

Queensland - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

Table 1: Formalities and operation of Schedule

Parties	Commonwealth Queensland															
Duration	This Schedule is expected to expire 30 June 2024.															
Purpose	<p>This Schedule will support the delivery of projects identified through the <i>National Flood Mitigation Infrastructure Program</i> (Program), which help local communities mitigate their priority flood risks and reduce the impact of flood events.</p> <p>Funding provided under this Schedule will contribute to the delivery of the following projects (Funded Projects):</p> <ul style="list-style-type: none">• Project 1: Armstrong Creek Causeway, Normanton to Burketown;• Project 2: Floraville and Truganini Roads Upgrades Burketown to Normanton;• Project 3: Dutton Street Bridge (Palm Creek Crossing), Ingham. <p>An overview of each project is provided at <u>Attachment A</u>.</p>															
Estimated financial contributions	<p>The Commonwealth will provide to Queensland an estimated total financial contribution of \$9.90m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table><tr><th>Table 1</th><th>2020-21</th><th>Total</th></tr><tr><th>(\$m)</th><th></th><th></th></tr><tr><td>Estimated total budget</td><td>12.98</td><td>12.98</td></tr><tr><td>Less estimated National Partnership Payments</td><td>9.90</td><td>9.90</td></tr><tr><td>Balance of non-Commonwealth contributions</td><td>3.08</td><td>3.08</td></tr></table>	Table 1	2020-21	Total	(\$m)			Estimated total budget	12.98	12.98	Less estimated National Partnership Payments	9.90	9.90	Balance of non-Commonwealth contributions	3.08	3.08
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Estimated total budget	12.98	12.98														
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Additional terms	<p>Allocation of funds</p> <p>(1) The parties understand that this Schedule is made in good faith and there is an expectation that funding will be apportioned to projects as determined through the Program, and as shown at <u>Attachment A</u>.</p> <p>Resolution of terms</p> <p>(2) The Commonwealth and States and Territories will work together to resolve any conflicts arising through the Bilateral Agreements, using the approach set out below.</p>															

- a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines
- b. The Emergency Response Fund Guidelines and NFMIP Program Guidelines will prevail over the Schedule, except for matters relating to monitoring and reporting, and auditing and assurance (chapters 7, 8 and Attachment B of the NFMIP Program Guidelines)
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework
- d. Where items (2)a – (2)d are silent or unclear, the NFMIP FAQs may clarify any matters

Implementation Plan

- (3) Project specific timeframes will be finalised after the commencement of this Schedule, in the form of an Implementation Plan.
 - a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework
- (4) The Implementation Plan will be developed by Queensland and provided to the Commonwealth for approval. Queensland must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences or no later than 30 September 2021, whichever is later.

Performance monitoring and reporting

- (5) The parties acknowledge that payments under these agreements would usually be tied to the performance milestones at Table 2 below. In lieu of milestone based payments under this agreement, states and territories commit to honouring these reporting obligations required by this Schedule.
- (6) The frequency and timing of reporting under this Schedule is set out at Table 2: Performance requirements, reporting and payment summary
- (7) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework
 - a. This resource supersedes and replaces chapter 7 (Monitoring and reporting), chapter 8 (Audit and assurance) and Attachment B of the NFMIP Program Guidelines.

Third parties

- (8) In line with the NFMIP Program Guidelines, States and Territories may engage a third party to support the delivery of a project under this Schedule.
- (9) While third parties are not signatories to this Schedule, States and Territories are solely responsible for ensuring third party compliance with the Emergency Response Fund Act, the Emergency Response Fund Guideline, NFMIP Program Guidelines and the conditions of this Schedule.

Contingent co-funding

- (10) The Commonwealth acknowledges that the delivery of the Dutton Street Bridge project is subject to Queensland securing co-funding.
- (11) In the event that co-funding is not secured or a shortfall in funding occurs, the Commonwealth commits to honouring section 2.6 in the National Flood Mitigation Infrastructure Program 2020-21 Frequently Asked Questions - development of agreements between the Commonwealth and States and Territories document.

Repayment of amounts to the Commonwealth

- (12) In accordance with s21(4) of the Emergency Response Fund Act, the Commonwealth reserves the right to recover an amount provided under this Schedule, where
- a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, and
 - b. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, or
 - c. another condition of this Schedule is not met.
- (13) The Commonwealth will determine whether an amount should be repaid, and if so, how much should be repaid, with regard to the circumstances of each matter.

Table 2: Performance requirements, reporting and payment summary

Output	Performance milestones	Report due	Payment
Flood mitigation infrastructure projects that assist communities to prepare for future flood events to reduce the risk of flood to, and/or impact of flooding on, local communities	Queensland agrees and signs the Schedule	Upon signature of Schedule	\$9.90m
	Queensland provides the approved Implementation Plan to the Commonwealth	Within three months of the commencement of this Schedule or on an alternative date if clause 11 applies.,	N/A
	Queensland submits an Interim Update three months from the date at which the Schedule was signed	After the first Interim Update, six monthly until all projects under this Schedule are complete	N/A
	Queensland submits a Performance Report six months from the date at which the Schedule was signed	After the first Performance Report, six monthly until all projects under this Schedule are complete.	N/A
	Queensland submits End of Project Report	No later than three months from the date that the project was completed.	N/A
	Queensland submits an audit report completed by the state appointed auditor	No later than nine months from the end of the financial year in which the project was completed	N/A

The Parties have confirmed their commitment to this Schedule as follows:

Signed for and on behalf of the Commonwealth of Australia by



Senator the Honourable Bridget McKenzie
Minister for Emergency Management and National Recovery and Resilience

25/10 2021

Signed for and on behalf of the State of Queensland by



The Honourable Steven Miles MP
Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning

18/10 2021

Details of Queensland's Funded Projects

#	Project Name	Project Description	Commonwealth funding
1	Armstrong Creek Causeway, Normanton to Burketown (Carpentaria Shire Council)	This project involves removing the existing floodway and install a new concrete base slab and box culverts through Armstrong Creek on Normanton - Burketown Road. This will raise the creek crossing to improve flood resilience.	\$793,339
2	Floraville and Truganini Roads Upgrades, Burketown to Normanton (Burke Shire Council)	This project involves replacing and upgrading drainage assets urgently required to prevent further closure of the road and the imposition of load restrictions due to structural instability. A major culvert failure required the urgent replacement of two of the seven major cell culverts on Floraville Road. If the project is not undertaken, the road link connecting Burketown and Normanton (part of the Savannah Way route) will need to be closed and/or detours constructed until replacement can occur.	\$3,353,494
3	Dutton Street Bridge (Palm Creek Crossing), Ingham (Hinchinbrook Shire Council) ¹	This project involves construction of a bridge along Dutton Street Ingham to link the north and south of the town in flood events of up to a 1 in 50 year flood event. This critical link will ensure that the entire township is accessible by fire, police and ambulance services, and that hospital facilities remain accessible to the public in the event of a flood.	\$5,753,667
Total Commonwealth funding			\$9,900,500

¹Project is contingent on co-funding being secured. Final project details may vary.