

Funding Conditions – Supplementary AusLink Roads to Recovery Programme

Preliminary

Definitions

1. (a) The following terms are defined as follows:

Chief Executive Officer in relation to a funding recipient means the Chief Executive Officer or equivalent office holder of the funding recipient;

funded project means a project funded, or to be funded, using Supplementary Roads to Recovery funds;

funding recipient means a body that has received and accepted Supplementary Roads to Recovery funds;

relevant documents means, in relation to a funding recipient, documents relating to Supplementary Roads to Recovery payments received by the funding recipient, including documents relating to projects in respect of which Supplementary Roads to Recovery payments were spent and documents relating to the expenditure by the funding recipient on the construction or maintenance of roads, irrespective of the source of those funds;

small funded project means a project relating to the construction or maintenance of roads, the total cost of which is, or is expected to be, less than \$10 000;

supplementary funds are funds available to a funding recipient as a result of the supplementary payment;

supplementary payment is the payment made to a funding recipient under the Supplementary programme;

supplementary programme is the programme described by this name in the Appropriation Acts Nos. 5 and 6 of 2006.

the Act means the *AusLink (National Land Transport) Act 2005*.

- (b) Terms that are defined in the Act have the same meaning in these Conditions. Some of these terms are:

- appropriate auditor
- road
- construction
- maintenance
- local government authority.

Part 1: Conditions relating to expenditure of payments

- 1.1. A funding recipient must ensure that the funds provided under the Supplementary Roads to Recovery Programme are:

- (a) spent only on the construction or maintenance of roads;
- (b) spent only on projects identified in the works schedule submitted in accordance with clause 3;
- (c) not used to pay GST

Note: the terms ‘road’, ‘construction’ and ‘maintenance’ are defined in section 4 of the Act. Councils should consult their

Roads to Recovery Notes on Administration for more detail of the content of these terms.

- 1.2. A funding recipient must ensure that the Supplementary Roads to Recovery funds are spent by 30 June 2009 unless it has the agreement of the Department.
- 1.3 Interest earned on the Supplementary Roads to Recovery funds between the date of receipt of the funds and the date of their expenditure must be spent on road works by 30 June 2010. This condition does not apply to councils which received a Supplementary Roads to Recovery payment of under \$250,000.

Part 2: Public Information conditions

- 2.1 In all formal public statements, media releases or statements, displays, publications and advertising generated by a funding recipient relating to a funded project, the funding recipient must acknowledge and give appropriate recognition to the contribution of the Australian Government to that project.
- 2.2 If a funding recipient proposes to issue a media release relating to a funded project, the funding recipient must obtain the Department's approval of the proposed release.
- 2.3 Subject to subclauses 2.4 and 2.5, a funding recipient must ensure that signs in the form specified in Schedule 2 are erected for each funded project, other than small funded projects, at the time work on the project commences, as follows:
 - (a) except where the funded project relates to a cul-de-sac or a one-way road, one sign must be erected at the place where the funded project starts, and one sign must be erected at the place where the funded project ends. Where the funded project relates to a cul-de-sac, one sign must be erected at the entrance to the cul-de-sac. Where the funded project relates to a one-way road, one sign must be erected at the place where the project begins.
 - (b) all signs must be erected in a prominent but safe position facing oncoming traffic, in any event so that they are plainly visible to passing motorists;
 - (c) except where a project is less than 50% funded under the AusLink *Roads to Recovery* and the Supplementary Roads to Recovery programmes combined, signs erected as required by this clause must have greater prominence, in size and frequency and visibility, than any other signs which relate to the funded project or which are erected in the immediate vicinity of the funded project.
- 2.4 If a funded project is undertaken on a road where the usual speed limit is 80km per hour or less, the linear dimensions of the required signs may be up to 20% smaller than specified in Schedule 2.
- 2.5 If a funding recipient carries out:

- (a) a number of projects in the area for which it is responsible each of which costs or is estimated to cost less than \$10,000; or
- (b) maintenance projects as defined in the Act including sheeting and resheeting projects,

the funding recipient is not required to erect signs in relation to each project. In these cases, the funding recipient is required to erect signs in the form specified in Schedule 2 on major roads in the area and at entrances to communities.

- 2.6 A funding recipient must ensure that all signs erected as required by these Conditions remain in place for the duration of the project to which they relate and for a minimum period of one year commencing on the day on which the project is completed.
- 2.7 If a funding recipient proposes to hold an opening ceremony in relation to a funded project, the funding recipient must inform the Department of the proposed ceremony at least two weeks before the proposed ceremony is to be held, and provide details of the proposed ceremony, including proposed invitees and order of proceedings. If requested by the Department, the funding recipient must arrange a joint Australian Government/funding recipient opening ceremony.
- 2.8 If asked by the Minister's office or the Department, a funding recipient must arrange for an Australian Government representative to attend any opening ceremony which it plans to hold in relation to a funded project.

Part 3: Conditions relating to planning and reporting

- 3.1. A funding recipient must submit a work schedule in the form specified by the Department as soon as practical, but in any case by 30 September 2006, listing the initial projects to be funded under the Supplementary Roads to Recovery Programme. The list should be kept up to date and may be added to as additional projects are planned or varied to reflect changes in scope or other details which are necessary in the light of changing circumstances. Estimated costs should exclude GST.
- 3.2 To enable the Department to monitor the expenditure of the Supplementary Roads to Recovery funds, it is required that funding recipients submit expenditure reports in the form specified by the Department showing the expenditure for each quarter, beginning with the quarter ending on 30 September 2006 as follows:
 - (a) in respect of the quarter 1 January to 31 March: by the following 30 April;
 - (b) in respect of the quarter 1 April to 30 June: by the following 31 July;
 - (c) in respect of the quarter 1 July to 30 September: by the following 31 October;

- (d) in respect of the quarter 1 October to 31 December: by the following 31 January.
- 3.3 The funding recipient must in each expenditure report in respect of each project specify:
- (a) the amount of Supplementary Roads to Recovery funds spent during the period commencing on 1 July 2006 and ending on the last day of the quarter to which the quarterly report relates; and
 - (b) the amount of Supplementary Roads to Recovery funds which the funding recipient intends to spend on that project in the following quarter.

Note: These amounts must exclude GST.

Part 4: Accountability

- 4.1 A funding recipient must properly account for its Supplementary Roads to Recovery payment.

Annual report

- 4.2 For each financial year from 2006/07 until the Supplementary Roads to Recovery funds received by the funding recipient are fully acquitted, the Chief Executive Officer of the funding recipient must give to the Department by 31 October after the end of the financial year:

- (a) a written statement in the form set out in Schedule 1 as to:
 - (i) the amount of Supplementary Roads to Recovery payments which remained unspent from the previous financial year;

Note: This amount is to be shown in column 1 of the Chief Executive Officer's Report in the financial statements in the Annual Report as 'Amount brought forward from the previous financial year.
 - (ii) the amount spent by the funding recipient during that year out of Supplementary Roads to Recovery payments during that year;
 - (iii) the amount (if any) retained at the end of the year by the funding recipient out of Supplementary Roads to Recovery payments received by the funding recipient during that year which remain unspent at the end of that year.

Note: This amount is to be shown in column 3 of the Chief Executive Officer's Report in the financial statements in the Annual Report as 'Amount carried forward to next financial year.

- (b) a report in writing and signed by the appropriate auditor stating whether, in the auditor's opinion:
 - (i) the statement is based on and is in agreement with the accounts and records; and

- (ii) the expenditure referred to in subparagraph (a)(ii) has been on the construction or maintenance of roads.

Other annual report requirements

- 4.3 For each financial year in which a funding recipient spends or retains any Supplementary Roads to Recovery funds, the Chief Executive Officer of the funding recipient must give to the Department by 31 October after the end of the financial year a report in the form set out in Schedule 1 which includes a statement that:
 - (a) Supplementary Roads to Recovery funds spent during the financial year by the funding recipient have been used for the construction or maintenance of roads;
 - (b) the funding recipient has fulfilled its obligations under Part 2 of these Conditions arising during the financial year (the public information obligation);
 - (c) these Conditions have, in other respects, been complied with by the funding recipient during the financial year; and
 - (d) summarises and describes the outcomes achieved during the financial year with those Supplementary Roads to Recovery payments spent during the financial year.

Other accountability requirements

- 4.4 A funding recipient must create and keep accurate and comprehensive documentation relating to its Supplementary Roads to Recovery funds and retain those documents for a minimum of seven years.
- 4.5 A funding recipient must allow Australian Public Service employees or persons nominated by the Commonwealth to inspect:
 - (a) work on projects being undertaken by the funding recipient which are funded by Supplementary Roads to Recovery funds; and
 - (b) relevant documents.
- 4.6 A funding recipient must, when requested to do so by the Department, provide:
 - (a) copies of relevant documents; and
 - (b) photographs of projects completed using Supplementary Roads to Recovery funds, in the manner and form required by the Department.

Part 5: National Code of Practice for the Construction Industry

- 5.1 The application of the National Code of Practice for the Construction Industry (the Construction Code) and the Australian Government Implementation Guidelines for the National Code of Practice for the Construction Industry (the Implementation Guidelines) is a condition of funding for new construction projects funded under the Supplementary Roads to Recovery programme where:

- a) the Australian Government's contribution to an individual project is \$5 million or more and where that contribution represents at least 50 per cent of the total project value; or
 - b) the Australian Government's contribution to an individual project is over \$10 million, irrespective of the proportion this represents of the total project cost.
- 5.2 Funding recipients must ensure that the Construction Code and Implementation Guidelines are formally applied to applicable construction projects and ensure that all contracts, subcontracts, tendering processes or calls for expressions of interest for the construction of projects specify the requirement to comply with all elements of the Construction Code and Implementation Guidelines.
- 5.3 Funding recipients are to maintain adequate records of compliance with the Construction Code and the Implementation Guidelines and to inform the Department of any breaches.
- 5.4 Monitoring compliance with the Construction Code and Implementation Guidelines may involve site visits and reviews by the Building Industry Taskforce. Funding recipients are required to cooperate in any such visits.
- 5.5 The obligations of funding recipients, contractors and subcontractors for projects that exceed the thresholds are detailed through the Australian Government workplace portal under the website page titled "Australian Government Indirectly Funded Construction". The website address of these obligations is shown below:

<http://www.workplace.gov.au/workplace/Category/PolicyReviews/BuildingConstruction/NationalCodeGuidelines/AustralianGovernmentIndirectlyFundedConstruction.htm>

Part 6: Non-compliance with Conditions

- 6.1 If the Secretary or delegate of the Secretary notifies a funding recipient in writing that the Secretary is satisfied that the funding recipient has, in relation to a Supplementary Roads to Recovery payment, failed to fulfil any of these Conditions, the funding recipient must repay to the Commonwealth an amount equal to so much of the payment that the Secretary or delegate specifies in the notice. Payments under the Act may be withheld if the funding recipient has failed to comply with any of the conditions.

SCHEDULE 1

Supplementary Roads to Recovery Programme Annual Report Proforma

Part 1 - FINANCIAL STATEMENT AND CHIEF EXECUTIVE OFFICER'S REPORT

The following Financial Statement is a true statement of the expenditure of the Supplementary Roads to Recovery funds received by ...(name of funding recipient).

[1]	[2]	[3]
Amount brought forward from previous financial year \$	Amount expended in report year \$	Amount carried forward to next financial year \$
		[1]-[2]

.....(signature of Chief Executive Officer)

..../..../200x

.....(name of Chief Executive Officer)

Auditor's report

In my opinion:

- (i) the Financial Statement above is based and is in agreement with proper accounts and records; and
- (ii) the amount reported as expended during the year was used solely for expenditure on the maintenance or construction of roads

I am an “appropriate auditor” as defined below:

.....(signature of auditor)

...../...../200x

.....(name of auditor)

.....(name of auditor’s company)

Note: An “appropriate auditor” may only be:

- (a) the Auditor-General of a State or Territory; or
- (b) a person (other than an officer or employee of the funding recipient) who is:
 - (i) registered as a company auditor or a public accountant under a law in force in a State; or
 - (ii) a member of the Institute of Chartered Accountants in Australia or of the Australian Society of Accountants.

Internal auditors may not sign this document.

Supplementary Roads to Recovery Programme Annual Report Proforma

PART 2 - STATEMENT OF ACCOUNTABILITY BY CHIEF EXECUTIVE OFFICER

I,(name)....., Chief Executive Officer of(name of funding recipient), hereby certify, in accordance with the Funding Conditions applying to the *Supplementary Roads to Recovery* programme, that (name of funding recipient):

- (a) spent *Supplementary Roads to Recovery* funds received by [name of funding recipient] during the year [insert financial year] solely on the construction or maintenance of roads;
- (b) complied with the signage and other public information requirements as set out in Part 2 of the funding conditions; and
- (c) complied with other Conditions of the grant.

.....(signature of Chief Executive Officer)

.../.../200x

Part 3 - STATEMENT OF OUTCOMES BY Chief Executive Officer

...(name of funding recipient) ... has achieved the following outcomes under the Supplementary *Roads to Recovery Programme* in 200x-0x:

Key outcomes

Outcome	Estimated % of Supplementary Roads to Recovery Expenditure
1. Road Safety	
2. Regional economic development	
3. Achievement of asset maintenance strategy	
4. Improved access for heavy vehicles	
5. Promotion of tourism	
6. Improvements of school bus routes	
7. Access to remote communities	
8. Access to intermodal facilities	
9. Traffic management	
10. Improved recreational opportunities	
11. Amenity of nearby residents	
12. Equity of access (remote areas)	
13. Other	
14. TOTAL	100.0

.....(signature of Chief Executive Officer)

..../..../200x

Schedule 2

SIGNAGE REQUIREMENTS

Specifications for Signs





Section A



R2R Logo colour components

- Yellow (sky) - Pantone 116
- Green (grass) - Pantone 348
- Deep Blue (road) - Pantone 5395
- Sun/lines - White

- 'roads to recovery' - Pantone 5395

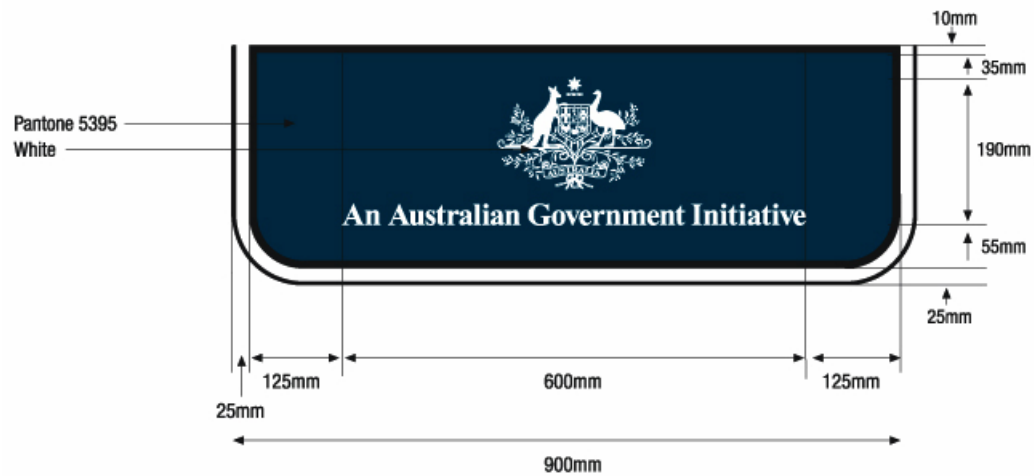
Background colour

White

Graphic comments

Graphic to be screen printed.

Section B



Font/Crest colour

White

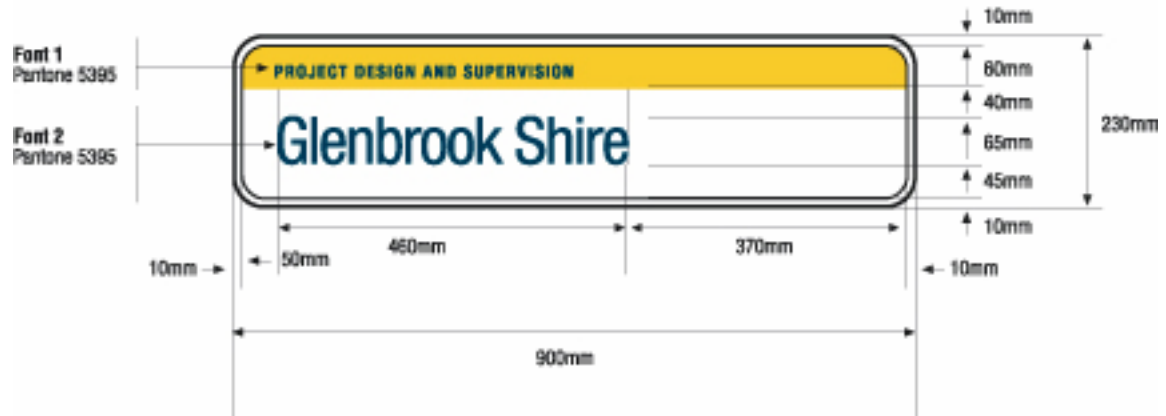
Background colour

■ Pantone 5395

Graphic comments

Graphic to be screen printed.

Section C



Font 1 colour

■ Pantone 5395

Font 1 specifications

Helvetica Neue Condensed Bold All
Caps 65/78pt Tracking: +10% em

Background colour

■ Pantone 116

Font 2 colour

■ Pantone 5395

Font 2 specifications

Helvetica Neue Condensed Upper and
lower case 245pt Tracking: -3% em

Background colour

White

Graphic comments

Graphic to be screen printed.
Graphic information changes according
to relevant artwork.