

Implementation Plan for The Three Capes Track Project

NATIONAL PARTNERSHIP AGREEMENT ON LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT

PRELIMINARIES

1. This Implementation Plan is created subject to the provisions of the **National Partnership Agreement on Local Government and Regional Development** and should be read in conjunction with that Agreement. The objective in the National Partnership is to improve the capacity, resilience and infrastructure in communities and build capacity and resilience of local governments.
2. The Commonwealth has agreed to provide financial assistance of up to \$12.5 million (GST exclusive) for the Three Capes Track – Multi Day Walking Track with Accommodation project (the Project). The Project is scheduled for completion by 1/10/2013.

TERMS OF THIS IMPLEMENTATION PLAN

3. This Implementation Plan will commence as soon as it is agreed between the Commonwealth of Australia, represented by the Minister for Infrastructure, Transport, Regional Development and Local Government, and the State of Tasmania, represented by the Minister for Environment, Parks and Heritage.
4. This Implementation Plan will cease on completion of the project (by 1/10/2013) as specified in this Implementation Plan, including the acceptance of final performance reporting and processing of final payments against project milestones specified in this Implementation Plan.
5. This Implementation Plan may be varied by written agreement between the Ministers.
6. Either Party may terminate this agreement by providing *30 days* notice in writing. Where this Implementation Plan is terminated, the Commonwealth's liability to make payments to the State is limited to payments associated with project milestones achieved by the State by the date of effect of termination of this Implementation Plan.
7. The Parties to this Implementation Plan do not intend for any of the provisions to be legally enforceable. However, that does not lessen the Parties' commitment to this Implementation Plan.

PROJECT OBJECTIVE

8. The objective in this Implementation Plan is to deliver the Three Capes Track Project located in the Tasman National Park in south eastern Tasmania.

PROJECT OUTCOMES

9. The project will facilitate the following outcomes:
 - (a) Development of an outstanding multi-day bushwalking experience that presents the values of the Tasman National Park
 - (b) Enhancement and expansion of tourism and other economic opportunities on the Tasman Peninsula;
 - (c) Employment creation and job retention on the Tasman Peninsula.

PROJECT OUTPUTS

10. The objectives and outcomes will be achieved by:
 - a) upgrading existing walking trails;
 - b) Construction of accommodation sites, associated amenities and new walking track.

ROLES AND RESPONSIBILITIES

Role of the Commonwealth

11. The Commonwealth is responsible for reviewing the State's performance against the project milestones specified in this Implementation Plan and providing any consequential financial contribution to the State for that performance.

Role of the State

12. The State is responsible for all aspects of project implementation, including:
 - (a) fully funding the project, after accounting for financial contributions from the Commonwealth and any third party;
 - (b) completing the project in a timely and professional manner in accordance with this Implementation Plan, and to the extent it applies to the project, the National Code of Practice for the Construction Industry, and the Australian Government Building and Construction OHS Accreditation Scheme; and
 - (c) meeting all conditions and project milestones including providing reports in accordance with this Implementation Plan.

PERFORMANCE MILESTONES AND FINANCIAL ARRANGEMENTS

13. The maximum financial contribution to be provided by the Commonwealth for the project is \$12.5 million payable in accordance with project milestones set out in Table 1. All payments are exclusive of GST.

Table 1: Project milestones and associated payments

	Milestones	Due By	Amount
1	Provision of written confirmation of State Government agreement of the Implementation Plan and confirmation of the level of State funding committed to complete the project.	On date of receipt of letter of agreement	\$2,500,000
2	Acceptance of 'Milestone 2 Progress Report' to the satisfaction of the Commonwealth which demonstrates: Completion of schematic design and planning for the: <ul style="list-style-type: none"> • Proposed new walking track; • Gateway infrastructure; • Accommodation infrastructure for 'free and independent walkers'; • Water transport infrastructure; and • Commercial guided walk 	1/9/2011	Nil
3	Acceptance of 'Milestone 3 Progress Report' to the satisfaction of the Commonwealth which demonstrates: <ul style="list-style-type: none"> • Commencement of construction works for the upgrade of the existing Cape Hauy track. • Commonwealth environmental approvals (including the Environment Protection and Biodiversity Conservation Act assessment and approval). 	1/11/2011	\$1,500,000
4	Acceptance of 'Milestone 4 Progress Report' to the satisfaction of the Commonwealth which demonstrates: <ul style="list-style-type: none"> • All State environmental approvals obtained a) Completion of upgrade to existing Cape Hauy track.	1/3/2012	\$4,000,000
5	Acceptance of 'Milestone 5 Progress Report' to the satisfaction of the Commonwealth which demonstrates: <ul style="list-style-type: none"> • Submission of the Development Application to the Tasman Council for the construction of the 'free and independent' huts; a) Awarding of contracts that allow construction of the Three Capes Track to start.	10/6/2012	\$4,500,000

6	Acceptance of 'Milestone 6 Progress Report' to the satisfaction of the Commonwealth which demonstrates: <ul style="list-style-type: none"> • Awarding of contracts for the construction of the accommodation infrastructure for 'free and independent' walkers; a) Completion of 20% of the Three Capes Track	1/12/2012	Nil
7	Acceptance of 'Milestone 7 Progress Report' to the satisfaction of the Commonwealth which demonstrates: <ul style="list-style-type: none"> • Completion of 25% of the accommodation infrastructure for 'free and independent' walkers; • Completion of 40% of the Three Capes Track; and Completion of the water transport infrastructure.	1/12/2013	Nil
8	Acceptance of 'Milestone 8 Progress Report' to the satisfaction of the Commonwealth which demonstrates: <ul style="list-style-type: none"> • Completion of 60% of the accommodation infrastructure for the 'free and independent' walkers; Completion of 60% of the Three Capes Track	1/12/2014	Nil

Note: In the event of partial performance of the milestones (ie one or more project milestones are not achieved as evidenced in the progress reports), a payment proportional to the achievement of the milestone will be paid. The remaining amount will be paid following satisfactory completion of the milestone.

14. Any Commonwealth financial contribution payable will be processed by the Commonwealth Treasury and paid to the State Treasury in accordance with the payment arrangements set out in Schedule D of the Intergovernmental Agreement on Federal Financial Relations.

BUDGET

15. The overall project budget (exclusive of GST) is set out in Table 2.

Table 2: Overall project budget

(\$ million)	Year 1 2010-11	Year 2 2011-12	Year 3 2012-13	Year 4 2013-14	Total
(i) Design and planning	0.6	0.4			1.0
(ii) Gateway infrastructure	0.5				0.5
(iii) Walking track construction/upgrade	2.4	3.8	3.0		9.2
(iv) Accommodation infrastructure		5.0	7.0	5.5	17.5
(v) Water transport infrastructure			1.5	1.4	2.9
(vi) Establish Business Enterprise				0.8	0.8
(vii) Project management	0.3	0.3	0.3	0.3	1.2
Total estimated project budget	3.8	9.5	11.8	8.0	33.1
Funding Sources					
Commonwealth contribution	3.5	9.0			12.5
Estimated Private sector contribution			2.7	5.1	7.8
Estimated State contribution	0.3	0.5	9.1	2.9	12.8

16. Having regard to the estimated costs of projects specified in the overall project budget, the State will not be required to pay a refund to the Commonwealth if the actual cost of the project is less than the agreed estimated cost of the project. Similarly, the State bears all risk should the costs of a project exceed the estimated costs. The Parties acknowledge that this arrangement provides the maximum incentive for the State to deliver projects cost effectively and efficiently.

PERFORMANCE REPORTING

17. The State will provide progress reports to the Commonwealth to demonstrate its achievement of project milestones set out in Table 1.
18. Each progress report is to contain the following information:
- a description of actual performance of the project to date against the project milestones;
 - photographic evidence to a standard acceptable to the Department, which clearly demonstrates the achievement of project milestones;
 - promotional activities undertaken in relation to, and media coverage of, the project during the reporting period;

- (d) a description of the work that will be undertaken to complete the remaining project milestones and any expected promotional opportunities during the next reporting period; and
 - (e) details of mitigating circumstances and remedial action undertaken in the event a project milestone is not met or completed in the manner and/or by the time specified.
19. The final project report is due on 1 November 2013.
20. The final project report will be a stand-alone document that can be used for public information dissemination purposes regarding the project and must:
- (a) describe the conduct, benefits and outcomes of the project as a whole;
 - (b) evaluate the project, including assessing the extent to which the objective in this Implementation Plan has been achieved and explaining why any aspects were not achieved; and
 - (c) include a discussion of any other matters relating to the project, limited to the minimum necessary for the effective evaluation of the project, which the Commonwealth notifies the State should be included in the final project report at least 30 days before it is due.

ACKNOWLEDGEMENT AND PUBLICITY

21. Signage acknowledging the financial and other support of the Commonwealth, to be provided by the Commonwealth, will be erected and maintained for a period determined in writing between the Parties.
22. The Commonwealth will be notified one month prior to any promotional events including launches and visits for the project and an invitation extended to the Minister or his delegate to attend.

NOTICES

23. Any notices relating to this project between the Commonwealth and State Governments, rather than the Agreement generally, are to be in writing between the Department of Infrastructure, Transport, Regional Development and Local Government (Infrastructure Employment Projects) and the Tasmanian Parks and Wildlife Service.