

Western Australia – Coastal and Estuarine Risk Mitigation

Program **FEDERATION FUNDING AGREEMENT – ENVIRONMENT**

Table 1: Formalities and operation of Schedule																
Parties	Commonwealth of Australia Western 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"> • Coast Capture WA - A State-wide high-resolution LiDAR and aerial photography survey • C Y O'Connor Engineered Fringing Reef Stage 2 • Upgraded revetment for Denham Foreshore and Town Centre • West Busselton Coastal Stabilisation • City of Joondalup Coastal Risk Adaptation Program • Vincent Street Seawall Refurbishment • Mindarie Breakwater Upgrade • Esperance Bay - Sand Back-Passing Infrastructure <p>An overview of each project is provided at Attachment A.</p>															
Estimated financial contributions	<p>The Commonwealth will provide to Western Australia an estimated total financial contribution of \$19,170,958 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Table 1</th> <th style="text-align: center;">2022-23</th> <th style="text-align: right;">Total</th> </tr> <tr> <th style="text-align: left;">(\$m)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td style="text-align: right;">\$29,025,062*</td> <td style="text-align: right;">\$29,025,062</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: right;">\$19,170,958</td> <td style="text-align: right;">\$19,170,958</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: right;">\$9,854,104</td> <td style="text-align: right;">\$9,854,104**</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding ** Includes in-kind contributions</p>	Table 1	2022-23	Total	(\$m)			Estimated total budget	\$29,025,062*	\$29,025,062	Less estimated National Partnership Payments	\$19,170,958	\$19,170,958	Balance of non-Commonwealth contributions	\$9,854,104	\$9,854,104**
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<p>Additional terms</p>	<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 Attachment A.</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> <ol style="list-style-type: none"> a. The Federal Financial Relations Act 2009 and the Emergency Response Fund Act 2019 will prevail over any Program Guidelines. b. The Emergency Response Fund Guidelines and the Coastal and Estuarine Risk Mitigation 2022-23 Program Guidelines will prevail over the Schedule, except for matters relating to monitoring and reporting, auditing and assurance (Part 12). c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework at Attachment B. 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>(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>Implementation Plan</p> <p>(4) Project specific timeframes will be finalised after the commencement of this Schedule, in the form of an Implementation Plan.</p> <ol style="list-style-type: none"> a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework at Attachment B. <p>(5) The Implementation Plan will be developed by Western Australia and provided to the Commonwealth for approval within three months of the time this Schedule commences.</p> <p>Performance monitoring and reporting</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 Table 2: Performance requirements, reporting and payment summary</p> <p>(8) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework at Attachment B.</p> <p>Third parties</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> <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</p>
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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 Attachment A in order to mitigate the impact of disasters on communities and economies.	Western Australia agrees to and signs the Schedule.	Upon signature of the Schedule by both Parties.	\$19,170,958
	Western Australia provides the Implementation Plan for all projects to the Commonwealth.	Within three months of the commencement of this Schedule.	N/A
	Western 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
	Western 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
	Western 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
	Western 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:

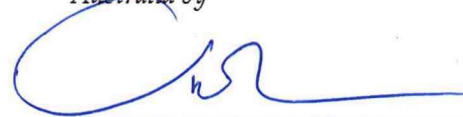
*Signed for and on behalf of the Commonwealth of
Australia by*



Senator the Honourable Murray Watt
Minister for Emergency Management

12 / 1 / 2023

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



The Honourable Stephen Dawson MLC
Minister for Emergency Services

4 / 4 / 2023

Attachment A

Details of Western Australia Funded Projects

#	Project Name	Project Description	Commonwealth funding	Contribution by Western Australia
1	Coast Capture WA - A State-wide high-resolution LiDAR and aerial photography survey	This project will support the state to conduct an updated coastal landform and seabed capture to build coastal digital elevation models. These models will help develop a better understanding of potential social, environmental and economic exposure, vulnerability and impacts.	\$7,865,500	\$3,800,000
2	C Y O'Connor Engineered Fringing Reef Stage 2	This project supports the extension of the wave-attenuating Engineered Fringing Reef at C Y O'Connor Beach to create an additional 100m length of modular reef. This will help reduce erosion risk to vulnerable foreshore areas.	\$600,000	\$200,000
3	Upgraded revetment for Denham Foreshore and Town Centre	This project will upgrade the existing foreshore revetment to an engineered structure designed to provide increased protection to the town site from risks associated with coastal hazards, including inundation.	\$1,609,987	\$536,662
4	West Busselton Coastal Stabilisation	This project aims to provide longer term coastal protection to mitigate the impacts of coastal hazards along the coast between King Street and Gale Street in Busselton.	\$1,070,500	\$373,500

5	City of Joondalup Coastal Risk Adaptation Program	This project will include the upgrading of the City of Joondalup's coastal assets.	\$943,697	\$314,566
6	Vincent Street Seawall Refurbishment	This project will refurbish the existing 400m seawall structure to ensure it continues to function as a coastal protection structure for a reasonable design life.	\$1,636,078	\$546,376
7	Mindarie Breakwater Upgrade	This project will deliver significant breakwater upgrades to Mindarie Breakwater to reduce safety risks and ensure continued functionality over the next 50 years.	\$3,383,000	\$3,383,000
8	Esperance Bay - Sand Back-Passing Infrastructure	This project will install a permanent pipeline infrastructure from Bandy Creek Boat Harbour to the erosion hotspot in the Esperance Bay and install two electric slurry booster pumps along the pipeline.	\$2,062,196	\$700,000
Total funding			\$19,170,958	\$9,854,104