

## South Australia – Coastal and Estuarine Risk Mitigation Program

### FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| <b>Table 1: Formalities and operation of Schedule</b> |   |                      |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
|---|---|----------------------|----------------|--------------|--------------|--|--|-------------------------------|---------------|--------------|--|-------------|-------------|--|--------------------|----------------------|
| Parties   | Commonwealth of Australia<br>South Australia  |                      |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| Duration  | This Schedule is expected to expire 31 December 2025 or on completion of all projects under the Schedule.   |                      |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| Purpose   | <p>This Schedule will support the delivery of projects identified through the <i>Coastal and Estuarine Risk Mitigation Program</i> (Program), which will help drive long term resilience and sustainability by delivering projects that mitigate the impact of disasters on communities and economies.</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"> <li>• The Barunga West Council Coastal Protection Project</li> <li>• Coastal Adaptation for South Australia - CA4SA Project: Bringing science and people together to mitigate coastal risks</li> <li>• Encounter Bay Coastal Protection Sea Wall</li> <li>• Wyomi Stage 2 Seawall Construction</li> <li>• Data Collection and Modelling Study: Horseshoe Bay, Port Elliot, South Australia</li> <li>• Lower Eyre Peninsula Coastal Adaptation and Emergency Management Strategy</li> </ul> <p>An overview of each project is provided at <a href="#">Attachment A</a>.</p> |                      |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| Estimated financial contributions                     | <p>The Commonwealth will provide to South Australia an estimated total financial contribution of <b>\$6,710,250 (GST exclusive)</b> in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th><b>Table 1</b></th> <th><b>2022-23</b></th> <th><b>Total</b></th> </tr> <tr> <th><b>(\$m)</b></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td><b>Estimated total budget</b></td> <td>\$10,114,600*</td> <td>\$10,114,600</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>\$6,710,250</td> <td>\$6,710,250</td> </tr> <tr> <td><b>Balance of non-Commonwealth contributions</b></td> <td><b>\$3,404,350</b></td> <td><b>\$3,404,350**</b></td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding<br/>** Includes in-kind contributions</p>  | <b>Table 1</b>       | <b>2022-23</b> | <b>Total</b> | <b>(\$m)</b> |  |  | <b>Estimated total budget</b> | \$10,114,600* | \$10,114,600 | Less estimated National Partnership Payments | \$6,710,250 | \$6,710,250 | <b>Balance of non-Commonwealth contributions</b> | <b>\$3,404,350</b> | <b>\$3,404,350**</b> |
| <b>Table 1</b>  | <b>2022-23</b>  | <b>Total</b>         |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| <b>(\$m)</b>  |   |                      |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| <b>Estimated total budget</b>                         | \$10,114,600*   | \$10,114,600         |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| Less estimated National Partnership Payments          | \$6,710,250   | \$6,710,250          |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |
| <b>Balance of non-Commonwealth contributions</b>      | <b>\$3,404,350</b>  | <b>\$3,404,350**</b> |                |              |              |  |  |                               |               |              |  |             |             |  |                    |                      |

|                         |   |
|-------------------------|---|
| <p>Additional terms</p> | <p><b>Allocation of funds</b></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 <b>Attachment A</b>.</p> <p><b>Resolution of terms</b></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 <b>below</b>.</p> <p>a. The <i>Federal Financial Relations Act 2009</i> and the <i>Emergency Response Fund Act 2019</i> will prevail over any Program Guidelines.</p> <p>b. The Emergency Response Fund Guidelines and the Coastal and Estuarine Risk Mitigation 2022-23 Program Guidelines will prevail over the Schedule, <u>except</u> for matters relating to monitoring and reporting, auditing and assurance (Part 12).</p> <p>c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework at <b>Attachment B</b>.</p> <p>d. Where items 2(a)-(c) are silent or unclear, guidance material published by the Commonwealth may be relied upon to clarify any inconsistencies.</p> <p>(3) The Parties do not intend any of the provision of this agreement to be legally enforceable. However, this does not lessen the Parties commitment to this Schedule.</p> <p><b>Implementation Plan</b></p> <p>(4) Project specific timeframes will be finalised after the commencement of this Schedule, in the form of an Implementation Plan.</p> <p>a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework at <b>Attachment B</b>.</p> <p>(5) The Implementation Plan will be developed by South Australia and provided to the Commonwealth for approval within three months of the time this Schedule commences.</p> <p><b>Performance monitoring and reporting</b></p> <p>(6) 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 the reporting obligations required by this Schedule.</p> <p>(7) The frequency and timing of reporting under this Schedule is set out at <u>Table 2: Performance requirements, reporting and payment summary</u></p> <p>(8) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework at <b>Attachment B</b>.</p> <p><b>Third parties</b></p> <p>(9) In line with the Program Guidelines, States and Territories may engage a third party to support the delivery of a project under this Schedule.</p> |
|-------------------------|---|

- (10) 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 2019*, the Emergency Response Fund Guidelines, the Coastal and Estuarine Risk Mitigation 2022-23 Program Guidelines and the terms and conditions of this Schedule.

**Repayment of amounts to the Commonwealth**

- (11) If efficiencies are realised on completion of the project, funding may be put to other projects under this Program in that jurisdiction with Commonwealth approval, which approval will not be unreasonably withheld.
- (12) In accordance with subsection 21(4) of the Emergency Response Fund Act 2019, the Commonwealth reserves the right to recover an amount provided under this Schedule, where:
- a. a project cannot be delivered in line with the relevant Implementation Plan and the project cannot be appropriately scaled or varied,
  - 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 on a reasonable basis 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     |
|--|---|---|-------------|
| Completion of the Coastal and/or Estuarine Risk Mitigation project/s at <u>Attachment A</u> in order to mitigate the impact of disasters on communities and economies. | South Australia agrees to and signs the Schedule.   | Upon signature of the Schedule by both Parties.   | \$6,710,250 |
|  | South Australia provides the Implementation Plan for all projects to the Commonwealth.  | Within three months of the commencement of this Schedule.   | N/A         |
|  | South Australia submits six-monthly Performance Reports on the progress of all projects against project milestones, expenditure and outcomes in the implementation plan.  | Within six months of the commencement of this Schedule and then six monthly until all projects under the Schedule are complete. | N/A         |
|  | South Australia submits the Final Report for each project, detailing outcomes and outputs, including an acquittal summary and financial statement.  | No later than three months from the date that each project is completed.  | N/A         |
|  | South Australia submits an Audit Report for each project completed by the state appointed auditor. Where more than one project has been completed within the same financial year, the state appointed auditor may report on projects completed within that financial year within a single report. | No later than six months from the end of the financial year in which the project was completed.                                 | N/A         |
|  | South Australia submits an ad hoc report, an update on funded projects and/or a financial declaration.  | As requested by the Commonwealth.   | 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 Murray Watt**  
Minister for Emergency Management

12 / 1 / 2023

*Signed for and on behalf of the State of South  
Australia by*



**The Honourable Joe Szakacs MP**  
Minister for Police, Emergency Services and  
Correctional Services

15 / 3 / 2023

## Attachment A

### Details of South Australia Funded Projects

| # | Project Name   | Project Description   | Commonwealth funding | Contribution by South Australia |
|---|--|---|----------------------|---------------------------------|
| 1 | The Barunga West Council Coastal Protection Project  | This project involves the implementation of a range of coastal protection measures focused on coastal erosion.  | \$359,000            | \$155,000                       |
| 2 | Coastal Adaptation for South Australia - CA4SA Project: Bringing science and people together to mitigate coastal risks | This project accelerates development and use of adaptation strategies by establishing foundations of quality data and on-going monitoring to underpin disaster risk and vulnerability assessment.   | \$3,707,000          | \$2,310,600                     |
| 3 | Encounter Bay Coastal Protection Sea Wall  | This project will create a resilient foreshore for local community and visitors. This is a low-lying part of the coast that will come under increased risk of inundation due to storm surges and future impacts of climate change as sea levels rise. | \$518,000            | \$230,000                       |
| 4 | Wyomi Stage 2 Seawall Construction   | The project involves construction of a 345m Stage 2 rock seawall at Wyomi to the north and south of the existing Stage 1 seawall.   | \$1,953,750          | \$651,250                       |
| 5 | Data Collection and Modelling Study: Horseshoe Bay, Port Elliot, South Australia                                       | This project will support the local council to take a proactive, best practice approach to data collection and modelling. This will support future master planning and future proofing the Bay and its intrinsic                                      | \$112,500            | \$37,500                        |

|                      |   |  |                    |                    |
|----------------------|---|--|--------------------|--------------------|
|                      |   | value for the community.   |                    |                    |
| 6                    | Lower Eyre Peninsula Coastal Adaptation and Emergency Management Strategy | This project will develop coastal adaptation strategies for North Shields and Tulka and emergency management plans for Tulka and Farm Beach to identify hazards, mitigation and management measures associated with coastal inundation risk. | \$60,000           | \$20,000           |
| <b>Total funding</b> |   |  | <b>\$6,710,250</b> | <b>\$3,404,350</b> |