.

NORTH METROPOLITAN ZONE (Environment and Waste Policy Team)

Review of the Biosecurity and Agriculture Management Act 2007: Stage 3 Review

That the North Metropolitan Zone supports the draft submission on Review of the *Biosecurity and Agriculture Management Act 2007* Stage 3, subject to amendment to Opportunity 18 to provide that penalties under the *Biosecurity and Agriculture Management Act 2007* are to be aligned with those under the *Environmental Protection Act 1986* as a minimum.

NORTHERN COUNTRY ZONE (People and Place Policy Team)

Renewable Energy Developments – Community Engagement

That the Northern Country Zone of WALGA request WALGA to formulate a State-wide Local Government Future Industries Engagement Framework, in consultation with Local Government, to serve as a blueprint for LGA's to navigate the complexities of emerging industries to help drive economic growth, foster innovation, and improve the overall well-being of their communities.

SOUTH EAST METROPOLITAN ZONE (Infrastructure / People and Place Policy Teams)

State Infrastructure Advocacy

That the South East Metropolitan Zone advocate to WALGA State Council, that WALGA supports and advocates to the State Government for the full implementation of Recommendation 18 of the State Infrastructure Strategy as follows:

Contribute to infrastructure and community resilience in the urban environment and support the equitable provision of an interconnected network of cover by developing an overarching urban forest program, including:

- a. assigning a lead state agency to provide overarching coordination, resourcing and funding mechanisms*
- b. embedding program evaluation to ensure it remains fit for purpose*
- c. extending the existing Urban Canopy Grant Program to increase the urban tree canopy across the Perth and Peel regions, and other major regional urban centres*
- d. partnering with local governments, community groups and other land managers in the rollout*
- e. further reviewing existing planning policy settings with regards to the treatment of trees in new greenfield and infill developments.*

SOUTH WEST COUNTRY ZONE (Policy Portfolio – Planning and Building Business Unit)

Mining Tenements Applications – DMIRS Procedural Review

That the South West Country Zone request the WALGA State Council to adopt an advocacy position that seeks the Department of Mines, Industry Regulation and Safety to undertake:

1. A formal review of the current statutory consultation procedures as they relate to mining tenements; and
2. Improved public consultation for mining tenement applications, particularly for private landowners, regardless of the depth of land applicable.

SOUTH WEST COUNTRY ZONE (Environment and Waste Policy Team)

Strategic Waste Management Discussion

That the South West Country Zone requests WALGA to:

1. Call on the Waste Authority to support a deferral of the draft State Waste Infrastructure Plan to allow alignment between a new Waste Strategy and an infrastructure plan that is to implement waste strategy direction;
2. Request the Department of Water and Environmental Regulation to defer consideration of the draft State Waste Infrastructure Plan until the terms of a new Waste Strategy are determined, so as to allow alignment between document;
3. Incorporate within a submission to the Waste Authority, the following in relation to a new Waste Strategy:
 - a. Vigorous support for the circular economy principle, encouraging new technologies to regenerate resources from waste;
 - b. Support for localized (close to source) waste processing initiatives that can regenerate waste as a resource;

- c. Maximise the value of waste as a resource, creating commodity value;
- d. Actively encourage innovation in-line with circular economy principles; and
- e. Outline pathways that will enable innovative solutions, including alternative waste processing practices.

SOUTH WEST COUNTRY ZONE (Environment and Waste Policy Team)

Cessation of Funding – Regional Climate Alliance Program

That the South West Country Zone supports the request from the Warren Blackwood Alliance of Councils Board and:

1. Requests WALGA advocate to the Minister for Environment; Climate Action for the reinstatement of the Regional Climate Alliance Program;
2. Writing directly to the South West Members of Parliament seeking the reinstatement of the Regional Climate Alliance Program.

SOUTH WEST COUNTRY ZONE (Policy Portfolio – Economics Business Unit)

Mining Royalties Funding

That the South West Country Zone seeks the support of WALGA to both lobby for the establishment of a Resources Fund Payment to be collected and used within the South West region.

12. DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be a Regional meeting hosted by the Great Southern Country Zone at the Shire of Katanning on Wednesday, 13 September 2023.

13. CLOSURE

There being no further business the Chair declared the meeting closed at 6:02pm.