

# WA Bicycle Network Grants Program Program Procedures 2022-2026



#### **Document control**

The procedures outlined may be varied at the discretion of the Executive Director Urban Mobility (EDUM) where the extent of significant stakeholder and community benefit can be clearly demonstrated.

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#### **Amendment record**

This document is reviewed to ensure their continuing relevance to the grant program, systems and process that it describes. A record of contextual revisions is listed in the following table.

Page No.	Context	Revision	Date
-	-	Document developed and issued	September 2022

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# 1. Key terms

Term	Definition / Acronym
Western Australian Bicycle Network Plan 2014 - 2031	Abbreviated to WABN Plan.
Western Australian Bicycle Network Grants Program	Western Australian Bicycle Network (WABN) Grants Program as outlined in the WABN Plan. Referred to as the Program.
Transport Portfolio	The Transport Portfolio includes the Department of Transport, Public Transport Authority, and Main Roads WA.
Department of Transport	Abbreviated to DoT
Local Government Authority	Abbreviated to LGA/s
Main Roads Western Australia	Referred to as Main Roads WA or abbreviated to MRWA
Public Transport Authority	Abbreviated to PTA
Long-Term Cycle Network for Western Australia	The Long-Term Cycle Network for Western Australia consists of 12 planned strategies (11 regional). Abbreviated to LTCN for WA, or LTCN strategy when referring to specific plan.
Perth Bicycle Network	Grant stream of the WABN Grants Program that refers all metropolitan local governments included in the Perth and Peel LTCN.
	Abbreviated to PBN
Regional Bicycle Network	Grant stream of the WABN Grants Program that refers all local government authorities outside of the Perth and Peel LTCN.
	Abbreviated to RBN
Regional 2050 Cycling Strategies	Used to refer to the collective program of regional LTCN strategies.
Western Australian Cycling Network Hierarchy	Tiered order of routes within the LTCN for WA, designated by their function, rather than built form.
Region	Ten administrative and planning regions of WA:
	<ul> <li>Kimberley region</li> <li>Pilbara region</li> <li>Gascoyne region</li> <li>Mid West region</li> <li>Goldfields-Esperance region</li> <li>Wheatbelt region</li> <li>Perth region</li> <li>Peel region</li> <li>South West region</li> <li>Great Southern region</li> </ul>

Term	Definition / Acronym
Minister for Transport	Referred to as the Minister
Managing Director	Managing Director of DoT Abbreviated to MD
Executive Director of Urban Mobility	Executive Director of the Urban Mobility Directorate within DoT. Abbreviated to EDUM.
Grant Agreement Contract	Refers to the contract DoT (the 'Grantor') and the grant recipient (the 'Grantee').
	Abbreviated to GAC.
Total Project Cost	The total project cost is the total cost to deliver the project, which may include additional costs that are ineligible for funding from this Program.
Total Eligible Project Cost	The total of all eligible expenditure as per section 4.5 of this document, which can include any in-kind contributions approved as per section 4.5.3.
Eligible Grant Contribution	The Eligible Grant Contribution is the DoT contribution (up to 50%) of the Total Eligible Project Cost.
Grant Opportunity Guidelines	Document released ahead of each grant intake process to provide applicants with guidance on the grants intake process and requirements, including details on available funding categories and associated eligibility and scoring criteria.

# Purpose of this document

The purpose of this document is to guide the delivery of the Program and provision of grant funding, including the application, assessment, award, agreement, monitoring, acquittal and review of grants projects.

# 3. Program information

The Program is a key initiative of the WABN Plan and is the State Government's primary funding source to local government for the purpose of planning, designing and implementing bicycle infrastructure and related initiatives.

An overview of the Program's vision, objectives, principles and governance can be found in the Program Policy Statement.

Key documents and information on the Program are published and updated online<sup>1</sup>.

<sup>&</sup>lt;sup>1</sup> Program webpage <a href="https://www.transport.wa.gov.au/activetransport/wa-bicycle-network-and-grants.asp">https://www.transport.wa.gov.au/activetransport/wa-bicycle-network-and-grants.asp</a>

# 4. Funding overview

#### 4.1. Funding allocation

Funding for the Program comes from a combination of State Appropriation and Main Roads WA contributions.

Available funding is split evenly across the PBN and RBN grants streams and may also be directed to related initiatives or new grant streams, such as the Connecting Schools Grants Program and Active Travel Officer Grants Program.

#### 4.2. Funding model

The Program is based on a joint funding model, with the State Government providing a cocontribution up to 50 per cent of the Total Eligible Project Cost.

Applicants are required to contribute a minimum of 25 per cent funding and can seek contributions from third parties as outlined in Section 4.2.4.

Eligible costs are outlined in Section 4.5.

The value of grants under the Program is exclusive of Goods and Services Tax (GST). All prices/costs presented in the application form, funding contract and correspondence must be stated exclusive of GST.

Note: The Total Eligible Project Cost only includes eligible expenditure and any approved inkind contributions in accordance with section 4.5. The Total Project Cost may also include costs that are ineligible for funding under this Program (as per 4.5.2) and therefore be greater than the Total Eligible Project Cost.

#### 4.2.1. Alternative funding models

Alternative funding models may be considered in specific scenarios, such as for the provision of a new grant stream or for specific grant categories provided to support the delivery of trial treatments or prioritised project scopes/types.

#### 4.2.2. Staged funding model and pre-commitment of funds

Grant applications are supported to be staged over two financial years to facilitate high quality planning, design and delivery.

To enable project staging, funding may be applied for in one or both of the financial years outlined in the grant opportunity. For example, the 2022 round funding requests would be for projects to be delivered in 2023-24 and/or 2024-25.

Funds allocated in the second of the financial years are termed 'pre-committed'.

Some funding categories allow for staging over more than two years. In these instances the details are provided in the *WABN Grant Opportunity Guidelines*.

#### 4.2.3. Joint applications

Applicants can make joint applications for projects that cross local government boundaries, with the total contribution from the collective local governments being a minimum of 25 per cent of the Total Eligible Project Cost and the total State input being a maximum of 50 per cent the Total Eligible Project Cost.

To facilitate the management of a joint application, one LGA is to apply on behalf of the joint applicants. The lead LGA will be the primary contact for all grant project matters such as communications and financial exchanges.

Local government funding contributions can be determined based on inputs and outputs, for example: level of responsibility for project delivery (input), ownership of proposed assets/plans (output), and/or the predicted impacts of the project (outcome).

#### 4.2.4. Financial contributions from third parties

It is the responsibility of all applicants to advise DoT if they plan to be in receipt of any other private, State or Commonwealth Government funding inputs for their project. Failure to do so may affect the outcome of the grant application.

Where appropriate DoT can provide support for applications to third party funding sources on WABN projects.

In the event that a grantee is awarded funding for the same project from any other private, State or Commonwealth agency after the WABN grant has been awarded, DoT must be notified. Where this occurs, the WABN grant may be reduced and any residual monies from the allocated WABN funds may be offered to other applicants (refer to Section 14.4). Failure to report said funding would be in a breach of the Grant Agreement Contract (GAC) and potentially result in the withdrawal of the grant.

#### 4.3. Funding categories

Specific funding categories for each round are outlined in the *WABN Grant Opportunity Guidelines* published at the commencement of each application intake.

Core funding categories for the Program typically include:

- Local bicycle planning grants
- Bicycle infrastructure grants feasibility / design only
- Bicycle infrastructure grants design and construct / construct only

#### 4.4. Funding limits

No limit has been placed on the total number of grant applications an individual applicant can submit per intake, however equitable distribution of funds across LGAs is a consideration of the competitive assessment process and – except in extraordinary circumstances – one entity cannot receive more than 25% of the funds available in any financial year per each grant stream.

Advice is provided annually in the WABN Grant Opportunity Guidelines relating to how applicants can prioritise their applications.

#### 4.5. Expenditure guidance

To be included in the Total Eligible Project Cost, expenditure must be:

- Incurred by the grant recipient within the grant contract period;
- Be a direct cost of the project; and
- Evidenced by appropriate documentation.

The grant recipient must keep payment records of all expenditure and be able to demonstrate how the costs relate to the agreed project activities.

#### Records of expenditure:

- Can be requested at any time during and after the grant agreement period. If not provided when requested, may result in cessation of the agreement and/or certain items not qualifying as eligible expenditure;
- Must be provided at project acquittal; and
- May be requested as part of an independent financial audit.

Expenditure guidance may be updated over time. If an application for grant funding is successful, the guidance in place when the application was submitted will apply to the project.

The lists of expenditure items below are not exhaustive. Program delegates make the final decision on what funding is eligible and may provide further guidance on eligible and ineligible expenditure where required. This would be confirmed as part of a GAC or otherwise by notice to the grant recipient/s.

#### 4.5.1. Eligible expenditure items

Eligible expenditure can include, but is not limited to:

- Construction materials directly applied to the project.
- Plant and equipment operational costs where directly used on grant project activities.
- Labour expenditure for employees directly engaged on project activities, recorded as part of the grantee's in-kind contribution but excluded from the Eligible Grant Contribution. Any person who is paid a regular salary or wage by the grant recipient is considered an employee. Eligible labour expenditure includes technical and construction labour as follows:
  - Technical labour includes activities undertaken by a technical expert or specialist in a field that is required for the project, such as design, engagement, mapping or evaluation work.
  - Construction labour includes any manual labour performed as part of the physical construction of infrastructure within the agreed grant scope.

For employees on salary, costs should be calculated on a pro-rata basis relative to their demonstrated time commitment on the project. This eligible salary costs formula can be applied:



Sufficient evidence of labour costs will be required and may include:

- Details of all personnel working on the project, including name, title, function, time spent on the project and salary; and
- Payment summaries, pay slips, employment contracts, and/or table of rates from Enterprise Agreement.
- Contract expenditure for any non-employee labour engaged to undertake agreed grant activities. Invoices from contractors must contain a detailed description of the nature of the work, the hours and hourly rates involved, and any specific expenses paid (operating and capital).
- Costs of acquiring intellectual property and technology directly attributable to the project.
- Costs incurred in the delivery of engagement activities and publications.

- Costs incurred to obtain planning, environmental or other regulatory approvals during the grant contract period. Fees paid to the Government agencies are not eligible.
- Tender costs (i.e. contractor and advertising costs) directly related to the project.
- Costs incurred as part of independent financial auditing of project expenditure, provided these costs do not conflict with the above labour expenditure guidelines.

Evidence required can include documentation such as supplier contracts, purchase orders, invoices and supplier confirmation of payments.

#### 4.5.2. Ineligible expenditure items

This section provides guidance on what is considered ineligible expenditure.

Funding will not be provided for the following costs:

- Costs incurred prior to a grant agreement contract being in place.
- General administrative labour and related oncosts, including generic project management
  activities undertaken by administrative staff to manage day-to-day operations, such as
  project planning, scheduling, project meetings, contract management, supplier
  management, financial tracking, and reporting (unless otherwise specified or a particular
  grant category and outlined in the Grant Opportunity Guidelines).
- Ongoing operational and maintenance costs;
- The purchase of facilities, office furniture and equipment, motor vehicles, heavy plant and equipment, computers, software, printers or photocopiers.
- Depreciation costs;
- Mark-ups on goods, where the works are undertaken by the recipient;
- Contingency costs;
- Replacement of capital spending plans for developments that would occur in any event;
- Any other costs not directly related to the project defined in the funding grant agreement contract.

#### 4.5.3. In-kind contributions

In-kind contributions may be permitted by agreement. In-kind contributions should be identified in the application form and shall be agreed upon by the grant recipient and DoT before entering a GAC. In-kind contributions will be recognised as part of the Total Eligible Project Cost, however excluded from the DoT Eligible Grant Contribution.

In-kind contributions could include, but are not limited to, project management costs (where it has been demonstrated that a professional project manager is required to be engaged to deliver the project).

In-kind contributions must be appropriately evidenced by the grantee in the form of written records or labour hours, relevant Enterprise Agreement proof of labour rates, machine hours, and any other relevant documentation.

## Grant criteria

#### 5.1. Types of criteria

There are three main types of criteria applied to applications for funding:

- **General Eligibility Criteria –** non-weighted criteria that all grant applications must meet as outlined in Section 5.1.1.
- **Specific Eligibility Criteria** non-weighted criteria that all application within a specific grant category must meet as outlined in Section 5.1.2.
- **Competitive Selection Criteria –** weighted criteria used in the competitive assessment process to score applications against specific Program and grant category priorities.

All applications must meet the General and Specific Eligibility Criteria to be competitively assessed.

Eligibility criteria are not weighted and cannot be waived (unless authorised by the Minister for Transport).

#### 5.1.1. General eligibility criteria

All applications for WABN grants must meet the following criteria to be eligible:

- The applicant is a Local Government Authority in Western Australia;
- The project is located in Western Australia;
- The project will provide public benefit;
- Required approvals have been obtained from all relevant authorities required to undertake the grant project;
- The applicant has relevant approvals from their own organisation to apply for the grant funds; and
- The applicant has met the minimum funding contribution requirements as per the grant category.

#### 5.1.2. Specific eligibility criteria

Each funding category has specific eligibility criteria that are outlined in the *WABN Grant Opportunity Guidelines* and published at the commencement of each annual application intake. The following criteria are indicative of those typically applied to bicycle infrastructure grant categories each round:

- The project aligns to a relevant LTCN strategy (noting that areas not covered by a strategy are exempt from this);
- The project will be maintained on an ongoing basis (relevant for local bicycle plans and infrastructure projects);
- The project does not constitute infrastructure renewal, maintenance or minor upgrades. A
  significant increase to the current level of service must be provided for the project to be
  deemed a major upgrade, such as replacement of a 1.2 m footpath with a 3m shared path
  on a primary or secondary route;
- The project does not solely comprise of on-road line or pavement marking;
- The applicant can confirm they have the authority on the land or asset to undertake the project at the nominated site/s;

- The applicant can confirm the grant request does not include ineligible costs as outlined in Section 4.5; and
- The applicant has provided all mandatory attachments as outlined in the WABN Grant Opportunity Guidelines.

#### 5.2. Competitive selection criteria

Each grant category has a set of weighted selection criteria against which applications are scored competitively. These criteria are agreed, and published in the *WABN Grant Opportunity Guidelines*, ahead of each grant intake and based on State Government priorities as set out in the WABN Plan and in other key Departmental strategies.

#### **5.2.1.** Priorities for Perth Bicycle Network

The PBN Grants Program prioritises projects that:

- Increase cycling mode share; and
- Provide connections to activity centres, schools, and railway stations.

#### 5.2.2. Priorities for Regional Bicycle Network

The RBN Grants Program prioritises projects that:

- Increase safety for people on bikes;
- Provide connections to activity centres, schools and other strategic destinations; and
- Increase cycle tourism opportunities.

#### 5.2.3. Other priorities

Priorities for other funding categories are determined based on the funding purpose and key objectives of the authority allocating the funding.

#### 5.2.4. Grant loadings

Loadings can also be applied based on grant categories and/or specific scopes.

For example:

- Category all eligible applications in the Local Bicycle Planning or Design only grant categories may be recommended for score loading to ensure vital planning work is prioritised.
- Scope all eligible applications for a specific treatment may be recommended for score loading based on availability of targeted funding.

Competitive selection criteria are still considered where loadings are applied. Only applications that represent quality outcomes will be considered eligible for loadings.

**Important:** If loadings are to be applied this will be outlined in the *WABN Grant Opportunity Guidelines* prior to each application round.

# 6. Conflict of interest management

All Program delegates, advisors, assessors, stakeholders and decision-makers are required to declare any actual, potential or perceived conflicts of interest and declarations are recorded.

Conflict of interest declaration requirements are not limited to Program delegates but are extended to all DoT employees and stakeholders involved in any stage of the grant project.

Declarations are assessed and conflicts of interest appropriately addressed, including outlining what the conflict is and how it has been resolved. Where no conflicts are declared this information is also documented.

DoT employees with actual conflicts of interest will abstain from the assessment or approval process of related applications.

## 7. Grant life cycle stages

The Program identifies seven stages in the grant life cycle, based on the better practice principles on grant administration provided in the Commonwealth Grant Rules and Guidelines 2017<sup>2</sup>, as outlined in Appendix 2 of the OAG Grants Administration Report 2021<sup>3</sup>.

These stages also encompass all processes involved in the grants life cycle outlined in the Western Australian Grants Administration Guidelines 2022<sup>4</sup> (refer page 4), including:

- a. Design of grant opportunities and activities;
- b. Assessment and selection of recipients;
- c. Establishment of grants;
- d. Ongoing management of recipients and grant activities; and
- e. Evaluation of grant opportunities and activities.

<sup>&</sup>lt;sup>2</sup> Available at www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-and-guidelines

See Appendix 2 at audit.wa.gov.au/reports-and-publications/reports/grants-administration/

<sup>&</sup>lt;sup>4</sup> Available at <u>www.wa.gov.au/government/publications/western-australian-grants-administration-guidelines-2022</u>

## **Application**

- Design of grant opportunities and activities
- Annual application round, including grant opportunity briefings and single stage application process

### **Assessment**

 Assessment and selection of recipients, including Internal assessment, Panel review, recommendations made to Minister, and Ministerial approval

## **Award**

- Notification of grant award
- · Confirmation of acceptance
- Ministerial Announcement

## Agreement

 Establisment of grants, including details (timeline, scope, value and milestones) agreed, Grant Agreement Contract executed, and projects commenced

## Monitoring

 Ongoing management of recipients and grant activities, including progress monitoring and reporting, grant payments, and processing of variations, carryovers, deferrals and terminations

## Acquittal

All phases of grant delivery completed and acquittal processed

### Review

 Evaluation of grant opportunities and activities, including compliance checks, grant project and program reporting, and ongoing monitoring and maintenance

# 8. Application

#### 8.1. Application rounds

Formal application intakes are sought annually by DoT, except in extraordinary circumstances.

Funding requests are invited for multiple financial years as outlined in Sections 4.2.2 to 4.2.2.

DoT typically takes the following steps to seek applications:

- Media statement is released to provide details of upcoming funding round;
- Funding round advertised on the DoT website and via email to the WABN Grants Program and WABN E-newsletter databases;
- WABN grants application forms and overview are made available on the DoT website; and
- Emails sent to previous DoT regional representatives; and
- Application round promoted by WALGA, WestCycle, and any other relevant agencies.

Intakes are advertised by DoT via the Department's website, WABN Program e-newsletter, DoT media, and through program stakeholder networks.

DoT endeavours to coordinate the timing of the application intakes with local government budget processes.

A two-staged application process was utilised on the Program from 2017-2021 and included an expression of interest (EOI) and full application process. This process was refined in 2022 with the implementation of more detailed guidance for applicants and a refined single stage application process.

Applications for funding must be received by the time and date, in the format, and via the channel identified in the *WABN Grant Opportunity Guidelines*. The application form must be fully completed and include all information including all eligibility criteria.

#### 8.2. Out-of-session applications

Out-of-session applications are not currently accepted and applicants will be advised to apply in the next advertised funding round.

For urgent works, DoT can provide support for applications to other funding sources.

#### 8.3. Application resources

The standard application resources include:

- WABN Plan
- Program Policy Statement
- Program Procedures
- Grant Opportunity Guidelines, which include (as relevant per each round):
  - Available funding and purpose
  - Funding model and caps
  - Grant categories and objectives
  - Grant eligibility criteria and examples of eligible/ineligible entities and projects
  - Clear assessment criteria and weighting of criteria
  - External funding opportunities (if available/applicable)
  - Opening and closing date for applications

- Likely decision timeframe
- Project delivery timeframes
- Outline of selection process, including recommendations and approvals
- Expected terms and conditions of the grant agreement
- Indicative reporting and acquittal requirements
- A description of complaint handling, review and/or FOI mechanisms
- Conflict of interest information
- Contact details for Program delegates
- Grant application forms for each funding category available

#### 8.4. Pre-Application briefings

Pre-application briefings are held ahead of each round commencing. These sessions are either in-person workshops or online webinars, or typically a combination of both. The purpose of the briefings is to:

- Introduce the Program delegates;
- Promote the funding opportunity and priorities;
- Outline what is eligible/ineligible;
- Provide guidance on assessment criteria and scoring process;
- Develop application skills;
- Build relationships with potential applicants;
- Connect potential applicants to each other;
- Provide case studies of successful past projects; and
- Answer applicants queries.

## 9. Assessment

#### 9.1. Overview of assessment process

The assessment process is made up of three main parts:

- Internal Assessment refer Section 9.2
- Assessment Panel Review refer Section 9.3
- Ministerial Review refer Section 9.4

#### 9.2. Internal assessment

The internal assessment is comprised of:

- Review of applicant and project details and conflict of interest management;
- Assessment of each application by a minimum of three Program delegates against a scoring matrix that correlates to the eligibility and scoring criteria outlined in this document and the Grant Opportunity Guidelines;
- Loadings applied as per Section 5.2.4 and available funding prioritised according to score;
- Scoring Summary prepared detailing volume and value of applications, scoring matrix, preliminary funding recommendations, scores, and reasons for assessment scores;

- Review and approval of Scoring Summary by the Executive Director Urban Mobility; and
- Scoring Summary and applications provided to Assessment Panel at least two weeks before Panel Consensus Workshop.

During assessment, Program delegates may also confidentially contact any agencies, relevant organisations or DoT staff to seek advice on specific applications.

#### 9.3. Assessment panel review

The WABN Assessment Panel (the 'Panel') is a decision-making group comprised of representatives from State Agencies, industry bodies, and technical/subject matter experts.

#### The Panel:

- Reviews assessments made by the Program delegates to ensure consistency;
- Examines applications and supporting documentation as required;
- Provides specialist inputs on applications as required;
- Reaches consensus on funding recommendations; and
- Approve the Panel Workshop minutes and the Recommendations Report before they are submitted for Ministerial approval.

#### 9.3.1. Panel composition

The primary Panel typically consists of representatives from:

- DoT (Chair);
- Main Roads WA;
- Public Transport Authority;
- WestCycle; and
- WALGA.

Panel composition may be expanded to include other key stakeholders as required by specific applications or grants criteria. Expanded members may include:

- State Agencies including, but not limited to, Road Safety Commission; Departments of Education; Biodiversity, Conservation and Attractions; Local Government Sport and Cultural Industries; Health; Primary Industries and Regional Development; Planning Lands and Heritage; Communities;
- Technical / subject matter experts; and
- Relevant industry bodies or authorities such as Regional Development Commissions, Regional Councils or industry associations.

Panel invitations require approval by the DoT Director Active Transport and Safety.

#### 9.3.2. Panel terms of reference

DoT provides members with a Panel Terms of Reference that includes an overview of the purpose of the Panel, assessment process, and Panel procedures (including the conflict-of-interest process).

#### 9.3.3. Panel conflict of interest procedure

As decision-makers on the Program, all Panellists are required to declare conflicts of interest (as outlined in Section 6). A written communication with signature is required prior to the commencement of the Panel Workshop. Where conflicts are declared, appropriate action will be taken, including completion of required formal conflict management forms and subsequent mitigating actions being put in place (e.g. Panel Member abstains from participating in the assessment discussion for that application).

#### 9.4. Ministerial review

#### 9.4.1. Recommendations briefing

Following Panel consensus and approval of the Recommendations Report, the Minister for Transport is briefed on the application round and resulting grant funding recommendations.

The Ministerial briefing typically includes:

- Overview of funding opportunity, including funds available and funding priorities;
- Outline of the application and assessment processes;
- Summary of the volume and value of applications (per grant stream, grant category, and financial year);
- Written advice on the scoring process and how funds have been prioritised, including any funds allocated to related initiatives; and
- Recommendations list, arranged by score (descending), including key details for all projects:
  - Recommended for funding;
  - Recommended for reserve funding see Section 14.5; and
  - Unsuccessful.

The written advice to the Minister must, at a minimum:

- Explicitly state that the spending proposal being considered for approval is a 'grant';
- Provide information on relevant statutory delegations and authorisations;
- Outline the application and selection process followed, including the selection criteria that were used to select recommended grantees; and
- Include the merits of the proposed grants relative to the grant opportunity guidelines and the key principle of achieving value with relevant money.

#### 9.4.2. Ministerial approval

The Minister may:

- Request additional information;
- Approve grants within their own electorate, provided all relevant policies are observed;
- Approve the expenditure; and/or
- Provide a date for the public announcement of the awarded grants.

If funding awarded by the Minister does not align with DoT's recommendations, the reasons for approval must be documented by the Minister for Transport.

## 10. Award

#### 10.1. Funding offer confirmation and announcement

Following Ministerial approval being received:

- Program delegates confidentially notify all applicants of the outcome/s of their applications by direct email;
- Applicants are requested to provide written confirmation of acceptance or rejection of the offer within a specified timeframe of receiving the email;
- A Ministerial media statement of the confirmed award list is scheduled; and
- A public announcement is made by Ministerial media statement and the following information is published on the Program webpage:
  - Summary of funding request (volume and value);
  - Summary of funding awarded (volume and value);
  - Map of awarded projects; and
  - List of awarded (pre-committed and committed), reserve and unsuccessful projects.

The Minister's offer of funding is current from the date that the notification of offer is sent until 31 August of the financial year the grant has been awarded for, by which time a grant agreement should be in place. This excludes any projects confirmed for reserve funding, which remain on the reserve funding list as outlined in Section 14.5.

Funding offers can be made with alternative arrangements to what was applied, including modifications to timeframe, scope and/or value.

Individual application scores are not published.

#### 10.2. Unsuccessful applications

Applicants are encouraged to seek feedback as to why their project was not successful for grant funding.

#### 10.3. Grant acknowledgement and publicity by grantee

Announcements of awarded grants cannot be made by the grantee until after the Ministerial announcement.

#### 10.3.1. Media and publicity

An acknowledgment of contribution from the State Government is required in all media announcements, publications, articles, signs, and posters prepared in relation to projects funded through the Program, as well as at forums, launches and openings.

Media and publications are to:

- a) Be submitted to DoT for comment and approval prior to publishing;
- b) Acknowledge the State government contribution and DoT;
- c) Give equal representation to the Parties in the display of logos and party names;
- d) Be consistent with the Department of Transport's style guide and State badging requirements<sup>5</sup>; and

<sup>&</sup>lt;sup>5</sup> Available at https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/common-badging

e) Include the State Government of Western Australia Crest and the words "This project was jointly funded by the Department of Transport and the [Grantee]".

Special conditions for certain grants may be included in the GAC, including minimum mandatory promotional activities delivered as part of project activation.

#### 10.3.2. Events

DoT is to be invited to any events and Program delegates will inform the Corporate Communications Team, any relevant regional DoT representatives, and/or the Minister.

#### 10.3.3. Signage for built infrastructure

DoT will provide the grantee with a signage template consistent with the Department of Transport's style guide and State badging requirements.

# 11. Agreement

#### 11.1. DoT authority to administer grants

Grant administration is based on the *Public Sector Management Act 1994*: Instrument of **Delegation PSMA – 2022 - 205053** (effective 9 May 2022), which authorises the Executive Director Urban Mobility to enter into grant agreements of whatsoever nature up to a total grant value of \$5 million provided the relevant grant has been:

- (i) published in the State's annual Budget;
- (ii) approved by the Cabinet's Expenditure Review Committee as part of the interim Budgetary process; or
- (iii) approved by the Minister.

In the case of WABN grants, the Department will be relying on the Minister's approval, not just the provision of the grants in the State's annual Budget.

#### 11.2. Grant offers and expenditure execution process

In line with Section 11.1, Table 1 specifies the appropriate DoT signatory for the Program's grant agreement contracts and for approval and execution of contract variations as determined on the total grant value (TGV).

The approval to offer specific project grants is provided by the Minister As per Section 9.4.

**Table 1: Authority and Monetary Limits (GST inclusive)** 

Maximum Total Grant Value	Grant agreement contract signatory
\$30 million	Managing Director Transport, provided a written endorsement has been made by the Executive Director Finance and Procurement Services and the Executive Director Urban Mobility
\$10 million	Managing Director Transport
\$5 million	Executive Director Urban Mobility

#### 11.3. Grant agreement contract

The GAC sets out the terms and conditions of the grant, including:

- Total project cost;
- The value of the grant (total and per financial year);
- The grant contract period;
- The grant category;
- The grant scope;
- Milestones and associated deliverables /reporting requirements;
- Period in which the grant is to be expended; and
- Any identified special conditions, including special expenditure items.

Note: Works carried out prior to the contract being executed will not be considered eligible for funding, unless specifically approved by the Minister for Transport or their authorised delegate.

The GAC must be signed by the grantee's Chief Executive Officer (or authorised delegate), witnessed and returned to DoT. The GAC will be signed by the appropriate DoT delegate on behalf of the Minister for Transport. Once this has occurred the GAC has been executed and the project may commence.

#### 11.4. Additional party agreements

Contracts may be executed between more than two parties where a joint-funding arrangement has been approved. These arrangements are only permitted between government agencies e.g.:

A contract executed by DoT and two Local Governments;

financial contributions from third parties are permitted as per Section 4.2.4.

A contract executed by DoT, one Local Government, and a Federal Government Agency.
 Joint applications between Local Governments are permitted as outlined in Section 4.2.3 and

#### 11.5. Private organisations

Program grants are not available for private organisations, however if a project is also receiving funding from a private organisation it is expected that a formal funding arrangement is agreed between the Local Government and the private organisation.

#### 11.6. Asset obligation period

Unless otherwise agreed by DoT, and depending on the size of the committed grant, the grant recipient shall not modify or dispose of the asset/project for a period of time ranging from three to three to eight years after a grant has been acquitted, as per Table 1 and the GAC. In addition, no duplicate funding will be provided to reinstate any part of the asset/project within the asset obligation period.

**Table 2: Asset Obligation Period** 

<b>Grant Range</b>	Number of Years
\$1 - \$250,000	3 years
\$250,001 - \$500,000	5 years
\$500,001 +	8 years

#### 11.6.1. Deed of covenant

If a grantee intends to sell, lease, transfer, mortgage or dispose of any part of the project site within the number of years stated in Table 1, a Deed of Covenant must be entered into by the Minister of Transport (or delegate), the grantee and the new party. The deed of covenant form will be prepared by a Program delegate as required.

## 12. Monitor

#### 12.1. Project staging: milestone approach

Grant projects are planned and monitored based on a milestone approach through which project phases and/or key outputs are outlined under key milestones.

Individual outputs are bundled into milestones tied to financial quarters. Each milestone bundle includes associated deliverables, due date, amount to be paid, and grantee outputs.

A milestone table is included as a schedule in the grant agreement contract and typically adheres to the following format:

Milestone	Due Date	Amount	Grantee outputs
M1 – Grant agreement executed; inception meeting held; grant project plan completed; design scope agreed and tender awarded; pre-evaluation work undertaken	15 Sep (FY)	\$- (approx. 20% total grant value)	<ul> <li>✓ Executed grant agreement</li> <li>✓ Signed inception meeting minutes</li> <li>✓ Completed grant project plan (including technical delivery, engagement and evaluation elements)</li> </ul>
M2 – Consultation completed; draft design approved by all relevant parties; construction tender awarded and schedule set; activation planning underway	15 Dec (FY)	\$- (approx. 20% total grant value)	<ul> <li>✓ Grant progress report submitted (including construction schedule, consultation and evaluation reporting, activation planning)</li> <li>✓ Design and evidence of required approvals</li> </ul>
M3 – Construction completed; activation scheduled	15 Mar (FY)	\$- (approx. 20% total grant value)	<ul> <li>✓ Grant progress report submitted</li> <li>✓ Final design submitted (to reflect any changes made during construction)</li> </ul>
M4 – Works completed (including lines and signs); activation and post-evaluation undertaken	7 Jun (FY)	\$- (approx. 20% total grant value)	✓ Grant acquittal report completed
	Total	\$-	

Note: Indicative milestone table for one-year design and construct project where separate tenders are issued for design and construction works.

#### 12.2. Milestone planning and templates

Program delegates use milestone planning templates related to specific grant categories and scopes. These templates can be adapted to suit individual projects, as practical and required.

Milestone tables are sent to grantees for input before being finalised and placed into the GAC.

Resources and templates are available for specific milestones, such as request for tender (RFT) templates and consultation planning checklists.

#### 12.3. Grant monitoring

To keep track of grant progress, Program delegates:

- Record all correspondence and documents (including the GAC) in DoT's Objective system and program trackers;
- Support grantees on delivery of key milestones and associated outputs;
- Communicate with grantees when milestones are nearing due dates;
- Process variation and deferral requests as per Sections 12.5 and 12.6;
- Approve milestone outputs and process associated payments;
- Carry out site visits as per Section 12.4;
- Request additional reporting as deemed necessary;
- Process repayment of funds and grant terminations as per Sections 14.1 and 14.3; and
- Finalise acquittals and grant completion.

#### 12.4. Site visits

The Minister for Transport, DoT or their authorised delegates may visit any grant project, upon reasonable notification to the grant recipient, to monitor the progress of the project and will report any feedback to the grant recipient.

#### 12.5. Contract variations

If, due to unforeseen circumstances, changes are required to the executed GAC, these can be negotiated during the monitoring stage.

Grantees must advise DoT in writing as soon as possible of any change of circumstance that may impact their project and vary from the terms and conditions of the GAC.

There are three types of variations:

- Variations that increase the grant value;
- Variations to grant scope or grant conditions; and/or
- Variations to grant timeframe.

Should a variation to the funding agreement be required, an authorised representative of the grant recipient (CEO/Authorised delegate) is required to provide DoT a written request with supporting evidence. Such advice should incorporate sufficient detail on project changes, justification for and outline of proposed revisions, and clear identification of the type/s of variation being requested.

Upon receipt of the initial written request for variation, Program delegates will classify the changes and follow the required protocol as outlined in this section.

If the proposed changes are approved, a contract variation will be executed (refer Table 3: Protocols for Classification and Determination of Value Variations).

Approval of value variations is dependent on:

- The justification provided by the grantee, for which the Minister for Transport or their authorised delegates have absolute discretion; and
- The availability of current or future funds.

Outcomes of variation requests are provided in writing by DoT. Should a variation be approved, the confirmation to the grant recipient constitutes a legal document. No separate changes to the original grant agreement contract are required. Records of the variation request and approval must be filed with the funding agreement.

Table 3: Protocols for Classification and Determination of Value Variations

Classification	Protocol	Approval
<ul> <li>Variations that include:</li> <li>Variations to project costs that increase grant request, where the total grant value (including proposed variations) is less than \$5,000,000.</li> </ul>	<ul> <li>Grantee submits variation request in writing.</li> <li>Program delegate reviews request and makes recommendation to Executive Director Urban Mobility.</li> <li>Executive Director Urban Mobility confirms/denies request.</li> <li>If confirmed, Letter of Variation drafted and signed by Executive Director Urban Mobility and provided to grantee for signing by authorised delegate.</li> <li>Records updated. Letter of</li> </ul>	Executive Director Urban Mobility (position number 25886)
Variations to project costs that increase grant request, where the total grant value (including proposed variations) is greater than \$5,000,000 and	Variation signed by both parties saved with GAC.  • Grantee submits variation request in writing.  • Program delegate reviews request and makes recommendation to	Managing Director Transport (position number 14025)
<ul> <li>Variations to project costs that increase grant request where the total grant value (including proposed variations) is that are greater than \$10,000,000 and less than \$30,000,000, provided a written endorsements has been made by the Executive Director Finance and</li> </ul>	<ul> <li>Managing Director Transport.</li> <li>Managing Director Transport confirms/denies request.</li> <li>If confirmed, Letter of Variation drafted and signed by Managing Director Transport and provided to grantee for signing by</li> </ul>	
Procurement Services and the Executive Director Urban Mobility.	<ul> <li>authorised delegate.</li> <li>Records updated. Letter of Variation signed by both parties saved with GAC.</li> </ul>	

## Protocols for Classification and Determination of <u>Scope</u> and <u>Grant Condition</u> Variations

Risk	Classification	Protocol	Approval
Low	<ul> <li>Project scope and grant condition changes that do not significantly impact basic grant premises that reduces the agreed objectives or outputs (as outlined in the grant application, GAC and/or other grant documents)</li> </ul>	<ul> <li>Grantee submits variation request in writing.</li> <li>Program delegate reviews request and makes recommendation to Coordinator.</li> <li>Coordinator confirms/denies request.</li> <li>Program delegate informs grantee of outcome in writing.</li> <li>Records updated. Variation outcome saved with GAC.</li> </ul>	Manager (minimum HR Classification Level 7)
High	Major risk variations that include:  • Project scope and grant condition changes that significantly impact basic grant premises, such as those defined by the project objectives or outputs (as outlined in the grant application, GAC and/or other grant documents).	<ul> <li>Grantee submits variation request in writing.</li> <li>Program delegate reviews request and makes recommendation to Executive Director Urban Mobility.</li> <li>Executive Director Urban Mobility confirms/denies request.</li> <li>If confirmed, Letter of Variation drafted and signed by Executive Director Urban Mobility and provided to grantee for signing by authorised delegate.</li> <li>Records updated. Letter of Variation signed by both parties saved with GAC.</li> </ul>	Executive Director Urban Mobility (position number 25886)

### Protocols for Classification and Determination of $\underline{\text{Time}}$ Variations

Risk	Classification	Protocol	Approval
Low	Low risk variations that include:  Changes to milestone due dates within four weeks of the agreed due date/s in the GAC or any approved revisions, provided these do not impact acquittal of grant funds within the allocated financial year/s.	<ul> <li>Grantee submits variation request in writing.</li> <li>Program delegate reviews request and informs grantee of outcome in writing.</li> <li>Records updated. Variation confirmation saved with GAC.</li> </ul>	Program delegate (minimum HR Classification Level 5)
Moderate	Moderate risk variations that include:  Changes to milestone due dates more than four weeks of the agreed due date/s in the GAC or any approved revisions, provided these do not impact acquittal of grant funds within the allocated financial year/s.	<ul> <li>Grantee submits variation request in writing.</li> <li>Program delegate reviews request and makes recommendation to Coordinator.</li> <li>Coordinator confirms/denies request.</li> <li>Program delegate informs grantee of outcome in writing.</li> <li>Records updated. Variation outcome saved with GAC.</li> </ul>	Program Coordinator (minimum HR Classification Level 6)
High	Major risk variations that include:  • Changes to milestone due dates agreed in the GAC or any approved revisions that impact acquittal of grant funds within the allocated financial year/s.	<ul> <li>Grantee submits variation request in writing.</li> <li>Program delegate reviews request and makes recommendation to Executive Director Urban Mobility.</li> <li>Executive Director Urban Mobility confirms/denies request.</li> <li>If confirmed, Letter of Variation drafted and signed by Executive Director Urban Mobility and provided to grantee for signing by authorised delegate.</li> <li>Records updated. Letter of Variation signed by both parties saved with GAC.</li> </ul>	Executive Director Urban Mobility (position number 25886)

#### 12.6. Deferrals

#### Deferral requests:

- Refer to the movement of an entire awarded grant to alternative financial year/s, where either a grant agreement has not been executed or is to be terminated (and no payments have been made or they are to be repaid).
- Are not treated as contract variations and require any grant payments made to be repaid in the same financial year.
- Require commitment of future funds.

Both the grantee and DoT can request a deferral of a project and associated funds to future financial year/s.

Upon receipt of the initial written request from the grantee to delay any part of a grant, Program delegates will classify the request and follow the required protocol as outlined in Table 4: Protocols for Classification and Determination of Deferrals.

Approval of deferral requests depends on:

- The justification provided by the grantee;
- The availability of funds for commitment in future financial year/s; and
- The grant not having been carried over or deferred previously (except in exceptional circumstances).

Table 4: Protocols for Classification and Determination of Deferrals

Туре	Classification	Protocol	Approval
Deferral of funds	<ul> <li>Deferral of an entire grant into different financial year/s than what has been awarded (and announced by the Minister for Transport) or agreed in contract.</li> <li>Commitment of future funds different to what has previously been awarded or agreed.</li> <li>Termination of an executed GAC, noting that any payments made would need to be repaid and a new funding commitment would need to be approved in future financial year/s.</li> </ul>	<ul> <li>Request for deferral submitted to DoT in writing.</li> <li>Program delegate reviews request and makes recommendation to Program Coordinator.</li> <li>Determination on deferral is sought from the appropriate DoT delegate (based on Section 11.2), with grant deferral either: <ul> <li>Approved and future funds committed; or</li> <li>Not approved and grant project is placed on the Reserve list (refer Section 14.5) or terminated (refer Section 14.1).</li> </ul> </li> <li>Program delegate informs grantee of outcome in writing. Contract termination processed if required.</li> <li>Records updated.</li> </ul>	Appropriate delegate in line with Section 11.2

# 13. Payment and acquittal of grant funds

#### 13.1. Conditions of payment

Payments will only be made to grantees with an executed GAC.

Before payment of grant funds against any milestone, grantees must demonstrate that the project milestone has been completed to a satisfactory standard by:

- Submitting the outputs as per the milestone table in the GAC; and
- Providing any further information or documentation that may be relevant (as requested by the Program delegate).

Grant funds are to be paid to the grantee when DoT receives adequate evidence of the above, as per the milestone completion date set out in the GAC. Payments are approved by the authorised DoT delegate and typically processed in quarterly bundles.

#### 13.2. Advance payment of grant funds

Grant payments are not made in advance, except in extenuating circumstances and approved by the Minister for Transport and/or an authorised DoT delegate.

#### 13.3. Acquittal of grant funds

Projects must be acquitted within the allocated funding period.

#### 13.3.1. Interim acquittals

Interim Acquittals are required on multi-year grants and confirm receipt of grant payments, summarise delivery of the project to date. For example, an Interim Acquittal would be run at the end of the first financial year of a two-year grant agreement.

An Interim Acquittal Form is provided by DoT and required for each grant.

#### 13.3.2. Grant completion acquittals

Before payment of the final grant funds, recipients must demonstrate that the project has been completed in its entirety to a satisfactory standard by completing the Acquittal Report Form provided by DoT and providing the following attachments as required:

- Evidence of eligible project costs expended (in line with Section 4.5); and
- Evidence of grant completion as per the outputs outlined in the GAC, such as:
  - An endorsed copy of the study, feasibility report, design, or plan;
  - A bike video survey showing the entirety of the completed works (construction projects only) and photographic evidence that a grants sign has been erected; or
  - Other evidence that may be relevant (if required by DoT before finalising the grant payment).

When the Acquittal Report has been received, reviewed and approved by DoT, an acquittal email will be sent to the grant recipient confirming completion of the project. The acquittal letter is signed by the Program delegate.

Separate Acquittal Forms are required for each grant.

All project acquittals are recorded in the WABN Grants Program database.

#### 13.4. Right to audit

To avoid fraudulent use of grant funds, inspection of physical project sites may be requested to verify that the funding has been expended in accordance with the executed grant agreement, or any approved revisions.

Inspections may take place at any time during the grant life cycle from assessment to agreement, monitoring and acquittal.

DoT regional staff may assist with inspections.

Requirements for access to the project site are outlined in the GAC.

# 14. Termination and reallocation of grant funds

#### 14.1. Withdrawals and terminations of grants

Grantees must advise DoT in writing as soon as possible if they wish to withdraw the application for funding or terminate an executed grant agreement.

DoT may also rescind a grant offer or terminate an executed grant agreement, or any approved revisions, by providing notice in writing to the grantee if the project:

- is no longer necessary for any reason, including due to a change in State or Commonwealth government policy;
- is unable to be completed in accordance with the executed grant agreement or any approved revisions; and/or
- the grantee breaches any of the conditions outlined in the executed grant agreement or any approved revisions and/or any other grant documents (such as guidance resources).

If an executed grant agreement is terminated:

- it is terminated from the date specified in the notice;
- DoT has no further obligation to pay the grant or any part of the grant which has not yet been paid;
- DoT can request repayment of part or all of the funds paid to date (refer Section 14.2); and
- Some clauses may survive, as outlined in the executed GAC.

Comprehensive details of grant termination and repayment conditions are outlined in the GAC.

#### 14.2. Suspension of grants

In the event that a grantee does not meet the conditions of an executed grant agreement, DoT has absolute discretion to suspend payment of the grant until DoT is satisfied that the grantee has rectified the situation.

Suspension notices are approved by the EDUM and provided to the grantee as a written notice. The grantee has 10 Business Days to respond to the notice and initiate rectifications.

#### 14.3. Repayment of grant funds

At the end of an executed agreement, whether by termination or completion of the project, the grantee may be required to repay funds to DoT, including repayment of any:

unused grant funds; and/or

grant amounts deemed by DoT to have been improperly evidenced or expended.

Repayment must be made within 10 Business Days of the agreement ending (by completion or termination).

#### 14.4. Reallocation of grant funds

It is possible that Program funds in any given financial year may not be fully allocated. For example if:

- Grantees withdraw their application after grants have been awarded;
- Works have been completed at a lower cost than estimated;
- A third-party contribution is confirmed after the grant has been awarded, reducing the required WABN grant request; and/or
- The project scope has been reduced.

This may result in unallocated funds that can be distributed to other projects.

Available funds are reallocated as follows:

- To grant projects in the relevant financial year/s that have executed grant agreements where a variation request has been lodged and approved;
- To grant projects in the relevant financial year/s that are on the Reserve List (refer Section 14.5), whereby funding will be offered based on the original assessment score, the relative urgency or benefits of the project based on funding priorities, the resolution of any outstanding issues flagged during the assessment process (e.g. land tenure issues), readiness to commence and complete the project in the available funding period, and/or the amount of funding available.

Funding limits outlined in Section 4.4 are also considered.

The Program's financial position is reassessed during each quarterly reporting period and reallocations are processed in line with the authorities outlined in Section 11.2.

#### 14.5. Reserve list

During the assessment process outlined in Section 9, projects that are deemed eligible for funding but do not fall within the available funding allocation are placed on the Reserve List.

**Important:** Selection for the Reserve List does not guarantee a future funding offer.

Reserve List projects are considered for funding on a case-by-case basis should surplus Program funds become available before the end of the current funding round (refer to Section 12: Reallocation of funds).

The Reserve List is reviewed:

- On an ad hoc basis when surplus funds become available for allocation; and
- Ahead of each application intake at which time DoT will invite LGAs to indicate whether the
  project should remain or be removed from the list.

Projects can be removed from the list should the funding requirement no longer be needed or if the LGA wishes to reapply in a new funding round.

LGAs may be required to provide additional qualifying information for projects on the Reserve List based on Grant Opportunity Guidelines for the current or new funding round.

## 15. Review

#### 15.1. Outcomes orientation and program performance framework

The Program adopts an outcomes focused orientation and identifies inputs, outputs and outcomes in the Program Performance Framework, which references the Commonwealth Grant Rules and Guidelines 2017 (refer Section 10) and the Western Australian Grants Administration Guidelines 2022 (refer Section 4).

The performance objectives of grant opportunities are outlined in the *WABN Grant Opportunity Guidelines* for each funding round and are:

- Linked to State Government priorities and DoT's strategic goals;
- Outlined in such a way that clearly communicates what is to be achieved, measured, evaluated, and/or assessed;
- Authorised by the Minister for Transport and/or their authorised DoT delegate;
- Confirmed in grant agreements; and
- Reviewed for each grant round and changed as appropriate.

#### 15.2. Project performance measures

Methods of performance measurement on grant projects include, but are not limited to:

- Usage counts (pre-and-post construction)
- Project outputs reported in acquittals
- Grant recipient surveys
- Bike video surveys
- Physical audits
- Shapefiles demonstrating contribution to the LTCN / local network
- Community surveys

Special performance measures for certain grants may be included in GACs.

#### 15.3. Program audits

The Program is subject to ad hoc auditing and may also request independent audits as deemed required by the Minister for Transport and/or DoT to assess program quality, risk, and effectiveness.

# 16. Program reporting and recordkeeping

A Program Projects Database retains records of all grants awarded since 2017-18 and is updated as projects are awarded, agreed, and acquitted. A Program master list records details of live grants, with data migrated to the Database quarterly. This ensures funding information for the Program remains current for reporting purposes.

An outline of significant Program data and results achieved is published in the WABN Annual Report each year.

A report on the Program Performance Framework will be published at the end of each funding cycle (every four years) from 2025.