

Western Australian Auditor General's Report



Delivering Essential Services to Remote Aboriginal Communities – Follow-up



Report 25: 2020-21

2 June 2021

Office of the Auditor General Western Australia

Audit team:

Dr Andrew Pope
Jeremy Bean
Nadia Donatelli
Justin Fairhead
Rachael Wilkins
Jo Stapley
Dr Jacqueline Richards
Russell Butler

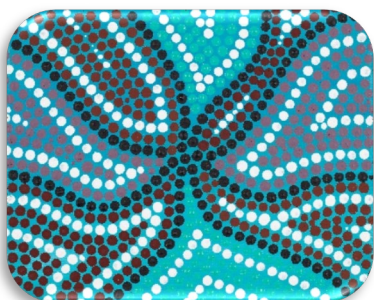
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ISSN: 2200-1913 (print)
ISSN: 2200-1921 (online)

The Office of the Auditor General acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures, and to Elders both past and present.



The Office of the Auditor General wishes to thank Justin Martin for painting this bespoke Aboriginal artwork to reflect the work of our Office. The black dots symbolise the Auditor General as an integrity institution working with people and government entities throughout Western Australia. In Noongar and Yamatji Country, the black dots represent a black crow, who also has a role to oversee the countryside.

WESTERN AUSTRALIAN AUDITOR GENERAL'S REPORT

**Delivering Essential Services to Remote
Aboriginal Communities – Follow-up**

Report 26: 2020-21
June 2021



**THE PRESIDENT
LEGISLATIVE COUNCIL**

**THE SPEAKER
LEGISLATIVE ASSEMBLY**

**DELIVERING ESSENTIAL SERVICES TO REMOTE ABORIGINAL COMMUNITIES –
FOLLOW-UP**

This report has been prepared for submission to Parliament under the provisions of section 25 of the *Auditor General Act 2006*.

Performance audits are an integral part of my Office's overall program of audit and assurance for Parliament. They seek to provide Parliament and the people of WA with assessments of the effectiveness and efficiency of public sector programs and activities, and identify opportunities for improved performance.

This audit assessed whether the Department of Communities effectively addressed findings from our 2015 audit *Delivering Essential Services to Remote Aboriginal Communities*.

I wish to acknowledge the entities' staff for their cooperation with this audit.

A handwritten signature in black ink, appearing to read 'Caroline Spencer'.

CAROLINE SPENCER
AUDITOR GENERAL
2 June 2021

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Auditor General's overview

Access to safe, effective and reliable water, power and wastewater services is essential to liveability in any community. Providing those services in remote Aboriginal communities is a particularly significant challenge that successive governments have grappled with, often with mixed results. Remote Aboriginal communities in Western Australia can range from very small family groups (10 to 15 people, 3 to 5 dwellings and not continuously inhabited) to larger communities (over 600 people and 130 dwellings).



This audit looked at the Department of Communities' management of essential services to 143 communities in remote WA, and it follows up on the recommendations from our 2015 audit when the State provided services to 84 of the larger communities. It also explains key changes and assesses service delivery since the Commonwealth ceased providing municipal and essential services to remote WA communities from 2015 with a \$90 million exit payment to the State. I am pleased to be able to report that the Department has made progress on all our previous recommendations. Perhaps most importantly, water quality has improved in many communities since 2015, reducing critical risks to public health.

However, the level of service that communities receive is not uniform, and water quality is not routinely tested in the smallest communities. While this is consistent with service guidelines, it can mean these communities face health risks from their water supplies. This in part reflects the challenge of bringing disparate communities under the State's management following the Commonwealth's withdrawal from service delivery. It also highlights that managing expanded responsibilities effectively requires detailed planning, ongoing consultation and transparency in policy and decision making about what services communities will receive.

Feedback from communities showed us that policy and decision making will also need to address what is considered another essential service. Specifically, digital connectivity is becoming critical for service access and delivery in remote communities. Remote telemetry over telecommunications networks is used to monitor assets such as generators and water purification systems, and during the COVID-19 pandemic, internet access has also become essential for delivering health and education services. Identifying and addressing any emerging digital divide in remote communities could be key to continuing to support Aboriginal people to live on country, which has been recognised as important for their wellbeing and culture.

Executive summary

Introduction

The objective of the audit was to assess whether the Department of Communities has effectively addressed the findings from our 2015 audit *Delivering Essential Services to Remote Aboriginal Communities*.

Our 2015 audit found shortcomings in the delivery of power, water and wastewater services to 84 remote Aboriginal communities under the Remote Area Essential Services Program (RAESP). The report highlighted poor water quality in some communities, difficulties coordinating services and weaknesses in the application of service eligibility criteria. It included 6 recommendations to the then Department of Housing. Appendix 1 shows the status of the recommendations at December 2020.

There have been a number of changes since 2015. Essential and municipal services in remote communities have been the State Government's responsibility since the Commonwealth Government stopped providing services in 2015. Communities formerly managed by the Commonwealth now make up 51 of the smallest communities serviced by the State. Accordingly, the RAESP has been expanded and renamed the Remote Essential and Municipal Services program (REMS). The Department of Housing was absorbed into the new Department of Communities (Department) in 2017.

We audited the Department's administration of power, water and wastewater services to the 143 communities in REMS. We did not audit REMS' municipal services such as road maintenance and rubbish collection. The Department also manages housing maintenance and tenancy in remote communities but this is not part of REMS and was not audited.

Context

The Department oversees the delivery of the REMS program to remote communities in the Kimberley, Pilbara and Goldfields regions. REMS' objective for essential services is to provide and maintain assets and infrastructure needed to supply reliable power, safe drinking water and effective wastewater services.

Prior to July 2015, the State and Commonwealth Governments shared responsibility for essential services in remote Aboriginal communities. When we tabled our previous audit in May 2015, the State Government was providing essential services and maintenance to 84 of WA's larger remote Aboriginal communities under RAESP. The Commonwealth Government provided funding to the State for upgrades and new essential service assets. The Commonwealth separately funded 59 communities. A brief history of these shared responsibilities, going back to 1985, is at Appendix 2.

To deliver REMS, the Department uses a Contracted State Program Manager (Program Manager) to oversee Regional Service Providers (RSPs) in the Kimberley, Pilbara and Goldfields. In addition to the RSPs, Horizon Power provides power services in 16 communities and to a central community meter in another 9. Water Corporation supplies water to 7 communities but not to individual dwellings.

Since our last audit, the Department has finalised the *Remote Service Level Guidelines for Essential Services in Remote Settlements in Western Australia* (Guidelines). Endorsed by Cabinet in 2014, these Guidelines outline service delivery levels and standards for water, wastewater and power.

Conclusion

The Department of Communities has made progress on all 6 recommendations from our 2015 audit. Water quality has improved in 38 communities and wastewater is now monitored in line with contracts. Power and water supplies are more reliable. The Department has taken steps to improve coordination with other State entities and improved its contract management. It has also reviewed essential service eligibility and clarified its roles and responsibilities for essential services in remote Aboriginal communities.

However, water still tested positive for contaminants in 37 communities in the 2 year period to 2019-20. A further 51 communities were not tested for water quality until late 2019, 4 years after they were included in the REMS program. This exposed these communities to the risk of illness from chemical and biological contamination.

Although the Department has reviewed essential service levels, the criteria it uses and how they are applied are not transparent. The Guidelines specify service levels based on community size, prioritising large communities in line with the State Government's 2016 road map *Resilient Families, Strong Communities*. But the Department also considers additional factors outside the published criteria. Its documentation of decisions affecting remote communities is also poor. With a lack of public reporting on performance of service delivery and no formal process for remote Aboriginal communities to raise concerns, it is hard for people living in these communities to assess the services they receive.

Key findings

Power and water supplies were more reliable and wastewater services were more consistently monitored

Power and water supplies were more reliable overall

Power and water supplies were generally more reliable now for communities than in 2015. We looked at data from communities in the Kimberley, Pilbara and Goldfields. For both power and water supply there was on average fewer than 1 outage per community per year during the audit period. Outages were addressed more promptly and services restored according to contract requirements.

Wastewater services were more consistently monitored

Following our 2015 audit finding that testing of wastewater ponds had not been done by RSPs according to contract, the Department has ensured this is done in all communities affected. Since then, RSPs have consistently met sampling requirements in these communities as required by their current contracts. This applied to 38 communities in 2019-20.

Water quality had improved in larger communities but there had been no microbial water testing in the smallest communities

Measures implemented since our 2015 audit had improved water quality in 38 communities

New assets and water management plans have contributed to improved drinking water in around half of the communities we looked at in 2015, reducing risks from poor water quality. The number of times water-borne microbes posed a risk to public health has declined, with 4 in 5 of those communities having water supplies free from microbes in recent testing compared with less than half in 2015.

Thirty-seven communities we looked at in 2015 remained at risk from unsafe water

Contamination of the water supply by microbes, nitrates or uranium still occurred in 37 of the communities we looked at in 2015. In the 2 years to 2019-20, test results confirmed *Escherichia coli* (*E. coli*) or *Naegleria* species in 21 communities, high nitrate levels in 19 communities, and high uranium levels in 4 communities. Public health risks from drinking contaminated water remain in these communities.

Water in the smallest communities may pose health risks

There was no water quality testing in 51 of the smallest communities previously serviced by the Commonwealth until November 2019. The Department told us in early 2020 that it did not test regularly and had no plans to do so because the Commonwealth had not done it, it was neither necessary nor practical and the Department was not funded to do it. However, in October 2020 it varied contracts to include annual chemical testing in 50¹ of these communities and started microbial testing in 6 of them. These tests found 2 with microbial contamination and unsafe levels of uranium and fluoride in another.

Even when tests were done, the Department did not always act promptly on the results. It took 9 months to issue a 'no drink' notice to 1 community after a water quality test result exceeded Australian Drinking Water Guidelines in 2019. The delay in notifying the community of the test results meant it was exposed to unsafe water for those 9 months.

There are no plans to ensure existing water treatment systems in these communities are adequate by testing the water quality output. Apart from the limited testing mentioned above, the Department intends only to protect bores and carry out annual inspections and preventative maintenance of these systems. However, source protection and system maintenance alone cannot ensure that assets are functioning as expected and that drinking water sources are clean.

We note that the *Public Health Act 2016* (Act) requires entities to take all reasonable steps to avoid harm to public health. In May 2017 the Department advised the Minister for Housing that the Act applied to remote communities. In September 2019 it acknowledged that it may need to seek exemption under section 267 of that Act for an unspecified number of communities because of budgetary constraints. Regulations under the Act have not yet been gazetted, but if they are the Department will need to ensure it is compliant.

Better service coordination had begun in 10 communities and contract management had improved but repeated contract extensions risked poor value for money

A program to upgrade services and coordinate service delivery had begun in 10 large communities

Since 2015, the Department has demonstrated improved coordination of services in 10 large REMS communities. The Department collaborated with other entities through the Utilities Reference Group² and the Essential and Municipal Services Upgrade Program (EMSUP). EMSUP intends to upgrade power, water and wastewater infrastructure. Site works have started in 2 of these communities. According to the Department, after the upgrades, these 10 communities will have essential services comparable to regional towns. There are no plans to extend the program.

¹ One community declined the testing.

² The Utilities Reference Group includes the Department of Communities, Department of Treasury and Department of Planning, Lands and Heritage, Horizon Power and Water Corporation.

Contract management of RSPs had improved since our 2015 audit

The current contract for RSPs includes Key Performance Indicators (KPIs) that better support effective contract management. KPIs are clearer and more comprehensive, with targets and minimum performance levels. These are backed with financial performance incentives and penalties. This enables the Department to better monitor RSP performance and reduces the risk that RSPs will not meet performance targets.

Repeated extensions of the Program Manager contract without re-tendering risk value for money

The Program Manager contract was extended 6 times without testing it in the market. The Department first offered the contract in 2012 as a 3 year contract. It was repeatedly extended until the Department retained an external consultant to review it in 2019. This resulted in a substantially new contract that was re-tendered in April 2020 and awarded in February 2021. Failure to regularly review and tender the contract reduces market competition for government services and risks value for money in service delivery.

How the Department decides what services communities receive is not transparent, and the performance of essential services is not publicly reported

Decisions about service levels for communities are not transparent

The Department has reviewed service levels for all communities since our last audit. However, not all criteria used to determine service levels are included in the Guidelines, nor are they all publicly available. As well as the number of houses and resident population, the Department also considers if houses are habitable but this criterion is not included in the Guidelines. Habitability maybe a reasonable consideration but not publishing all criteria, including for habitability itself, makes decisions about service levels very difficult for communities and other stakeholders to understand.

The Department also uses its own population estimates and house numbers that differ substantially from publicly available data such as Australian Bureau of Statistics data but does not publish these. While the Department's data may be more up to date, its use of unpublished data further reduces transparency of service level decisions.

We also found no formal process for community members to be consulted on, and raise concerns about, their services with the Department or for this information to be appropriately reviewed, stored and monitored. While the Department may visit a community 3 or 4 times a year and capture some issues, this is driven by the needs of the Department rather than community members. A formal consultation process would promote community trust and better understanding of local issues. Not having such a process limits communities' ability to be heard and have their concerns addressed in a timely manner.

Information about essential services performance in remote communities is not publicly available and decision-making is not well documented

The Department does not publicly report on the performance of power, water and wastewater services in remote communities. Information about power services performance is also not published for the 16 remote communities serviced by Horizon Power. While there is no requirement to report on performance in remote communities, the lack of reporting makes it hard for communities to compare their experience and risks communities accepting poor performance. It also reduces Parliament's visibility of the Department's performance.

Service levels to communities vary within REMS categories but documentation of the decisions to vary service levels, or remove services altogether, is inadequate. Variations are recorded primarily in contracts without written evidence of community consultation or criteria-based decision-making. The Department told us that consultations with communities were

often verbal and undocumented. Decisions should be capable of review and without adequate documentation it is not possible to assess if each of these service level decisions is appropriate and consistently applied.

The Department has clarified its roles and responsibilities, focusing on larger communities while the smallest communities are largely self-managed

Roles and responsibilities of entities are clearer but aims and objectives have not been publicly explained

The Department has clarified its REMS roles and responsibilities and that of other State entities for communities previously serviced by the Commonwealth as recommended in our 2015 audit report. However, it has not publicly explained REMS' aims and objectives and how they are being implemented in all REMS communities. There is no information about REMS on the Department's website other than a brief overview included in its annual reports. While contract terms of interest to communities, such as service schedules, are publicly available through the Tenders WA website, this is not easily accessible. The lack of easily accessible information to promote a shared understanding of REMS is likely to make it harder for communities and other interested parties to hold entities to account.

The Department also has not received a formal response from other State entities to a consultation paper proposing an investment framework consistent with the 2016 *Resilient Families, Strong Communities* reform road map. The Department sought feedback on this consultation paper in 2018 through the Aboriginal Affairs Coordinating Committee.³

The Department is implementing an approach that focuses resources only on larger communities, leaving the smaller communities to manage themselves

The Department is implementing an approach set out in *Resilient Families, Strong Communities* for services to remote Aboriginal communities. The road map acknowledged poor quality of infrastructure in many remote communities and proposed to address this by initially identifying up to 10 communities for upgrade by the end of 2016. Accordingly, the Department is focusing on these large communities through EMSUP, with limited resources allocated to Small and Self-managed communities.

Roughly half of REMS communities are categorised as Self-managed and therefore will not be included in planned infrastructure upgrades. Fifty-nine of these communities had previously been serviced by the Commonwealth. The Guidelines treat standards for these communities as aspirational only and the Department provides maintenance of their existing infrastructure but not improvements. There is a risk that this approach will not achieve the aims of *Resilient Families, Strong Communities* to improve outcomes for Aboriginal people living in remote communities.

The Department has identified investment needs in communities we looked at in 2015 but not in communities more recently included in REMS

The Department, through the Program Manager, has identified 68 communities formerly managed under the RAESP program where urgent investment is needed to ensure essential services assets meet current demands and to provide critical upgrades. However, current funding does not cover the cost of these upgrades. The Program Manager advised the Department that it expected assets in these communities would deteriorate and fail to meet demand if upgrades were not carried out. The Department has made no equivalent assessment in the smallest communities, where assets are at the same risk of deterioration.

³ The Aboriginal Affairs Coordinating Committee includes the Department of the Premier and Cabinet, Chair of the Aboriginal Advisory Council of WA, Department of Health, Department of Education, Department of Communities, Department of Treasury, Department of Planning, Lands and Heritage, Department of Justice and the WA Police Force.

The Department uses a tiered approach to allocate services to communities based on the number of dwellings and residents. The Department does not appear to include systematic risk assessment in its approach. Around half of REMS communities, including the smallest communities, are in the Self-managed category where the need for asset upgrades will not be assessed. This is despite the identified need for infrastructure improvements in some of them. While it is consistent with policy and the State's assumption of responsibility for these communities from the Commonwealth, it has resulted in unsafe infrastructure remaining in use in some of them. For example, on a field visit we saw water towers with unsafe ladders and an elevated platform with no railing around it.

Recommendations

1. To improve assurance of drinking water quality, the Department should:
 - a. regularly test water quality in all REMS communities
 - b. upgrade water treatment and supporting power systems where necessary to achieve this.

Entity response: Accepted-in-principle. The Department of Communities will engage with the State Government on future policy and service delivery options to: a. introduce microbial water testing in the small self-managed remote settlements that do not under current Remote Service Level Guidelines receive that testing; b. upgrade water treatment and supporting power systems in those settlements where necessary to respond to that testing.

Implementation timeframe: by June 2022

2. To improve governance of its program, the Department should:
 - a. improve transparency by publishing service performance data and the eligibility criteria it uses
 - b. establish and promote engagement of Aboriginal communities in service delivery decisions.

Entity response: Accepted

Implementation timeframe: by December 2021

3. To ensure the sustainability of essential services in remote Aboriginal communities, the Department should finalise:
 - a. a detailed action plan to address priority risk areas
 - b. a comprehensive investment plan for essential service delivery to communities.

Entity response: Accepted

Implementation timeframe: by December 2021

4. To ensure value for money in its contracts for essential services in remote communities, the Department should ensure all contracts are tendered regularly according to State Government procurement policy.

Entity response: Accepted

Implementation timeframe: when contracts are due or as appropriate.

Response from the Department of Communities

The Department welcomes this report, as remote Aboriginal communities are too often forgotten in the news and public debate. The report shines a light on the challenge and complexity of delivering services to far-flung places with small populations, poor roads and inadequate infrastructure. Remote Aboriginal communities receive different utility services from people in greater Perth or regional towns. Only a few receive electricity from a licensed supplier. None receive a water or wastewater service from a licensed supplier.

For historical reasons, it has fallen to our Department to (partially) fill this gap. A 2015 audit of our performance found we could do better, which we accepted. We believe we are now doing much better. As this report notes, our Department has made significant improvements in the reliability and quality of our services, and in our coordination and contracting. And we have achieved this during a time when the Commonwealth Government ceased to co-fund essential services infrastructure in remote Aboriginal communities.

We are pleased to report that we have already implemented, or commenced implementation, of Recommendations 2, 3 and 4. We have developed a risk-based investment plan to meet community needs. We are providing more public information. We continue to engage with communities about service decisions. We run all our contracts according to government procurement policy.

In terms of Recommendation 1, we have a rigorous program to test drinking water quality. Our service levels are set out in Cabinet-endorsed guidelines and we test every community in line with those guidelines. Recommendation 1 would require a change in this policy, and we will engage with government on service delivery options. Testing drinking water in a small self-managed remote settlement (e.g. five or less houses) is more costly than in a regional town. To be meaningful, a testing program would also likely require in some settlements a considerable capital investment in water treatment systems and supporting continuous power supply.

We provide all water quality test results promptly to the Department of Health and the State Government's Advisory Committee for the Purity of Water. We trust and follow the advice we receive from them on the results. This includes, for example, current advice to provide an alternative supply of drinking water to communities described in this report as having elevated levels of nitrates or uranium in their groundwater supply. For these reasons, residents of remote Aboriginal communities should feel confident that their drinking water is safe.

Audit focus and scope

This performance audit followed-up our 2015 audit *Delivering Essential Services To Remote Aboriginal Communities*. The audit objective was to assess whether the Department of Communities had effectively addressed the findings from our 2015 report.

In conducting this audit, we:

- reviewed legislation, strategies, advice to and decisions of Government, policies, procedures, contracts and other key documents
- interviewed key entity staff, the Contracted State Program Manager, and 3 contracted Regional Service Providers
- visited Warburton, Cosmo Newberry, Tjirrkarli (Goldfields), Woolah, Warmun, Cockatoo Springs, Emu Creek, Four Mile, Garlburang (Kimberley), Jinparinya and Yandeyarra (Pilbara) and spoke to community leaders and residents where possible
- reviewed water quality sample results for *E. coli*, *Naegleria* species, nitrates and uranium from July 2012 to December 2020. These contaminants are of most concern given their prevalence and health impacts
- used a separate team to re-analyse data extracted from the Program Manager's database to confirm the initial analysis
- assessed the REMS contract schedule of maintenance for compliance with contract service requirements and analysed service performance data
- considered State Government funding to the Department for REMS and its allocation over the period 2019-20 to 2023-24.



Source: OAG and Warmun Community

Figure 1: Warmun community members talking with OAG audit team. Warmun is 160 km southwest of Kununurra in the East Kimberley. Established in the 1970s by the Gija people, population ranges from 300 to 600 people. Warmun is scheduled to have essential service improvements through EMSUP.

We did not audit the Contracted State Program Manager contract or other services provided by the Department that are not part of REMS such as housing construction, home maintenance and tenancy.

This was an independent performance audit, conducted under Section 18 of the *Auditor General Act 2006*, in accordance with Australian Standard on Assurance Engagements ASAE 3500 *Performance Engagements*. We complied with the independence and other ethical requirements related to assurance engagements. Performance audits focus primarily on the effective management and operations of entity programs and activities. The approximate cost of undertaking the audit and reporting was \$841,000.

Background

The WA Government has been solely responsible for delivering essential services in remote Aboriginal communities since 2015. At that time, the State committed to deliver the services previously provided by the Commonwealth through the Municipal Services (MUNS) program, bringing the total number of communities serviced by the State to 165. The State received a \$90 million exit payment from the Commonwealth to assist this transition. After a review, the number of communities serviced by the State was reduced to 143. Table 1 shows the expenditure of the Commonwealth and State for essential and municipal services including asset upgrades.

	Expenditure 2012-13 to 2019-20								Total
	\$ million								
	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	
Essential and municipal services									
Cwth	32	29	29	23	20	32	0	3	168
State	32	36	36	35	36	21	57	66	319
Total services	64	65	65	58	56	53	57	69	487
Asset upgrades									
Cwth	6	15	15	14	4	8	14	17	93
State	32	13	18	11	6	4	8	6	98
Total assets	38	28	33	25	10	12	22	24	191
Total	102	93	98	83	66	65	79	93	678

Source: OAG using Department of Communities data

Table 1: Expenditure on essential and municipal services, 2012-13 to 2019-20

Note that the \$90 million Commonwealth exit payment is included in the table from 2015-16 across subsequent years. Rounding means numbers do not always sum precisely. Figures in the table also include other funds and do not sum to \$90 million.

In 2016, the State Government released its policy on remote Aboriginal communities. This document, titled *Resilient Families, Strong Communities*, was developed by the Regional Services Reform Unit (RSRU) in the then Department of Regional Development to serve as a road map for future development of remote Aboriginal communities in WA. The roadmap acknowledged poor essential services infrastructure in many remote communities. It also identified barriers to improved services such as no or unclear community ownership of land or assets, insufficient economic activity to pay for services, lack of effective community leadership and inadequate housing and noted the need for policies to address them.

Resilient Families, Strong Communities was followed by reports on:

- consultations with Aboriginal communities in September 2017
- mapping State Government services in the Kimberley and Pilbara in October 2017.

Under the *Remote Service Level Guidelines for Essential Services in Remote Settlements in Western Australia 2014* (the Guidelines), the Department continues to classify communities based on population and number of dwellings with service connections. The Guidelines specify service standards for water, wastewater and power. Services must also comply with the Australian Drinking Water Guidelines 2011 (ADWG), and statutory and regulatory requirements for sanitation, electrical safety, occupational health and safety and

environmental protection. However, not all communities in a size category get the same services as needs vary depending on local conditions.

Table 2 shows the number and location by region of all 143 REMS communities at June 2020. Appendix 4 lists the communities in REMS and Appendix 5 shows their distribution across the State.

Region	Remote community category			Total
	Large	Small	Self-managed	
Goldfields	6	7	1	14
Kimberley	16	29	58	103
Pilbara	3	13	10	26
Total	25	49	69	143

Source: OAG using Department of Communities data

Table 2: Number of REMS communities by region

Larger communities need and receive more substantial infrastructure and investment than smaller ones. Under the Guidelines, minimum emergency response times to supply interruptions and asset breakdowns are also shorter for large communities.

There are no minimum service levels for Self-managed communities. These are very small communities, normally with a population of 10-15 people and 3-5 dwellings, that may not be continuously inhabited. Self-managed communities are serviced less frequently and, unlike larger communities, at variable intervals. Table 3 shows the service delivery arrangements and type of service at June 2020, by community category.

Number of Communities and category	Essential services				Municipal services*	
	Supply and maintenance			Water quality testing	Municipal service	Powerhouse fuel
	Power	Water	Wastewater			
Large – 25	14	25	23	24	15	14
Small – 49	43	46	19	44	31	39
Self-managed – 69	66	65	2	61**	64	16
Total – 143	123	136	44	129	110	69

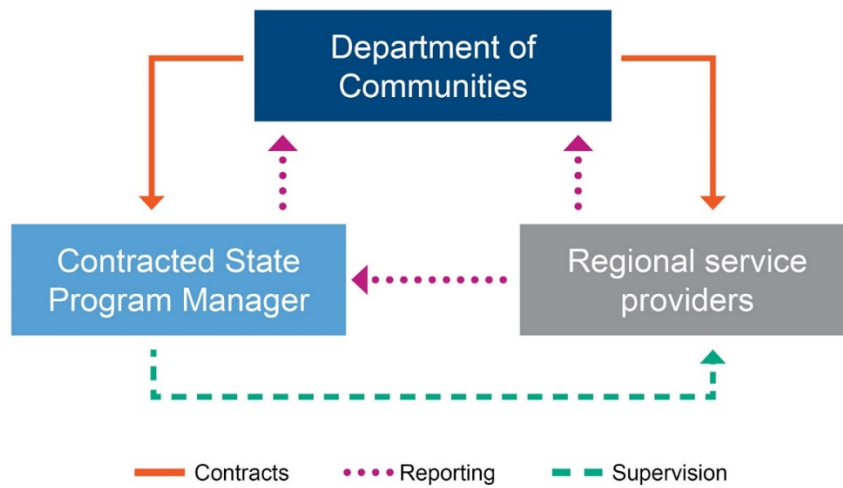
Source: OAG and Department of Communities data

* Municipal services were not audited.

** 11 communities received tests for microbes while the remainder had received a single baseline test for chemical composition.

Table 3: Number of REMS communities by service type

To deliver REMS, the Department uses a Contracted State Program Manager (Program Manager). The Program Manager’s primary role is to ensure Regional Service Providers (RSPs) deliver services within agreed timeframes and to the standards specified in the Guidelines. Three RSPs deliver the services to communities in the Kimberley, Pilbara and Goldfields. The Program Manager and RSPs are contracted to the Department. There is no direct contractual relationship between the Program Manager and RSPs (Figure 2).



Source: Department of Communities

Figure 2: Contractual relationships in REMS

Audit findings

Power and water supplies were more reliable and wastewater services were more consistently monitored

Power and water supplies were more reliable overall

Power and water supplies were generally more reliable in the communities we looked at in 2015. We looked at data from 83 communities across the Kimberley, Pilbara and Goldfields. These communities experienced on average only around 1 power outage per community per year in the 5 years to 2019-20. Water supply interruptions were even less frequent. When outages occurred, both power and water supplies were restored according to contract requirements.

Power outages occurred 36 times in 2015-16 across 73 communities, increasing to 106 times across 68 communities in 2018-19 before declining to 75 times in 68 communities in 2019-20. Communities supplied by Horizon Power were not included in the sample, resulting in a smaller sample in recent years. Power outages were addressed by service providers within 24 hours on 95% of occasions, up from 85% at the time of our 2015 audit and well within contract requirements.

While the increase in number of power outages over the audit period appears significant, they were addressed more promptly. Outages occurred on average only 0.9 times a year in these communities during the sample period, peaking at exactly 2.0 times in the Pilbara in 2018-19. For context, power outages in the Perth metropolitan area, excluding the CBD, averaged 1.87 per customer in 2019-20.

Water outages were similarly infrequent. There was an average of only 0.5 outages per community annually in the 5 years to 2019-20. Water supply was restored within 24 hours on more than 93% of occasions. This too was well within contract requirements.

Wastewater services were more consistently monitored

The Department has ensured that contracted monitoring and testing of wastewater ponds is carried out in the 38 communities among those we looked at in 2015 that have them. Monitoring includes checking for leaks, secure fencing and levels of *E. coli* and other contaminants. To support this, the Department introduced 4 key performance indicators (KPIs) related to wastewater delivery and performance of RSPs since our last audit. These KPIs are based on the REMS wastewater policy and result in incentives and abatements applied to RSPs.

We found:

- RSPs met the required sampling timeframes in these communities consistently since 2015-16
- tests met or exceeded the contracted number for communities we looked at in 2015 in all regions in the 2 year period to 2019-20.

This means the Department is aware of wastewater asset performance and can prioritise asset maintenance and investment in the formerly State-managed communities.

Water quality had improved in larger communities but there had been no microbial water testing in the smallest communities

Measures implemented since our 2015 audit had improved water quality in 38 communities

Water quality test results have improved in 38 communities we looked at in 2015, with new assets and water management plans contributing to the improvement. Levels of contaminants in local water sources vary naturally and improvements are not always the result of improved systems. However, significant improvements in many locations where they have been implemented suggests a positive impact overall from new assets and plans. Since our last audit:

- 37 RAESP communities received new water treatment assets
- 28 had chlorine systems installed
- 10 received ultra-violet disinfection units
- reverse osmosis was installed in Cosmo Newberry (Figure 3), Jameson, Jigalong and Tjuntjuntjara
- existing water assets were upgraded by improving part of the asset in 3 communities
- the Department introduced water safety management plans from 2016 that are now in place in 34 communities. These plans include bore management which blends water from different bores to achieve desired volumes while maintaining safe levels of chemicals such as nitrates and uranium
- 15 communities with new assets still tested positive for contaminants.

Note that numbers are not additive as communities may have more than 1 asset and also a plan.

These measures have reduced overall risk to health from poor water quality in the communities we looked at in 2015 but test results show contamination still occurs. The Department mitigates this risk by providing bottled water where appropriate. This mitigates the risk substantially but does not eliminate it entirely. For example, children playing with garden hoses may be exposed to contaminated water.



Source: OAG

Figure 3: Main street of Cosmo Newberry, also known as Yilka, in the Pilbara around 1,000 km east of Perth and 85 km east of the mining town of Laverton. After being briefly abandoned in the 1980s, it now has a population of around 75. The Department has installed a water treatment system to remove nitrates that naturally occur in the only available water source (groundwater) and samples drinking water monthly for nitrate levels. Nitrate levels have been within required limits since the treatment system was installed.

Instances of *E. coli* and *Naegleria* species, have declined in the drinking water of many communities we looked at in 2015, making locally sourced water in these communities safer. Contamination by *E. coli* and the *Naegleria* species *N. fowleri* can lead to serious, and occasionally fatal, illness.

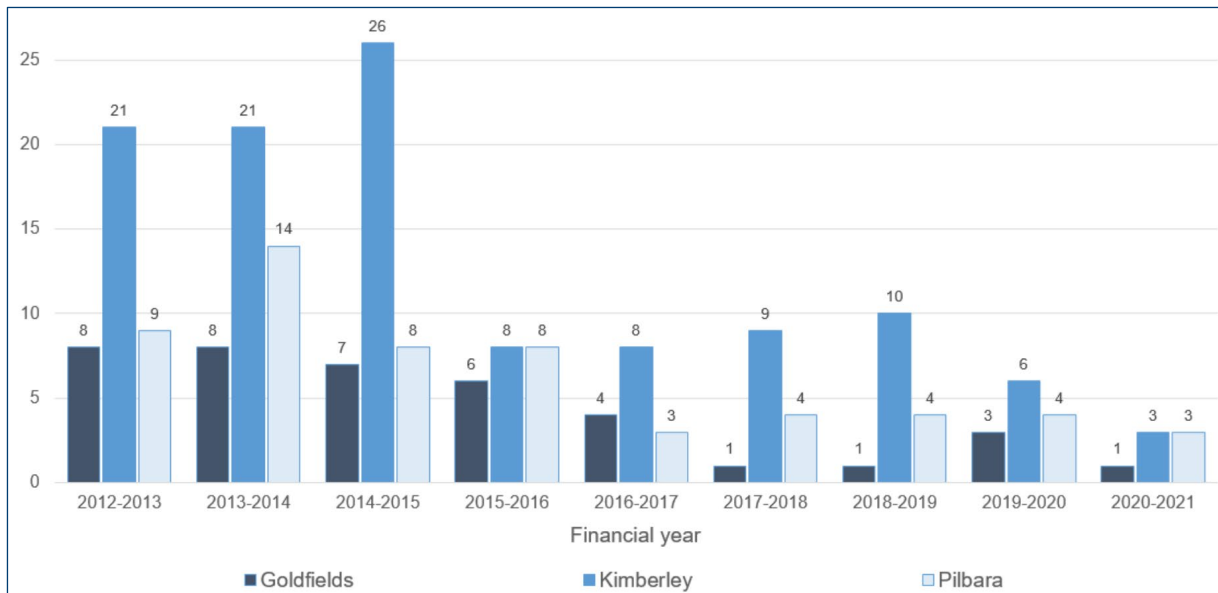
Tests for *N. fowleri* are carried out following a positive result from a preliminary test for *Naegleria* species. A positive preliminary test indicates a risk of *N. fowleri* while a negative test rules it out. However, any positive result from the preliminary test needs to be remediated even if *N. fowleri* is not subsequently detected because it means that protective measures have not eliminated the contamination risk.⁴

While there have been improvements in the Pilbara and Goldfields, the greatest improvement in test results was in the Kimberley in 2015-16 when the number of communities posting positive test results for microbes fell from 26 to 8 (Figure 4). In the audit period, there were no positive tests for *N. fowleri*.

E. coli or *Naegleria* test results from communities we looked at in 2015 showed:

- 48 had fewer test results outside ADWG guidelines in the 2 years to June 2020 than in the 2 years to June 2014
- 59 had no test results outside ADWG guidelines in the 2 years to June 2020, compared to 23 in the 2 years to June 2014.

⁴ *E. coli* – key facts World Health Organization February 2018 and *Free-Living Amebae as Opportunistic Agents of Human Disease* Journal of Neuroparasitology January 2010



Source: OAG using Department of Communities data

Figure 4: Number of communities with microbial test results outside ADWG guidelines by region

Note: 2020-2021 represents the period July 2020 to December 2020

The improvements have reduced but not eliminated the health risk of *E. coli* and *N. fowleri* contamination for residents and visitors to remote communities. To put these results into perspective, Water Corporation reported no water quality test results outside ADWG guidelines in the Perth metropolitan area in the same period.

Thirty-seven communities we looked at in 2015 remained at risk from unsafe water

Levels of contamination by either *E. coli*, *Naegleria* species, nitrates or uranium were found in 37 communities in the 2 year period to 2019-20.⁵ Water quality testing results for these types of contaminants are discussed below.

Water quality issues – microbes

Despite improvements in water quality in remote communities overall, in the 2 year period to June 2020, testing found *E. coli* or *Naegleria* species in water in 21 of the communities we looked at in 2015. Of these, 4 had not had test results outside ADWG guidelines in the 2 years to June 2014:

- Kupartiya (2 test results outside ADWG guidelines)
- Balgo (2 test results outside ADWG guidelines)
- Wurrenranginy (6 test results outside ADWG guidelines)
- Mulga Queen (3 test results outside ADWG guidelines).

It is not known if the test results in these 4 communities are the result of deteriorating water quality or a change in the testing procedure, for example, testing in more and different locations further from the water source. People living in these remote communities therefore continue to face the risk that their water may be contaminated by harmful microbes.

⁵ In 12019-20, 29 communities still experienced a water quality failure of either, *E. coli*, *N. fowleri*, nitrates or uranium.

Water quality issues – nitrates

Despite ongoing management practices, high levels of nitrates in drinking water continue to be found in communities in the program, particularly in the Goldfields region (Figure 5). Each year since 2012, at least 12 communities have had levels of nitrates in their drinking water that are unsafe for bottle-fed babies. In the 2 year period to June 2020, we found:

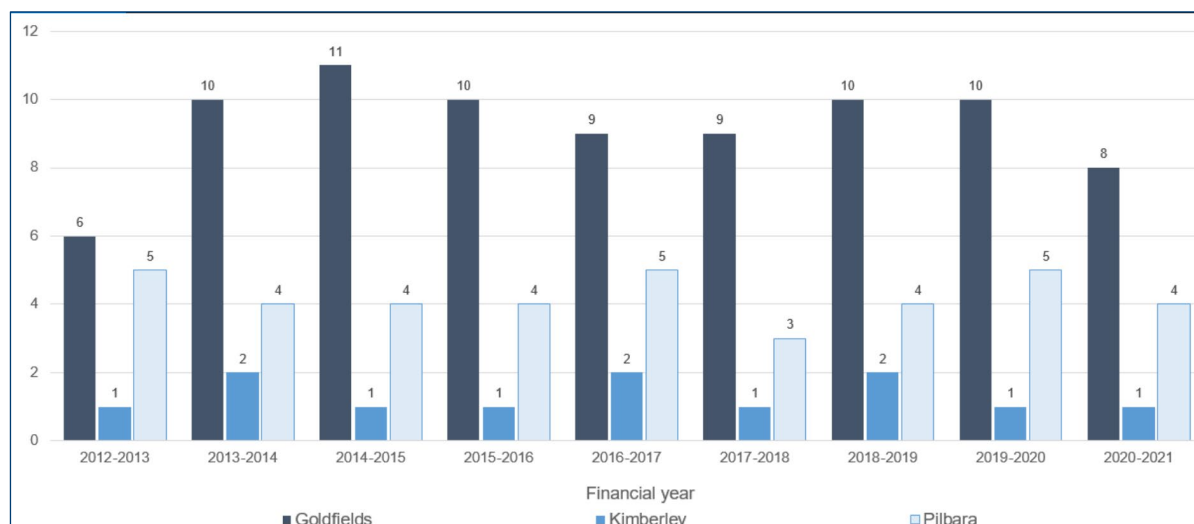
- 19 separate communities had at least 1 occasion where drinking water contained nitrates at unsafe levels for bottle-fed babies under 3 months
- 4 Goldfields communities had drinking water with nitrate levels above ADWG guidelines for adults. The guideline level for adults is higher than the safe level for babies
- no communities have been found to have nitrates above ADWG guideline levels for adults in either the Pilbara or Kimberley since 2012-13.

In our 2015 report we identified 14 communities that had persistent issues with high nitrate levels in locally sourced water. Currently, water treatment systems are in place in 6 of the 14 communities, we found:

- the number of times nitrates were recorded above ADWG guideline levels fell in 7 of the 14 communities
- of the 14 communities, Jigalong recorded nitrate below ADWG guideline levels on every test in the 2 years to June 2020.

Managing nitrate levels is an ongoing process that often requires multiple approaches to ensure water complies with ADWG guidelines. For example, the installation of a reverse osmosis⁶ unit at Jigalong (installed in September 2014) together with ongoing water management by blending water from different bore sources has resulted in nitrate levels decreasing there by nearly half.

While most communities can be confident that nitrate levels in locally sourced water are below the ADWG guideline level for adults, elevated nitrate levels are still found in some communities. The Department manages this risk by supplying bottled water to these communities and monthly water quality testing.



Source: OAG and Department of Communities

⁶ Reverse osmosis removes impurities from water by forcing it under pressure through a series of semi-permeable membranes that together act as an extremely fine filter.

Figure 5: Number of communities with nitrate testing above the 50mg/L threshold by region. This is the safe level for bottle-fed infants⁷

Note: 2020-2021 represents the period July 2020 to December 2020.

Water quality issues – uranium

Since 2012-13, 7 communities have tested positive for uranium above ADWG guideline levels at least once. Although the number of tests detecting uranium in communities we looked at in 2015 has fallen, tests are still detecting it in 4 communities. High concentrations of uranium can cause kidney inflammation.⁸ The Department monitors these communities with monthly water testing and 2 of these, Tjunjuntjarra and Yandeyarra, recorded no test results above ADWG guideline levels in 2019-20. Improvements in uranium levels in these communities were due to upgrades to water treatment systems, such as reverse osmosis, and they do not currently face health risks from uranium in the water.

Water management plans involving blending water from multiple bores have only been partly successful in managing uranium levels. They have been used in Bow River, Burringurrah and Pia Wadjari but have only been successful in Bow River. Tests in Burringurrah have detected uranium above ADWG guideline levels every year since 2012-13 and in Pia Wadjari since 2015-16. According to the Department's 2017 RAESP Capital Works program, an estimated \$2.7 million is needed to improve water quality in these 2 communities. People living in Burringurrah and Pia Wadjari face ongoing risks from higher uranium levels than specified as safe in the ADWG guidelines.

Water in the smallest communities may pose health risks

There was no water quality testing in 51 of the smallest communities until November 2019 when the Department tested 50⁹ of those communities' water sources to establish their baseline chemical composition. Testing began under a change to service provider contracts as we were finalising this audit.

The Department told us in early 2020 that it did not test regularly and had no plans to do so because:

- it was not part of the previous service contracts managed by the Commonwealth
- it does not consider them necessary or practical
- it has not received funding for that purpose.

The Department also advised us in 2020 that power assets in many of the smallest communities would need upgrading to carry the additional service load of new water treatment assets. As some of these communities fund their own generator fuel costs, residents turn off the power when they travel away from the community. This interrupts the continuous supply of power and would compromise any water treatment.

Since baseline testing in November 2019, the drinking water at 50 of these very small communities has been assessed for physical and chemical characteristics. This testing has found several communities with chemicals testing in excess of ADWG guideline levels. Among these the drinking water at Crocodile Hole in the Kimberley region exceeded ADWG guideline levels of both uranium and fluoride on 2 occasions. In October 2020, the Department varied contracts to include annual chemical testing for all these communities.

⁷ Ward, M.H.; Jones, R.R.; Brender, J.D.; De Kok, T.M.; Weyer, P.J.; Nolan, B.T.; Villanueva, C.M.; Van Breda, S.G. Drinking Water Nitrate and Human Health: An Updated Review. *Int. J. Environ. Res. Public Health* 2018, 15, 1557. <<https://www.mdpi.com/1660-4601/15/7/1557/htm>>

⁸ *Uranium in Drinking-water - Background document for development of WHO Guidelines for Drinking-water Quality* World Health Organization 2005

⁹ One community declined the water quality testing.

Microbial testing of water started in 6 of these 50 very small communities in September 2020. Testing as part of this program found water quality did not meet ADWG quality standards in 2 of the 6 communities. Water at Emu Creek had *E. coli* above ADWG guideline levels in October of 2020 and water at Munthanmar had both *E. coli* and *Naegleria* species above ADWG guideline levels in October and then for *Naegleria* species again in December 2020. Remediation measures were put in place and the problem was resolved. This still leaves 44 communities not tested for microbial contamination, risking the health of an estimated 500 people who live in or regularly visit these communities.



Source: OAG

Figure 6: Ngunulum, also known as Cockatoo Springs, 25 km south west of Kununurra in the East Kimberley is a former Commonwealth community. Since 2015, it has had only 2 chemical water quality tests and no microbe testing

Even when tests were done, the Department did not always act promptly to address water quality issues. It took 9 months to issue a 'no drink' notice to a community after a water quality test in 2019. We found that water quality testing in Crocodile Hole in the Kimberley in December 2019 showed levels of fluoride and uranium above ADWG guideline levels.

Although a follow-up test in January 2020 confirmed the result, the Department only issued a 'no drink notice' in August 2020. The Department attributed this delay to lack of access to the community and the probability that it was unoccupied during this period. The delay in notifying community members of the test results meant they were at risk of exposure to fluoride and uranium above ADWG guideline levels for 9 months.

There are no plans to ensure existing water treatment systems in these communities are adequate to provide safe drinking water from local sources. Apart from the limited testing mentioned above, the Department intends only to carry out annual inspections and preventative maintenance of these systems. It has also undertaken works to protect bores. Focusing more on system inspections and a clean water source and less on water testing is consistent with ADWG guidelines for remote communities. However, these guidelines also state that water should be tested for *E. coli* regularly as an indicator of water safety. System maintenance and source protection alone cannot ensure that assets are functioning as expected and that water from local sources is clean.

We note that the *Public Health Act 2016* (Act) requires entities to take all reasonable steps to avoid harm to public health.¹⁰ The Department was advised by the Program Manager on 2 December 2016 that its obligations under the Act would extend to remote communities and in 2017 it provided this advice to the then Minister for Housing. In September 2019 the Department acknowledged that, given budgetary constraints, it may be necessary to seek

¹⁰ *Public Health Act 2016* s34(1)

exemption under section 267 of that Act for 'certain communities'. Regulations under the Act have not yet been gazetted, but when they are the Department will need to ensure it is compliant.

Better service coordination had begun in 10 communities and contract management had improved but repeated contract extensions risked poor value for money

A program to upgrade services and coordinate service delivery had begun in 10 large communities

Since 2015, EMSUP has begun to improve the coordination of services in 10 large REMS communities but there are no plans for similar improvements in the other 15 large communities. The Department is collaborating with other entities through the Utilities Reference Group to upgrade services to these 10 communities. This group includes the Department, Department of Treasury, Department of Planning, Lands and Heritage, Horizon Power and Water Corporation.

EMSUP improvements include removing asbestos, upgrades to water and wastewater infrastructure and metering power and water. Site works have begun in Bayulu and Bidyadanga, with asbestos removal near completion in these 2 communities. Project planning has started for 5 others, including a scope of works for Mowanjum. Although a slow process, once completed, the Department says the 10 EMSUP communities will have essential services comparable to those in regional towns. However, the remaining 15 large communities will not and there are no current plans to expand EMSUP.



Source: OAG and Yandeyarra community

Figure 7: Water tank and water quality sample test point at Yandeyarra community. Yandeyarra is 144 km southeast of Port Hedland in the Pilbara region. A population of around 120 people, the majority are members of the Kariyarra and Nyangumarta language groups. Yandeyarra is scheduled to have essential asset improvements by EMSUP, but no planning has commenced

Contract management of RSPs had improved since our 2015 audit

The current REMS contract, which covers RSPs, now includes better KPIs to support effective contract management. The Department reviewed its essential services program delivered by RSPs in 2017 and improved the contract before tendering in 2018. KPIs are clearer and more comprehensive, with targets and minimum performance levels. They are

measurable and reflect what the OAG¹¹, the Institute of Internal Auditors¹² and the then Public Accounts Committee¹³ consider good practice. This enables better monitoring of RSP performance.

Performance incentives and penalties, together with closer supervision by the Program Manager, help to ensure RSPs fulfil their contractual obligations. The Department has applied incentives and penalties to the REMS contract for RSPs since 2018. Penalties totalling \$76,000 were applied to 1 RSP in 2018-19 for not meeting KPIs. The current REMS contract now clearly defines the role, obligations and responsibilities of RSPs. RSPs have told us they experience closer supervision by the Program Manager than previously and expend more effort on compliance. This will encourage RSPs to achieve performance targets.

Repeated extensions of the Program Manager contract without re-tendering risked value for money

The Department has extended its Program Manager contract 6 times over 5 years without testing it in the market, contrary to good practice and State Government policy. The Department first offered the contract in 2012 as a 3 year contract. The terms of this contract provided for an extension but further extensions went beyond this provision. After repeated extensions, the contract was independently reviewed in October 2019, resulting in a substantially new contract. It was re-tendered in April 2020 with the new contract awarded in February 2021. Failure to regularly tender reduces market competition for government services and increases the risk that the extended contracts do not deliver value for money.

How the Department decides what services communities receive is not transparent and the performance of essential services is not publicly reported

Decisions about service levels for communities are not transparent

The Department has reviewed service levels for all communities since our last audit. However, not all criteria it uses to determine service levels are included in the Guidelines, nor are they publicly available. The Guidelines use indicative population estimates and number of houses with service connections. In deciding service levels, the Department advised that it also considers if houses are habitable but the Guidelines do not include habitability as a criterion. While it may be reasonable to consider habitability, it may be a subjective value if there are no explicit criteria. Considering additional factors outside the published criteria makes decisions about service levels non-transparent. It also risks misalignment with community members' expectations about service continuity in buildings they may be using or plan to use.

The Department uses population estimates and house numbers that differ substantially from publicly available data but does not publish these. For example, the Department lists 2 communities as having 3 habitable houses each while the request for tender listed them as having 7 each. Communities with fewer than 5 houses are considered Self-managed. The Department uses data from field surveys, planned maintenance and housing management but does not make this data public. We compared this data to the 2017 REMS request for tender and found 10 communities where the data differed enough to affect service levels.

¹¹ [Beyond Compliance: Reporting and managing KPIs in the public sector, Report 3, OAG, 2012](#)

¹² [Balanced Scorecard Reporting, Whitepaper, the Institute of Internal Auditors Australia, February 2019](#)

¹³ [Key Performance Indicators, Report 17, October 2012, Public Accounts Committee, Legislative Assembly Parliament of Western Australia](#)

While the Department's data may be more up to date, its use of unpublished data further reduces transparency of service level decisions.



Source: OAG

Figure 8: View of Tjirrkarli from the water tower across the helicopter landing pad. Tjirrkarli is a small community 125 km west of Warburton in the Shire of Ngaanyatjaraku. In the 2 years to June 2020, nitrates in the water exceeded the safe level for infants under 3 months, on 2 occasions

There is no formal process which aids, promotes or records community members' feedback nor a formal avenue for them to raise concerns about service access, supply or quality. Issues can be raised with the Department during community visits 3 to 4 times a year or with the RSP when on site. However, the RSP is contractually unable to provide advice on behalf of the Department.

According to the Department no complaints have been made about REMS by communities to date. However, the current arrangements do not facilitate or encourage feedback. We expected to see a formal consultative process where members of REMS communities can share their experience. Apart from building community trust, this would enable better understanding of local issues. Not having a formal process limits a community's ability to raise issues and for these to be reviewed and addressed in a timely manner by the Department.

Information about essential services performance in remote communities is not publicly available and decision-making is not well documented

The Department does not publicly report on the performance of power, water and wastewater services in remote communities. For example, information about failures in water quality or supply interruption is not publicly reported. Remote communities are only informed when they are directly affected by poor test results or asset failures and have no formal avenues of raising concerns with the Department. This makes it hard for communities to compare their experience and form reasonable expectations about services provided to them. The lack of a way to compare services risks communities accepting poor performance.

Information about power services performance is also not published for the 16 remote communities serviced by Horizon Power. State entities publicly report their performance in cities and towns but not for remote Aboriginal communities because the Economic Regulation Authority exempts them from doing so. While there is no requirement to report on performance in remote communities, this further reduces the information available to people living in remote communities about the relative quality and reliability of services they receive.

Service levels to communities vary within REMS categories but documentation of the decision-making process leading to these variations is inadequate. The Department allows reduced service levels for some communities in very remote locations. This practice is consistent with a range of Australian standards and guidelines that explicitly allow providers to take costs of very remote service delivery into account when deciding service levels. However, the Department's documentation is not adequate to explain how decisions were reached, what was taken into consideration and what the financial implications were. Without visibility of the decision process through adequate documentation, it is not possible to assess if each of these service level decisions is appropriate and justified.

Documentation of decisions removing communities from REMS is also inadequate. Communities can become ineligible for REMS, for example if they are abandoned, or can withdraw at their own request. However, as with variations to service levels, we found there was little documentation of the decision process. The Department advised that written communication was not always culturally appropriate and not all processes under the contract can or need to be documented. However, decisions should be capable of review, and without adequate documentation it is not possible to assess if each of these service level decisions is appropriate and consistently applied.

The Department has clarified its roles and responsibilities, focusing on larger communities while the smallest communities are largely self-managed

Roles and responsibilities of entities are clearer but aims and objectives have not been publicly explained

The Department has clarified its REMS roles and responsibilities and those of other State Government entities in internal documents and contracts. As we recommended in our 2015 audit report, this includes clarifying responsibility for services previously provided by the Commonwealth. We found:

- tender documents and contracts reflect the Department's roles and responsibilities
- briefing notes to the Director General, Ministers and Premier and other internal documents discuss the Department's role.

However, the Department has not publicly explained REMS' aims and objectives and how they are being implemented in all REMS communities. Specifically:

- tender documents that include key contract terms can only be found on Tender WA's website using a tender number or keyword search
- the Department does not publicly report on its role and responsibilities for REMS, its REMS service delivery activities or performance outcomes in remote Aboriginal communities
- other than a brief overview in the Department's annual report, information about REMS is not online.

The lack of clear public reporting of REMS aims and objectives leaves room for misunderstandings about the Department's role and what remote communities can expect from it. This makes it hard for communities and other parties to hold the Department to account for services they depend on.

The Department has not received a formal response from other State entities to a 2018 consultation paper on a proposed investment framework for remote Aboriginal communities. This paper sets out a tiered approach allocating essential services to remote communities by their size. It also proposed taking account of distinct characteristics of each community and

highlighted the need to address barriers to developing business and enterprise opportunities, including land tenure arrangements.



Source: OAG

Figure 9: Warburton power station. Warburton is just south of the Gibson Desert, 1,500 km northeast of Perth on the Great Central Road to Alice Springs. It has a population of around 600 and is administered by the Shire of Ngaanyatjarraku

The Department is implementing an approach that focuses resources only on larger communities, leaving the smaller communities to manage themselves

The Department is implementing policy outlined in the 2016 *Resilient Families, Strong Communities* road map for reform of services to remote Aboriginal communities. However, the road map focuses on providing essential services only to larger communities. Minimum service standards are not assured for around half of REMS communities that have 5 or fewer dwellings and/or 30 or fewer residents. Consequently, essential services infrastructure in these smaller communities may not be adequate to ensure public health and safety.

Despite acknowledging the poor quality of infrastructure in many remote communities, *Resilient Families, Strong Communities* only committed to identifying up to 10 large communities for asset and service upgrades. At the time of our audit, service and asset upgrades were being planned or had commenced under EMSUP in only 7 of the 143 REMS communities. While around half of REMS communities will receive asset upgrades from time to time as needed, the other half are classified as Self-managed and will not receive upgrades.

Among communities in the Self-managed category, where services and assets will not be systematically upgraded, are the 59 communities previously serviced by the Commonwealth but subsequently included in REMS. The Department proposed in 2018 that future support for these communities include only emergency assistance, basic municipal services such as road maintenance, garbage disposal and wild dog control, and one-off infrastructure funding. Not ensuring essential services assets in these communities are maintained and working as intended risks the broader aims of *Resilient Families, Strong Communities* to improve outcomes for Aboriginal people.

The Department has identified investment needs in communities we looked at in 2015 but not in communities more recently included in REMS

The Department has identified 68 communities formerly managed under the RAESP program where urgent investment is needed to upgrade essential services infrastructure. The investment needs of the smallest communities have not been assessed despite the readily visible need for infrastructure improvements in some of them.

In a 2017 report to the Department, the Program Manager identified assets in 68 communities formerly managed under the RAESP program that would deteriorate and fail to meet demand if upgrades were not carried out. Since then, the Department has used existing resources to meet critical needs as they arise but has not carried out all the urgently needed upgrades identified by the Program Manager. This approach has maintained service levels in these communities but risks identified in 2017 remain.

Current funding does not allow for all urgent upgrades identified by the Program Manager in 2017 and not yet carried out. The Program Manager estimated the cost of capital works items that should be addressed immediately at \$84.4 million with a further \$103.5 million that should be scheduled for medium priority replacements. This far exceeds existing funding allocations for asset replacements in REMS. Funding of \$383 million has been allocated to the REMS program from 2019-20 to 2023-24 of which only \$14 million has been allocated for asset replacement (Table 4). Our analysis shows it will only maintain current service levels and assets. The only exceptions will be the EMSUP communities where upgrades are already budgeted.

	REMS funding allocation					
	2019-20 to 2023-24					
	2019-20	2020-21	2021-22	2022-23	2023-24	Total
Funding \$ million						
Commonwealth exit payment	3	17	0	0	0	20
State allocation	65	64	76	78	80	363
Total	68	81	76	78	80	383
Program allocation						
Essential services	33	33	33	34	35	168
Essential service asset replacement	1	5	3	3	3	14
Municipal services	16	17	18	18	19	88
Powerhouse fuel	11	18	14	15	15	74
Salaries	7	8	8	8	8	39
Total	68	81	76	78	80	383

Source: Department of Communities

Table 4: REMS funding allocation, 2019-20 to 2023-24. Note that numbers have been rounded and so do not all sum













The Department uses a tiered approach based on the number of dwellings and residents to determine service levels, including asset requirements, in REMS but does not apply a systematic risk management framework to it. The tiered approach puts the smallest communities, including those formerly managed by the Commonwealth, in the Self-managed category. While this is consistent with policy, it has resulted in unsafe infrastructure remaining in use in some communities. For example, the water tower at Garlburang (Gulberang), around 20 kilometres from Kununurra on the Victoria Highway, is noticeably unsafe (Figure 10).



Source: OAG

Figure 10: This water tower at Garlburang has no safety rail around its platform or the means to safely access it. We visited Garlburang, a very small East Kimberley community where the Department has no plans to improve or upgrade essential services, early in 2020

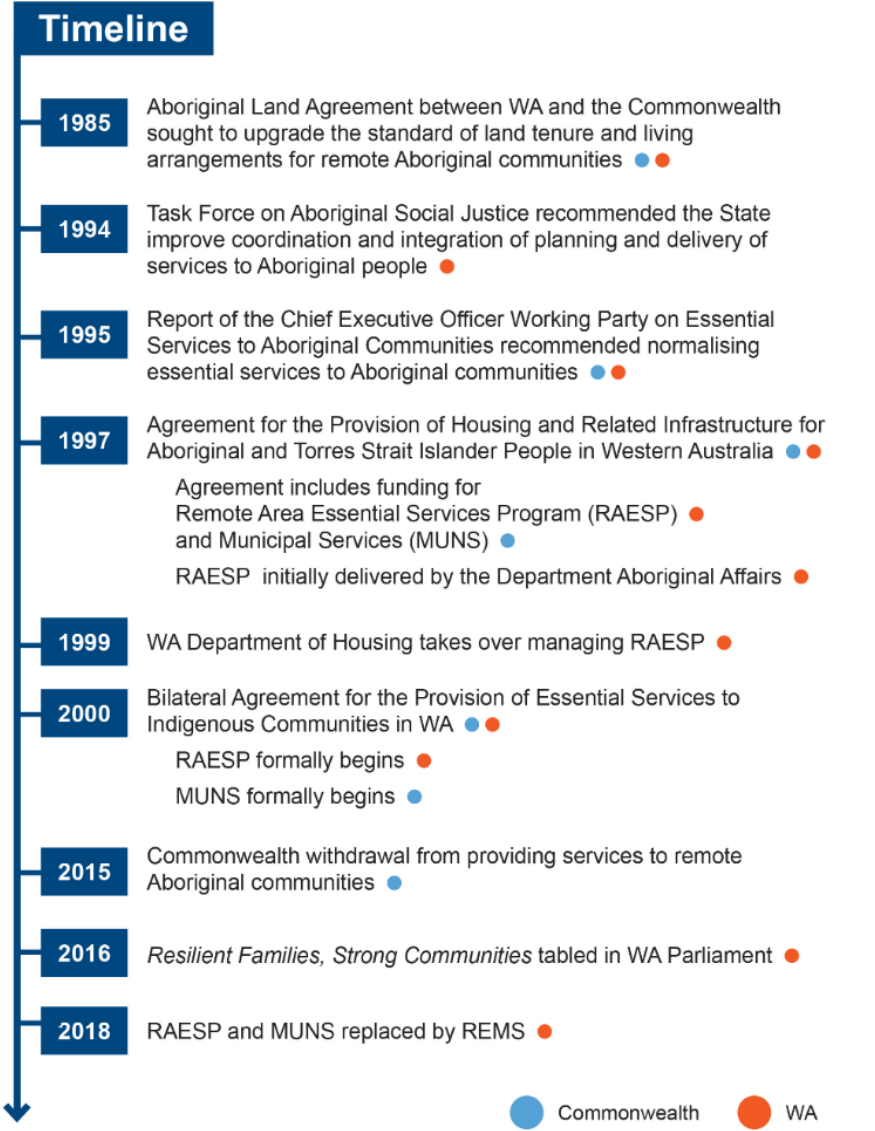
Appendix 1: Status of recommendations from our 2015 audit report

Report recommendations		Current status			
		Communities we looked at in 2015		Communities included since 2015	
Housing (now Department of Communities) should:					
1.1	clarify with government the roles and responsibilities for essential services previously provided by the Commonwealth to remote Aboriginal communities	Partly implemented		Partly implemented	
1.2	improve its coordination of services to remote Aboriginal communities internally and with other entities	Partly implemented		Not implemented	
1.3	ensure that communities' eligibility for Program services is subject to regular review	Partly implemented		Partly implemented	
1.4	determined how it can improve water quality in remote communities to meet Australian Drinking Water Guidelines, by December 2015	Implemented		Partly implemented	
1.5	take steps to ensure service providers' testing of wastewater systems complies with contractual requirements, by December 2015	Implemented		Implemented	
1.6	review its contracting of the program manager and service providers to before issuing new contracts in 2016 to ensure: <ul style="list-style-type: none"> • clear roles and responsibilities for contractors • clear performance measures for contractors • efficient service delivery • efficient use of contractors' capabilities. 	Partly implemented		Partly implemented	

Source: OAG

Appendix 2: Brief history of Commonwealth and State responsibilities for remote Aboriginal communities

The timeline outlines the history of shared responsibilities and ongoing policy areas that successive governments have sought to address.



Source: OAG

At the time of our last audit, the National Partnership Agreement on Remote Indigenous Housing saw the Commonwealth Government servicing around 150 small remote Aboriginal communities in WA. These included municipal services to some RAESP communities through a program called the Municipal and Essential Services (MUNS) program. MUNS services included:

- capital works
- municipal services such as rubbish collection and road maintenance
- fuel for generators

- asset maintenance, including essential services assets in non-RAESP communities.

In 2014, the Commonwealth announced its withdrawal from supporting remote communities, handing full responsibility to the states. On 24 September that year, the then Minister for Housing told Parliament that ‘the State Government is deeply concerned about a large number of remote communities that do not meet a basic standard of living. For example, ... drinking water is generally not treated or monitored in the more than 180 small remote communities and outstations for which the Commonwealth has until now retained funding responsibility’.

In its response to our 2015 audit, the Department indicated it would integrate RAESP and MUNS and managed them in parallel before combining them in July 2018 to form the REMS program. As part of this process, it suspended services to 22 locations that it found were either abandoned or had extremely limited occupation. Locations excluded from REMS are very small settlements and only seasonally or infrequently inhabited. In 2016, the State Government released a road map for future reform in remote Aboriginal communities titled *Resilient Families, Strong Communities*. This document outlines State Government policy for remote Aboriginal communities.



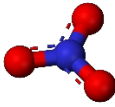
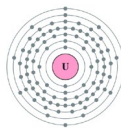
In June 2020, the Department told us that 3 very small communities classified as Self-managed had exited the program.¹⁴ Before this, REMS serviced 143 communities, including all 84 communities previously in the RAESP program and 59 communities formerly serviced by the Commonwealth through the MUNS program. This audit covers all 143 communities.



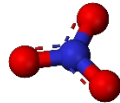
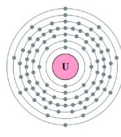
¹⁴ Services to Carnot Springs ceased June 2020, Loongabid and Bindurrk ceased May 2020.



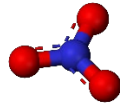
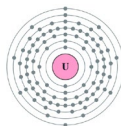
Appendix 3: Water quality results for 80 REMS communities tested in 2012-14 and 2018-20



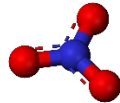
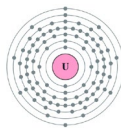
Key for test results above Australian Drinking Water Guideline

● Not detected
 ■ Same
 ↓ Decrease
 ↑ Increase
 NA Data not available

Region	Remote community	Microbiological testing (number of test results above ADWG levels)						Chemical testing (number of test results above ADWG levels)					
		 E. coli			 Naegleria species			 Nitrate (50 mg/L)			 Uranium		
		2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance
GOLD	Blackstone	0	0	●	3	0	↓	19	9	↓	0	0	●
GOLD	Cosmo Newberry	0	0	●	2	0	↓	20	1	↓	0	0	●
GOLD	Jameson	0	0	●	5	0	↓	21	29	↑	0	0	●
GOLD	Mt Margaret	2	1	↓	1	0	↓	19	25	↑	0	0	●
GOLD	Mulga Queen	0	1	↑	0	2	↑	1	14	↑	0	0	●
GOLD	Patjarr	3	1	↓	2	2	■	26	22	↓	0	0	●
GOLD	Tjirrkarli	0	0	●	1	1	■	0	2	↑	0	0	●
GOLD	Tjukurla	0	0	●	2	0	↓	0	3	↑	0	0	●
GOLD	Tjuntjuntjara	0	0	●	0	0	●	6	2	↓	4	0	↓
GOLD	Wanarn	1	0	↓	2	0	↓	6	21	↑	0	0	●
GOLD	Warakurna	0	0	●	4	0	↓	0	0	●	0	0	●
GOLD	Warburton	1	0	↓	3	0	↓	8	24	↑	0	0	●
GOLD	Wingellina	0	0	●	1	0	↓	5	20	↑	0	0	●
KIMB	Balgo	0	0	●	0	2	↑	0	0	●	0	0	●
KIMB	Bardi	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Bayulu	2	0	↓	0	0	●	0	0	●	0	0	●

		Microbiological testing (number of test results above ADWG levels)						Chemical testing (number of test results above ADWG levels)					
		 <i>E. coli</i>			 <i>Naegleria</i> species			 Nitrate (50 mg/L)			 Uranium		
Region	Remote community	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance
KIMB	Beagle Bay	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Bidyadanga	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Bobieding	0	2	↑	1	0	↓	0	0	●	0	0	●
KIMB	Bow River	8	0	↓	5	0	↓	0	0	●	0	0	●
KIMB	Budgarjook	12	0	↓	1	0	↓	0	0	●	0	0	●
KIMB	Djarandjin	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Djugerari	0	0	●	1	0	↓	0	0	●	0	0	●
KIMB	Dodnun	1	0	↓	3	1	↓	0	0	●	0	0	●
KIMB	Galeru Gorge	0	0	●	2	0	↓	0	0	●	0	0	●
KIMB	Imintji	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Jarlmadangah	3	0	↓	10	0	↓	0	0	●	0	0	●
KIMB	Jimbalakadunj	2	0	↓	0	0	●	0	0	●	0	0	●
KIMB	Joy Springs	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Junjuwa	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Kadjina	1	4	↑	1	5	↑	0	0	●	0	0	●
KIMB	Kalumburu	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Kandiwal	2	2	■	4	3	↓	0	0	●	0	0	●
KIMB	Koorabye	10	0	↓	9	2	↓	0	0	●	0	0	●
KIMB	Kundat Djaru	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Kupartiya	0	1	↑	0	1	↑	0	0	●	0	0	●
KIMB	Kupungarri	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	La Djarjarr Bay	5	1	↓	3	1	↓	0	0	●	0	0	●
KIMB	Lamboogunian	0	0	●	1	0	↓	0	0	●	0	0	●
KIMB	Lombadina	5	0	↓	0	0	●	0	0	●	0	0	●

		Microbiological testing (number of test results above ADWG levels)						Chemical testing (number of test results above ADWG levels)					
		 E. coli			 Naegleria species			 Nitrate (50 mg/L)			 Uranium		
Region	Remote community	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance
KIMB	Looma	2	0	↓	0	0	●	0	0	●	0	0	●
KIMB	Looma New	0	0	●	1	0	↓	0	0	●	0	0	●
KIMB	Mandangala	5	0	↓	4	0	↓	0	0	●	0	0	●
KIMB	Mindibungu	1	0	↓	1	0	↓	0	0	●	0	0	●
KIMB	Moongardie	3	0	↓	3	0	↓	0	0	●	0	0	●
KIMB	Mulan	0	0	●	0	0	●	1	1	■	0	0	●
KIMB	Muludja	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Ngalingkadji	0	0	●	1	0	↓	0	0	●	0	0	●
KIMB	Ngallagunda	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Ngumpan	0	0	●	4	1	↓	0	0	●	0	0	●
KIMB	Ngurtuwarta	0	0	●	0	0	●	0	0	●	0	0	●
KIMB	Noonkanbah	0	0	●	4	0	↓	0	0	●	0	0	●
KIMB	Pandanus Park	0	0	●	1	0	↓	19	26	↑	0	0	●
KIMB	Wangkatjungka	2	0	↓	1	0	↓	0	0	●	0	0	●
KIMB	Warmun	0	0	●	3	3	■	0	0	●	0	0	●
KIMB	Woolah	2	0	↓	4	0	↓	0	0	●	0	0	●
KIMB	Wurrenranginy	0	0	●	0	6	↑	0	0	●	0	0	●
KIMB	Yakanarra	0	0	●	2	0	↓	0	0	●	0	0	●
KIMB	Yiyili	2	0	↓	0	0	●	0	0	●	0	0	●
PILB	Barrel Well	1	0	↓	0	0	●	0	0	●	0	0	●
PILB	Burringurrah	3	0	↓	1	0	↓	26	23	↓	9	5	↓
PILB	Cheeditha	0	0	●	0	0	●	0	0	●	0	0	●
PILB	Innawonga	0	0	●	3	0	↓	0	0	●	0	0	●

		Microbiological testing (number of test results above ADWG levels)						Chemical testing (number of test results above ADWG levels)					
		 E. coli			 Naegleria species			 Nitrate (50 mg/L)			 Uranium		
Region	Remote community	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance	2 years to 2014	2 years to 2020	Performance
PILB	Jigalong	4	0	↓	2	0	↓	24	0	↓	0	0	●
PILB	Jinparinya	0	0	●	1	1	■	0	0	●	0	0	●
PILB	Karalundi	0	0	●	0	0	●	0	0	●	0	0	●
PILB	Kiwirrkurra	NA	0	NA	NA	0	NA	NA	4	NA	NA	1	NA
PILB	Kunawarritji	0	0	●	0	0	●	20	22	↑	0	0	●
PILB	Kutkabubba	0	0	●	2	0	↓	26	23	↓	0	0	●
PILB	Ngurawaana	2	3	↑	5	3	↓	0	0	●	0	0	●
PILB	Parnngurr	0	0	●	3	0	↓	0	0	●	10	3	↓
PILB	Pia Wadjari	0	0	●	5	0	↓	0	0	●	0	8	↑
PILB	Punju Ngamal	1	0	↓	4	6	↑	0	0	●	0	0	●
PILB	Punmu	0	0	●	2	0	↓	0	0	●	0	0	●
PILB	Wakathuni	3	0	↓	1	0	↓	0	0	●	0	0	●
PILB	Wandanooka	0	0	●	1	1	■	0	0	●	0	0	●
PILB	Warralong	2	0	↓	0	4	↑	0	0	●	0	0	●
PILB	Yandeyarra	0	0	●	0	0	●	0	0	●	3	0	↓
PILB	Youngaleena	0	0	●	2	0	↓	0	0	●	0	0	●
PILB	Yulga Jinna	2	1	↓	0	0	●	1	4	↑	0	0	●

Source: OAG and Department of Communities

Appendix 4: Communities in the Remote Essential and Municipal Services program

Remote communities in REMS					
Region	Community	Category size	Region	Community	Category
Goldfields	Blackstone	Large	Kimberley	Cockatoo Springs	Self-managed
Goldfields	Cosmo Newberry	Small	Kimberley	Djaradjung	Self-managed
Goldfields	Jameson	Large	Kimberley	Djarindjin	Large
Goldfields	Kurrawang	Self-managed	Kimberley	Djugarargyn	Self-managed
Goldfields	Mt Margaret	Small	Kimberley	Djugerari	Small
Goldfields	Mulga Queen	Small	Kimberley	Djulburd	Self-managed
Goldfields	Patjarr	Small	Kimberley	Dodnun	Small
Goldfields	Tjirrkarli	Small	Kimberley	Doon Doon (Woolah)	Small
Goldfields	Tjukurla	Small	Kimberley	Embulgun	Self-managed
Goldfields	Tjuntjuntjara	Small	Kimberley	Emu Creek	Self-managed
Goldfields	Wannarn (Wanarn)	Large	Kimberley	Four Mile	Self-managed
Goldfields	Warakurna	Large	Kimberley	Frazier Downs	Self-managed
Goldfields	Warburton	Large	Kimberley	Galamanda	Self-managed
Goldfields	Wingellina	Large	Kimberley	Galeru Gorge	Self-managed
Kimberley	Ardyaloon (Bardi)	Large	Kimberley	Gambarnum	Self-managed
Kimberley	Baulu Wah	Self-managed	Kimberley	Garlburang	Self-managed
Kimberley	Bawoorrooga	Self-managed	Kimberley	Geboowama	Self-managed
Kimberley	Bayulu	Large	Kimberley	Gnylmarung	Self-managed
Kimberley	Beagle Bay	Large	Kimberley	Goojar Goonjool	Self-managed
Kimberley	Bidan	Self-managed	Kimberley	Goolarrgon	Self-managed
Kimberley	Bidyadanga	Large	Kimberley	Goombading	Self-managed
Kimberley	Billard	Self-managed	Kimberley	Goombaragin	Self-managed
Kimberley	Bindurrk	Self-managed	Kimberley	Guda Guda	Small
Kimberley	Biridu	Self-managed	Kimberley	Gullaweed	Self-managed
Kimberley	Bobieding	Self-managed	Kimberley	Imintji	Small
Kimberley	Bow River	Self-managed	Kimberley	Jarlmadangah	Small
Kimberley	Budgarjook	Self-managed	Kimberley	Jimbalakudunj	Small
Kimberley	Bulgin	Self-managed	Kimberley	Jimbilum	Self-managed
Kimberley	Burrjuk	Self-managed	Kimberley	Joy Springs	Small
Kimberley	Carnot Springs	Self-managed	Kimberley	Junjuwa	Large
Kimberley	Chile Creek	Self-managed	Kimberley	Kadjina	Small
Kimberley	Kalumburu	Large	Kimberley	Ribinyung Dawang	Self-managed
Kimberley	Kandiwal	Self-managed	Kimberley	Ringer Soak	Large
Kimberley	Karmulinunga	Self-managed	Kimberley	Rolah	Self-managed
Kimberley	Karnparmi	Small	Kimberley	Rugan	Self-managed

Kimberley	Koorabye	Small	Kimberley	Tappers Inlet	Self-managed
Kimberley	Kupartiya	Small	Kimberley	Tirralintji	Self-managed
Kimberley	Kupungarri	Small	Kimberley	Wanamulnyndong	Self-managed
Kimberley	La Djardarr	Self-managed	Kimberley	Wangkatjungka	Large
Kimberley	Lamboogunian	Small	Kimberley	Warmun	Large
Kimberley	Lombadina	Small	Kimberley	Wirrimanu	Large
Kimberley	Looma	Large	Kimberley	Woolerreggerberleng	Self-managed
Kimberley	Loongabid	Self-managed	Kimberley	Wurreranginy	Small
Kimberley	Mandangala	Small	Kimberley	Yakanarra	Small
Kimberley	Mercedes Cove	Self-managed	Kimberley	Yirralalem	Self-managed
Kimberley	Middle Lagoon	Self-managed	Kimberley	Yiyili	Small
Kimberley	Milargoan	Self-managed	Kimberley	Yulumbu	Self-managed
Kimberley	Mimbi	Self-managed	Kimberley	Yungngora	Large
Kimberley	Mindibungu	Large	Pilbara	Barrel Well	Self-managed
Kimberley	Mingalkala	Self-managed	Pilbara	Burringurrah	Large
Kimberley	Molly Springs	Self-managed	Pilbara	Cheeditha	Small
Kimberley	Moongardie	Small	Pilbara	Innawonga	Small
Kimberley	Mowanjum	Large	Pilbara	Jigalong	Large
Kimberley	Mulan	Large	Pilbara	Jinparinya	Self-managed
Kimberley	Muludja	Small	Pilbara	Karalundi	Small
Kimberley	Munget	Self-managed	Pilbara	Kiwirrkurra	Small
Kimberley	Munthanmar	Self-managed	Pilbara	Kunawarritji	Small
Kimberley	Ngalingkadji	Small	Pilbara	Kutkububba	Self-managed
Kimberley	Ngallagunda	Small	Pilbara	Marta Marta	Self-managed
Kimberley	Ngamakoon	Self-managed	Pilbara	Ngurawaana	Small
Kimberley	Ngumpan	Small	Pilbara	Parngurr	Small
Kimberley	Ngurtuwarta	Small	Pilbara	Pia Wadjari	Small
Kimberley	Nyah Nygah	Self-managed	Pilbara	Punju Njamal	Self-managed
Kimberley	Pandanus Park	Small	Pilbara	Punmu	Small
Kimberley	Pender Bay	Self-managed	Pilbara	Wakathuni	Small
Kimberley	Rb River Junction	Self-managed	Pilbara	Wandanooka	Self-managed
Pilbara	Warralong	Small	Pilbara	Youngaleena	Small
Pilbara	Yandeyarra	Large	Pilbara	Yulga Jinna	Small

Source: Department of Communities

Appendix 5: Community locations

REMS communities in the Kimberly region



Source: Department of Communities

Legend

- Small and large remote communities
- Self-managed remote communities
- Towns

REMS communities in the Pilbara region

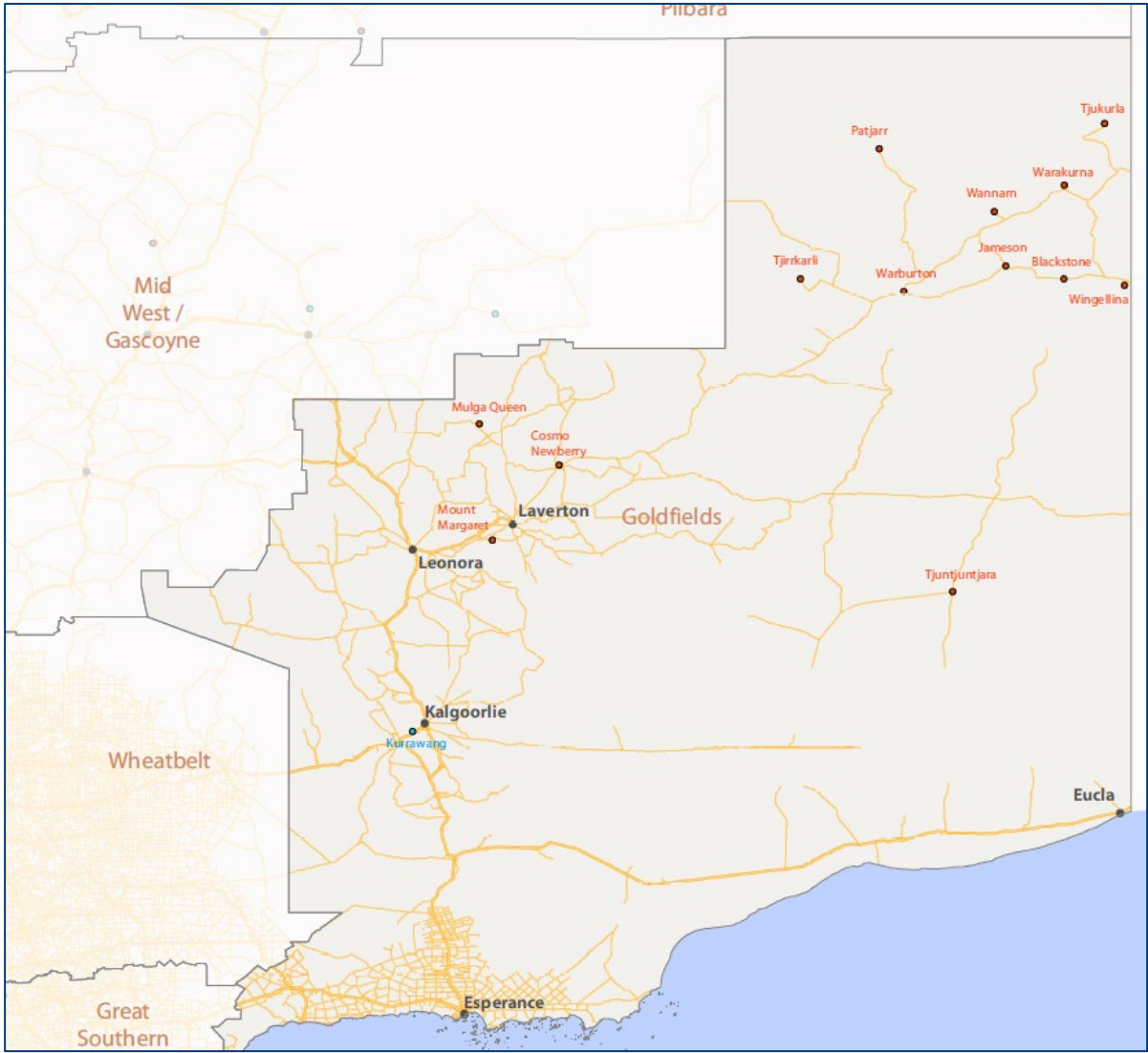


Source: Department of Communities

Legend

- Small and large remote communities
- Self-managed remote communities
- Towns

REMS communities in the Goldfields region



Source: Department of Communities

Legend

- Small and large remote communities
- Self-managed remote communities
- Towns

Auditor General's 2020-21 reports

Number	Title	Date tabled
24	Opinion on Ministerial Notification – DPIRD Capability Review	18 May 2021
23	Local Government General Computer Controls	12 May 2021
22	Opinion on Ministerial Notification – Hospital Facilities Services	6 May 2021
21	Regulation and Support of the Local Government Sector	30 April 2021
20	Opinions on Ministerial Notifications – Policing Information	28 April 2021
19	Opinion on Ministerial Notification – Bennett Brook Disability Justice Centre	8 April 2021
18	Regulation of Consumer Food Safety by the Department of Health	1 April 2021
17	Department of Communities' Administration of Family and Domestic Violence Support Services	11 March 2021
16	Application Controls Audits 2021	8 March 2021
15	Opinions on Ministerial Notifications – Tax and Funding Information Relating to Racing and Wagering Western Australia	26 February 2021
14	Opinion on Ministerial Notification – Hotel Perth Campaign Reports	24 February 2021
13	Opinion on Ministerial Notification – Release of Schedule of Stumpage Rates	24 February 2021
12	Grants Administration	28 January 2021
11	COVID-19 Relief Fund	21 December 2020
10	COVID-19: Status of WA Public Testing Systems	9 December 2020
9	Western Australian Registry System – Application Controls Audit	26 November 2020
8	Regulating Minor Pollutants	26 November 2020
7	Audit Results Report – Annual 2019-20 Financial Audits of State Government Entities	11 November 2020
6	Transparency Report: Major Projects	29 October 2020
5	Transparency Report: Current Status of WA Health's COVID-19 Response Preparedness	24 September 2020
4	Managing the Impact of Plant and Animal Pests: Follow-up	31 August 2020
3	Waste Management – Service Delivery	20 August 2020
2	Opinion on Ministerial Notification – Agriculture Digital Connectivity Report	30 July 2020
1	Working with Children Checks – Managing Compliance	15 July 2020

**Office of the Auditor General
Western Australia**

7th Floor Albert Facey House
469 Wellington Street, Perth

Perth BC, PO Box 8489
PERTH WA 6849

T: 08 6557 7500
F: 08 6557 7600
E: info@audit.wa.gov.au
W: www.audit.wa.gov.au

 @OAG_WA

 Office of the Auditor General for
Western Australia