

Lower Darling Fish Passage Program - Phase 2 Construction Funding for the Burtundy Fishway

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

Table 1: Formalities and operation of schedule

Parties	Commonwealth State of NSW																				
Duration	<p>This Schedule is expected to expire on 31 December 2027 or on completion of all activities including final monitoring and reporting.</p> <p>The project is not expected to commence until the Menindee Lakes are under NSW control to minimise the potential risk of inundation of the construction site due to a River operations’ release of water.</p>																				
Purpose	<p>This Schedule will support the construction and commissioning of a new fishway at Burtundy Weir in the Lower Darling River in Western New South Wales (NSW).</p> <p>The new fishway is part of the Lower Darling Fish Passage Program which was established as part of the Australian Government’s response to the fish deaths in the 2018-19 summer in the Lower Darling River.</p> <p>Burtundy Weir is located 133 km upstream from the confluence of the Lower Darling River and the River Murray and is the first barrier experienced by fish heading upstream from the Murray River junction.</p>																				
Estimated financial contributions	<p>The Commonwealth will provide an estimated total financial contribution to the State of \$4.984m in respect of this Schedule.</p> <table><tr><th>Table 1 (\$ million)</th><th>2024-25</th><th>2025-26</th><th>2026-27</th><th>Total</th></tr><tr><td>Estimated total budget</td><td>0.000</td><td>2.850</td><td>2.134</td><td>4.984</td></tr><tr><td>Less estimated National Partnership Payments</td><td>0.000</td><td>2.850</td><td>2.134</td><td>4.984</td></tr><tr><td>Balance of non-Commonwealth contributions</td><td>0.000</td><td>0.000</td><td>0.000</td><td>0.000</td></tr></table>	Table 1 (\$ million)	2024-25	2025-26	2026-27	Total	Estimated total budget	0.000	2.850	2.134	4.984	Less estimated National Partnership Payments	0.000	2.850	2.134	4.984	Balance of non-Commonwealth contributions	0.000	0.000	0.000	0.000
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Additional terms	<ol style="list-style-type: none"> 1. Governance NSW is to invite the Commonwealth to participate as an observer on any project governance committees regarding the construction the Burtundy fishway. 2. Milestones 2 and 3 (Percentage of construction) The percentage of construction completion for milestone 2 and 3 is the percentage of the project's construction budget that has been spent. The construction budget is specified in NSW's contract with the construction contractor. The percentage of completion or expenditure will be certified in writing by the contract supervisor (NSW Public Works). 3. Operation and Maintenance Any assets being constructed or modified by New South Wales as part of this project are required to have asset ownership arrangements in place. The Commonwealth will not acquire any assets nor any liability for any operations, maintenance or recurrent costs from works undertaken or associated with the Projects.
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Table 2: Performance requirements, reporting and payment summary			
Output	Performance milestones	Report due	Payment
Phase 2 of the Lower Darling Fish Passage Program			
1	Acceptance by the Commonwealth of a progress report showing <ul style="list-style-type: none"> • Construction contract let • Management plans from construction contractor, including schedule of prices, accepted by Department of Regional NSW • Workplan which includes project timeframes, deliverables, governance and stakeholder and risk management. 	30 July 25	\$1,000,000

2	Acceptance by the Commonwealth of a progress report showing <ul style="list-style-type: none"> 50% construction of new fishway as per term 2, including removal of existing fishway (see additional terms) 	30 November 25	\$1,850,000
3	Acceptance by the Commonwealth of a progress report showing <ul style="list-style-type: none"> 95% construction of new fishway as per term 2 – practical completion (see additional terms) Commissioning of new fishway (dry or wet, dependent on river flows) Report showing actual construction and project costs 	30 July 26	\$1,940,000
4	Acceptance by the Commonwealth of a progress report showing <ul style="list-style-type: none"> Completion of construction documentation (manuals and drawings of work as executed) Completion Report, including on the monitoring of the operation of the fishway 	30 November 2026	\$194,379
Total			\$4,984,379

Signed for and on behalf of the Commonwealth
of Australia by



The Honourable Tanya Plibersek MP
Minister for the Environment and Water

3 3 2025
[Day] [Month] [Year]

Signed for and on behalf of the
State of New South Wales by



The Honourable Tara Moriarty, MLC
Minister for Agriculture, Regional New South Wales,
and Western New South Wales

16 4 2025
[Day] [Month] [Year]