

New South Wales - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|--|---|---------------|---------|-------|------------------------|-------|-------|--|-------|-------|---|------|------|
| Parties | Commonwealth New South Wales | | | | | | | | | | | | |
| 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: Yoogali McCormack Levee Upgrades • Project 2: Cessnock Levee (Bund Wall) • Project 3: Holbrook Levee • Project 4: Hanwood Stormwater Pump and Levee • Project 5: Bellambi Gully Channel Improvement • Project 6: Fairfield Golf Course Detention Basin Upgrade <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to New South Wales an estimated total financial contribution of \$13.37m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>20.16</td> <td>20.16</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>13.37</td> <td>13.37</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>6.79</td> <td>6.79</td> </tr> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 20.16 | 20.16 | Less estimated National Partnership Payments | 13.37 | 13.37 | Balance of non-Commonwealth contributions | 6.79 | 6.79 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 20.16 | 20.16 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 13.37 | 13.37 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 6.79 | 6.79 | | | | | | | | | | | |
| 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 Attachment A.</p> <p>Resolution of terms</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.
- 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 New South Wales and provided to the Commonwealth for approval. New South Wales must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

- (10) 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.
- (11) 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 | New South Wales agrees and signs the Schedule | Upon signature of Schedule | \$13.37m |
| | New South Wales provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | New South Wales submits an Interim Report three months from the date at which the Schedule was signed | After the first Interim Report, six monthly until all projects under this Schedule are complete | N/A |
| | New South Wales 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 |
| | New South Wales submits an End of Project report | No later than three months from the date that the project was completed. | N/A |
| | New South Wales 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

/ / 2021

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



The Honourable David Elliott MP
Minister for Police and Emergency Services

9 / 11 / 2021

Attachment A

Details of New South Wales' Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Co-contribution |
|----------------------|---|--|----------------------|--------------------|
| 1 | Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$520,000 |
| 2 | Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,900,000 |
| 3 | Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$0 |
| 4 | Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$620,000 |
| 5 | Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$1,070,000 |
| 6 | Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase the basin capacity. | \$1,920,000 | \$1,680,000 |
| Total funding | | | \$13,370,000 | \$6,790,000 |

ATTACHMENT A

Background on the establishment and administration of the National Flood Mitigation Infrastructure Program

On 11 December 2020, the former Minister for Agriculture, Drought and Emergency Management, the Hon David Littleproud MP announced the establishment of the National Flood Mitigation Infrastructure Program (NFMIP). The NFMIP provides funding to the states and territories to contribute to or pay for the improvement or construction of flood mitigation infrastructure. This supports local communities mitigate their priority flood risks and reduce the impact of future flood events.

The NFMIP is funded under the Emergency Response Fund (ERF), which was established on the commencement of the *Emergency Response Fund Act 2019* (the ERF Act) on 12 December 2019, allows the Government to draw up to:

- \$50 million each financial year to build resilience to, and prepare for or reduce the risk of future natural disasters.
- \$150 million each financial year to fund emergency response and recovery following natural disasters in Australia that have a significant or catastrophic impact, when the Government determines that existing recovery programs are insufficient to meet the scale of the response required.

The NFMIP draws on the \$50 million pre-disaster resilience component of the ERF that was available for expenditure in 2020-21.

Eligibility

State and territory governments, in consultation with local governments and the community, were eligible to apply for funding for improvement of an existing or construction of a new flood mitigation infrastructure. Flood mitigation infrastructure is defined as an essential public asset having the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities.

Eligible infrastructure included but was not limited to: dams, levees, bridges, culverts and other drainage systems, rainfall and river height measurement systems, weather radar systems and flood warning infrastructure.

Application process

The application period ran from 21 December 2020 until 12 February 2021. State and Territory Governments submitted their application by completing the application form provided in the NFMIP Program Guidelines, along with endorsement from their respective state or territory government emergency management minister.

In total, 74 applications from all States and Territories totalling \$231,773,019 were received.

Assessment process and recommended projects

Applications were assessed by a Program Review Panel (the Panel) comprised of representatives from the Department of Home Affairs, Department of the Prime Minister and Cabinet, the Treasury, Department of Infrastructure, Transport, Regional Development and Communications, the Bureau of Meteorology and the then National Drought and North Queensland Flood Response and Recovery Agency (incorporated within the National Recovery and Resilience Agency effective 1 July 2021).

The Panel assessed each NFMIP application against the eligibility and assessment criteria set out in the NFMIP Guidelines (the Guidelines). Projects were then given a weighted score and ranked nationally based on these scores. The Director-General Emergency Management Australia (DGEMA) reviewed the Panel's recommendation as the Commonwealth officer responsible for making recommendation to the Minister on the use of the ERF.

s 47B, s 47C, s 47E(d)

s 47B, 47E(d)

On 10 May 2021, states and territories were advised of the successful projects to be funded under the NFMIP.

On 27 May 2021, Minister Littleproud endorsed the final funding allocations and wrote to his ministerial counterparts in each State and Territory to advise them of these outcomes (MS21-001111 refers). This resulted in 22 projects being funded under the NFMIP across all of the country, including:

- 21 projects fully funded by the Commonwealth in line with the request made by the state or territory.
- 1 project partially funded by the Commonwealth (the Dutton Street Bridge project in Queensland will receive \$5.7 million of the \$8.8 million requested by the Queensland Government).

Mechanism for delivering funds to States and Territories

Negotiation of grant agreements ('Schedules')

Funding from the NFMIP is being supplied to states and territories as a 'grant' under section 32A of the ERF Act. The grant is provided through the Federation Funding Agreements (FFAs) negotiated by Treasury in 2020 to provide a consistent mechanism for payments to the states and territories.

The agreement between the Commonwealth and each jurisdiction is created through the co-signing of Schedules to the FFAs. The Schedules facilitate the transfer of funds to the jurisdictions and set the conditions for the delivery of funded projects as required by the Program Guidelines. The Schedules are co-signed by the Commonwealth and state or territory portfolio ministers responsible for emergency management, and funding can be transferred to the jurisdiction once the Schedules are signed by both parties.

Release of payments

When the minister responsible for emergency management decides that a grant of financial assistance should be made to a state or territory, that minister issues a direction that provides for the funds to be debited from the Emergency Response Fund Special Account and credited to the COAG Reform Fund, in preparation to be transferred to the jurisdictions.

s 42

This requirement was satisfied on 21 July 2021 after Minister Littleproud wrote to the Minister for Finance on 27 May 2021 directing that \$50 million, being the total value of the successful NFMIP projects, be transferred to the COAG Reform Fund.

Funding relating to each Schedule will be transferred to the jurisdictions as a single, upfront payment on 9 September 2021 with the conditions in the Schedule include setting out requirements relating to reporting, milestone payments, and audit and assurance.

s 47B, s 47C, s 47E(d)



EXEMPT IN FULL

s 47B, s 47C, s 47E(d)



EXEMPT IN FULL

s 47B, s 47C, s 47E(d)

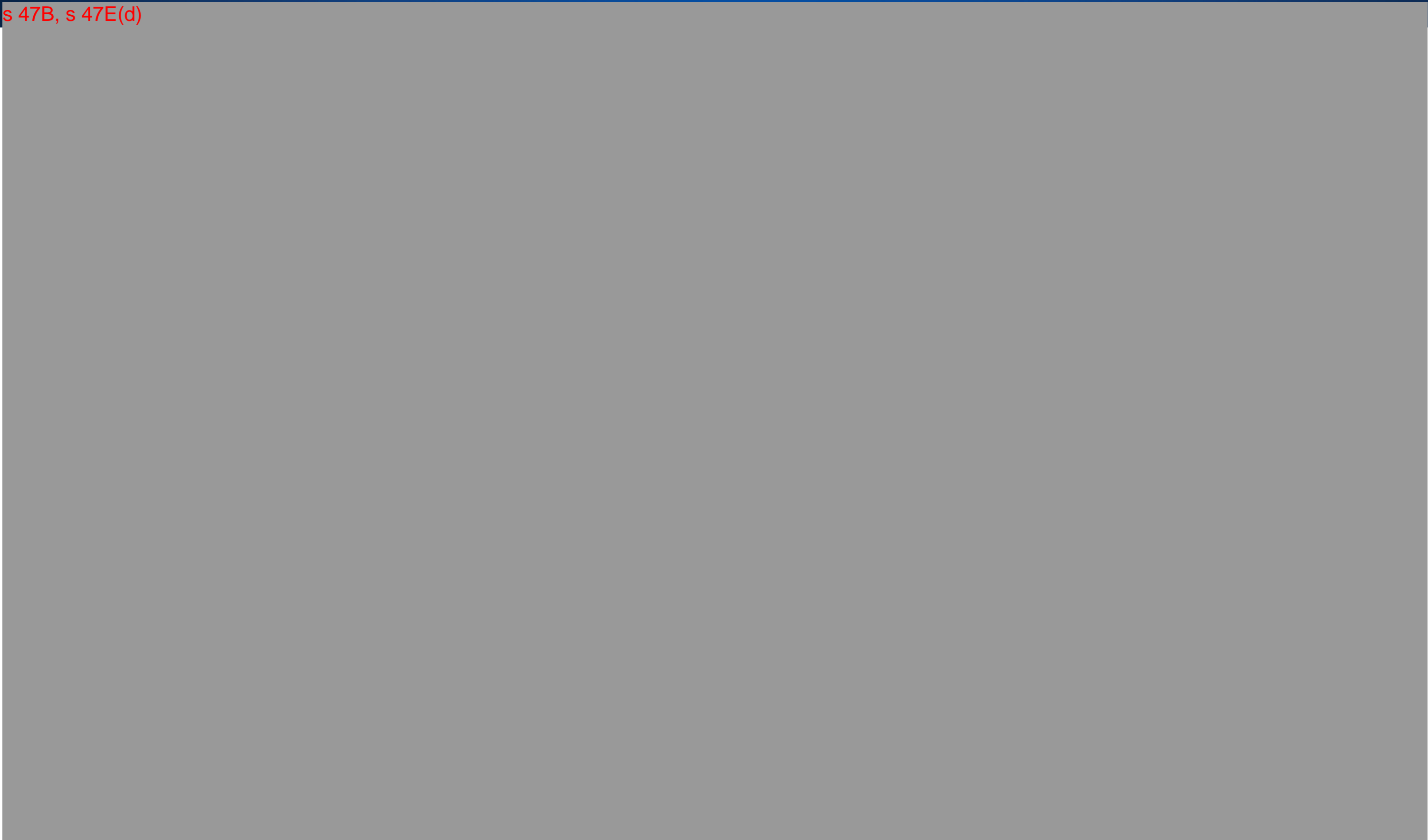




Australian Government
Department of Home Affairs

Attachment A

s 47B, s 47E(d)



s 47B, s 47E(d)



EXEMPT IN FULL

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s 47B, s 47E(d)



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s 47B, s 47E(d)



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s 47B, s 47E(d)



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s 47B, s 47E(d)



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s 47B, s 47E(d)



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s 47B, s 47E(d)



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Australian Government
National Recovery and Resilience Agency



Attachment A

NFMIP 2020-21 PROJECTS APPROVED

| Project Name | Project Description | Requested amount | Funded amount |
|---|--|---------------------|---------------------|
| AUSTRALIAN CAPITAL TERRITORY | | \$3,340,000 | \$3,340,000 |
| Goliath Court Flood Mitigation | The work involves constructing raised vehicle crossings, storm water pipes, and additional inlets at Goliath Court. It also involves constructing a new discharge pipe along the Sullivan's Creek. | \$1,220,000 | \$1,220,000 |
| Mawson Stormwater Improvements | The work involves constructing new drainage to prevent flooding in the commercial precinct of Mawson. | \$2,120,000 | \$2,120,000 |
| NEW SOUTH WALES | | \$13,370,000 | \$13,370,000 |
| Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$1,040,000 |
| Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,440,000 |
| Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$4,580,000 |
| Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$1,240,000 |
| Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$2,150,000 |
| Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase capacity. | \$1,920,000 | \$1,920,000 |
| NORTHERN TERRITORY | | \$9,400,000 | \$9,400,000 |
| Katherine Flood Mitigation Levee South | This project involves construction of a new 3km flood mitigation levee aligned along the eastern side to the southern tip of Katherine South. | \$9,400,000 | \$9,400,000 |
| QUEENSLAND | | \$12,981,096 | \$9,900,500 |
| Armstrong Creek Causeway, Normanton to Burketown | 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 | \$793,339 |
| Floraville and Truganini Roads Upgrades, Burketown to Normanton | 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. | \$3,353,494 | \$3,353,494 |
| Dutton Street Bridge (Palm Creek Crossing), Ingham | 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. | \$8,834,263 | \$5,753,667 |



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| | | | |
|---|---|--------------------|--------------------|
| SOUTH AUSTRALIA | | \$3,180,000 | \$3,180,000 |
| Stormwater Management Plan for Two Wells (2017) | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$1,660,000 |
| Prospect Drainage Scheme Upgrade – Stage 1 | This project will provide a new, high capacity drainage system by upgrade/replacement of sections of the Prospect Outfall Drain. It will also enable future upstream connections to the new outfall drain to further reduce flood risk. The works are proposed outcomes from the Barker Inlet Central Stormwater Management Plan. | \$1,520,000 | \$1,520,000 |
| TASMANIA | | \$3,192,500 | \$3,192,500 |
| Latrobe Council – Latrobe Flood Levees | This project involves constructing of earth and concrete flood levees, water diversion structures and associated works. | \$1,270,000 | \$1,270,000 |
| South Hobart Primary School | This project will protect the school from significant rainfall events, and mitigate a high risk of drowning on the site for any rainfall event above a 1 in 20 year or five per cent AEP. | \$648,000 | \$648,000 |
| Kingsborough Council – Kingston Rivulet | This project will upgrade the historic Kingston Rivulet to maximise the amount of flood water capable of draining into existing stormwater systems. | \$274,500 | \$274,500 |
| Waratah – Wynyard Council – Port Creek Mitigation | This project involves widening of Port Creek as well as levee banks to hold back floodwaters in Port Creek from the surrounding airport and residential dwellings and floodwater discharge. | \$1,000,000 | \$1,000,000 |
| VICTORIA | | \$6,917,000 | \$6,917,000 |
| Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$3,500,000 |
| Castlemaine and Campbell's Creek Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$2,217,000 |
| Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$1,200,000 |
| WESTERN AUSTRALIA | | \$700,000 | \$700,000 |
| Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$700,000 |



National Flood Mitigation Infrastructure Program 2021–22 Program Guidelines

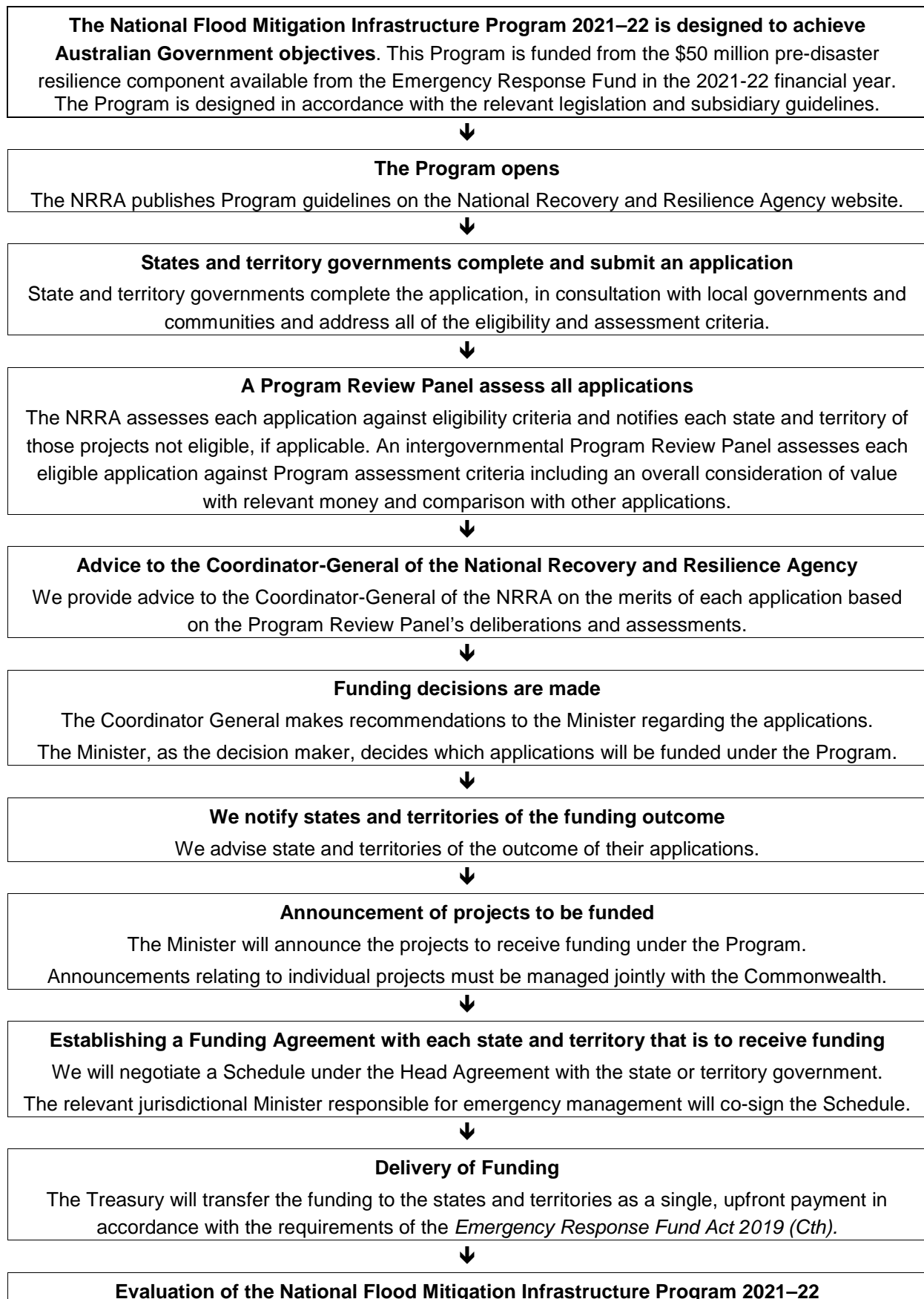
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|------------------------------------|--|
| Opening date: | dd November 2021 |
| Closing date and time: | 17.00 ACT local time on 04 February 2022 |
| Commonwealth policy entity: | National Recovery and Resilience Agency |
| Administering entity | National Recovery and Resilience Agency |
| Enquiries: | If states and territories have any questions, contact National.Flood.Mitigation@recovery.gov.au |
| Date guidelines released: | dd November 2021 |

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1. National Flood Mitigation Infrastructure Program 2021–22 Processes



We evaluate project/s and the National Flood Mitigation Infrastructure Program 2021–22 as a whole.
We base this on information provided to us and that we collect from various sources.

1.1 Introduction

These guidelines contain information for the National Flood Mitigation Infrastructure Program 2021–22.

States and territories must read these guidelines before filling out an application.

This document sets out:

- the purpose of the Program
- the eligibility and assessment criteria
- how applications are considered and selected
- how funded projects are notified and how funding is received
- how projects will be monitored and evaluated
- responsibilities and expectations in relation to the Program.

2. About the Program

About the National Recovery and Resilience Agency

The National Recovery and Resilience Agency (the Agency) was established on 5 May 2021 by the Prime Minister, the Hon Scott Morrison MP, to coordinate and align, across Australia, community resilience and preparedness to withstand the often devastating impacts of natural disasters. Importantly, the Agency is also focused on developing Australia's capacity to bounce back and recover as seamlessly as possible, after a natural disaster has occurred.

Flood Mitigation: an Australian Government Priority

Australian communities have increasingly been exposed to the devastating adverse impacts of major or catastrophic flooding events. As reported in the State of the Climate 2020, heavy rainfall events in Australia are becoming more extreme and short-duration extreme rainfalls more intense.

Extreme rainfall events are associated with flash flooding and a consequent increased risk to communities. Deloitte Access Economics¹ has indicated that flooding is currently the most costly natural hazard-related cause of disaster when both tangible and intangible losses are considered and when forecasting for 2060. However, for many households and communities the ability to reduce flood risk is beyond their control.

Since floods are the most costly natural disaster, flood mitigation therefore has the potential to be a high impact investment, that aligns with the recommendations of both the Royal Commission into National Natural Disaster Arrangements and previous findings in the Productivity Commission's Report on Disaster Recovery Funding Arrangements. As such, the construction or improvement of flood mitigation infrastructure (including green infrastructure) is a valuable and long-term investment in Australia's capability to reduce the risks of natural disasters to communities and economies, into the future.

¹ Chart 3.1, 3.2, [Special report Update to the economic costs of natural disasters in Australia.pdf](#) (australianbusinessroundtable.com.au)

The Emergency Response Fund (ERF)

The Emergency Response Fund (ERF) was established upon commencement of the *Emergency Response Fund Act 2019* (the ERF Act) on 12 December 2019. Policy support for the operation of the ERF is outlined in the Emergency Response Fund Program guidelines.

The Disaster Recovery Funding Arrangements (DRFA) are the primary mechanism for the Commonwealth to provide natural disaster related financial assistance to state and territory governments. The ERF is as an investment fund that was established to provide assistance beyond what is already available to fund emergency response and natural disaster recovery and preparedness, where the Australian Government determines the existing recovery and resilience-building programs are insufficient to provide an appropriate response to natural disasters. It is an investment in the long-term sustainability of communities at risk of being affected by future disasters.

Under the ERF Act, the Australian Government may draw up to:

- \$50 million each financial year to build resilience to, and prepare for or reduce the risk of future natural disasters.
- \$150 million each financial year to fund emergency response and recovery following natural disasters in Australia that have a significant or catastrophic impact, when the Australian Government determines that existing recovery programs are insufficient to meet the scale of the response required.

The National Flood Mitigation Infrastructure Program 2021-22 is funded under the \$50 million building resilience component of the ERF as outlined above.

2.1 About the National Flood Mitigation Infrastructure Program 2021–22

National Flood Mitigation Infrastructure Program 2021–22

The National Flood Mitigation Infrastructure Program 2021–22 (the Program) is funded from the \$50 million building resilience component of the ERF available in the 2021-22 financial year. These guidelines serve as a resource for the Agency (as the Program administrator) and state and territory governments (as Program applicants).

The Program demonstrates the Australian Government's commitment to provide additional support to communities across Australia to grow their resilience and preparedness to withstand the devastating impacts of flooding on communities and economies.

In 2020-21, the Australian Government initiated the first round of the Program, drawing on the \$50 million building resilience funding available in the 2020-21 financial year under the ERF. The 2021–22 Program builds on the success of the first round, providing an additional \$50 million to bring the total to \$100 million from the ERF over the two years to support communities across Australia to invest in flood mitigation preparedness.

The Program supports state, territory and local governments to build long-term, national flood resilience and preparedness and reduce the often-devastating impacts of flooding events on communities.

The Program gives effect to *National Priority 3: Enhanced Investment*, as detailed in the National Disaster Risk Reduction Framework, whereby the Australian Government will increase investment literacy across sectors, to ensure investment opportunities are leveraged to reduce disaster risk. The Program gives effect to this objective by targeting priority flood mitigation infrastructure, on a national

scale, with a view to maximising broader social and economic outcomes, including through limiting future disaster recovery needs and costs. The Program also helps to implement the National Climate Resilience and Adaptation Strategy and enhance community resilience to climate change impacts. The Program will open to state and territory government applications in November 2021.

The Program seeks to deliver on the following Program objectives:

- reducing the expected future eligible expenditure under the Disaster Recovery Funding Arrangements 2018
- reducing the exposure to flood hazards that influence insurance affordability for relevant households or local governments, through the improvement or construction of flood mitigation infrastructure
- mitigating against risk that influences insurance affordability for relevant household or local government by the improvement or construction of flood mitigation infrastructure
- ancillary to the above, local job creation.

3. Available funding under the Program

3.1 Funding available

The Australian Government has announced a total of \$50 million over one financial year (2021–22) for the National Flood Mitigation Infrastructure Program 2021–22.

- The maximum amount per project is \$10 million.

State and territory governments (as the applicants) are required to contribute towards the project through either a financial or in-kind, mandatory co-contribution to a minimum of 25 per cent of eligible expenditure.

Administration costs may be included in the funding application. Administration costs must not exceed 5 per cent of the estimated project costs and must be included in the total funding amount outlined in the application.

Funds may be distributed equitably across all state and territory jurisdictions, where possible and reasonable and in line with the project funding caps. 'Equitable distribution' does not necessarily mean an equal distribution of program funds

4. Eligibility criteria

We cannot consider an application if it does not satisfy all the eligibility criteria.

4.1 Who is eligible to apply for the Program?

Only Australian state or territory governments are eligible under the Program to apply for funding.

We can only accept applications:

from an Australian state or territory Australian Government where there is only one overarching application per state or territory government. In developing the overarching application, states and territories:

- may include an unlimited number of projects or applications, however states and territories should identify the top ten priority applications or projects within their jurisdictions for consideration.
- may engage third parties to deliver services on their behalf for any projects awarded funding under this Program.
- must consult with local governments and communities on project applications.

5. What the funding can be used for

5.1 Eligible Program Activities

Projects that are already fully funded are ineligible for the Program.

Projects that have already received full funding or a commitment of full funding are ineligible for Program funding for the same project. 'Full funding' is funding that equals the full estimated cost of the applicant project as verified by an independent relevant, suitably qualified and accredited industry professional.

Full funding is committed when the applicant jurisdiction has received written and reliable confirmation that full funding is available and will be allocated to the applicant project within a reasonable timeframe.

Only eligible Flood Mitigation Infrastructure can be funded under the Program.

Eligible infrastructure must directly demonstrate a positive effect on a community's resilience and preparedness to reduce flood risk and withstand the devastating impacts of flooding.

Under the Program, eligible Flood Mitigation Infrastructure may include, but is not limited to the following:

- Levees and levee systems (for example, structures built to contain, control or divert the flow of water)
- Infrastructure to aid flood plain restoration (for example, structures to raise riverbeds or excavate riverbanks)
- Green infrastructure that reduces the risk of flooding by protecting coastline or managing stormwater velocity or flow (for example, mangrove reforestation, greenways along floodplains, or bioswales).
 - For the purposes of the Program, 'Green Infrastructure' encompasses only those strategically planned natural and built landscape assets which incorporate environmental features, including but not limited to natural vegetation, which directly and demonstrably contribute to mitigating flood risk for the community in question.

Flood Mitigation Infrastructure may also include non-physical components, such as specific information technologies, that in their absence would render the flood mitigation infrastructure wholly inoperable.

Note: For the purposes of the Program, road infrastructure and improvements are excluded from this definition and are ineligible infrastructure.

Further guidance on these terms is provided in the **Glossary**.

Funding under the Program may be applied to the construction of new infrastructure that meets the definition above. Funding may be applied to the improvement of existing infrastructure but only where improvement is not simply routine maintenance necessary to maintain infrastructure functionality.

Each project must demonstrate that it will deliver one of the following outcomes:

- an improvement to existing Flood Mitigation Infrastructure, where the improvement is not better described as a regular or routine improvement required to address "wear and tear" or
- construction of new Flood Mitigation Infrastructure, for example, to mitigate a new or heightened priority flood risk that has arisen due to an increase in the intensity and/or frequency of flooding experienced in a particular community.

Applicants must also demonstrate how each project will directly contribute to a reduction in flood risk to, and the impact of flood on, a specific community or communities, and at least one of the following outcomes:

- reduction in expected future eligible expenditure under the Disaster Recovery Funding Arrangements 2018, and/or
- Reducing the exposure to flood hazards that influence insurance affordability for relevant households or local governments, through the improvement or construction of flood mitigation infrastructure.

5.2 Eligible locations

Project must be delivered within the applicant's respective Australian state or territory.

5.3 Eligible expenditure

States and territories can only spend the funding on eligible expenditure incurred on eligible Program activities or agreed project activities.

Applicants must provide documentary evidence of whether and how a project will be funded if the full funding amount requested for a project is not awarded under this Program.

Applicants must disclose the amount of all funding, whether in cash or in-kind, already provided or committed to any aspect of a project submitted for funding under this Program, and the relationship of this amount to the total estimated project cost.

- If an application is successful, we may ask the jurisdiction to verify project costs provided in their application. This may include evidence such as quotes for major costs.
- Not all expenditure on the jurisdiction's project may be eligible for Program funding. The Program Delegate makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

States and territories must incur the expenditure on their projects between the start date and end or completion date for their funding agreement for it to be eligible.

5.4 What the funding cannot be used for

States and territories cannot use the funding for the following activities:

- purchase of land
- wages
- major assets expenditure
- road infrastructure or improvements
- the covering of retrospective costs
- costs incurred in the preparation of a grant application or related documentation
- activities conducted outside of Australia
- subsidy of general ongoing administration of an organisation such as electricity, phone and rent
- overseas travel, and
- activities for which other Commonwealth, state, territory or local government bodies have primary responsibility.

Estimated and actual project costs for a project must not include:

- costs already incurred or expected to be incurred by the applicant or any third party in the development of an application or project related to this Program

- costs already incurred or expected to be incurred by any party in relation to the maintenance, improvement or construction of a project related to this Program
- costs relating to the acquisition or management of land or property.

6. Assessment Criteria

States and territories must address all of the following assessment criteria in the application.

The amount of detail and supporting evidence states and territories provide in their application should be relative to the size, complexity and grant amount requested.

The application form includes size limits and must be submitted in PDF format, with maximum file size of **10MB**.

In assessing applications, the Panel will consider the following criterion:

Criterion 1

The prioritisation of projects submitted by the state and territory government.

States and territories must demonstrate this by identifying:

- Prioritisation of the top 10 projects, not ranked, in addition to any other applications or projects submitted, in the one overarching application.
- Justification of the prioritisation.
- Prioritisation should align with the National Disaster Risk Reduction Framework, which will allow a national-level assessment of relative priority across states and territories.

Criterion 2

The relative flood risk and flood mitigation impact of the project

States and territories must demonstrate this by identifying:

- an indication of the risk before and after the proposed project.
- the risk assessment methodology used to determine the project risk rating.
- A description of the mitigation impact of the proposed project.

Criterion 3

The impact of the project on reducing exposure to flood risks that influence insurability of existing flood mitigation infrastructure.

States and territories must demonstrate this by identifying:

- How the project will reduce the risk
- In the case of new infrastructure, how this will reduce flood risks that would influence insurability.

Criterion 4

Availability of other Australian Government funding sources for the project.

The ERF Act and guidelines outline that the Australian Government may access up to \$50 million building resilience funding in each financial year from 2019-20. The ERF was setup to allow the Australian Government to draw on funds where it determines the existing recovery and resilience-building programs are insufficient to provide an appropriate response to natural Disasters. Therefore, states and territories must demonstrate this by providing:

- Where applicable, confirmation is requested as to why this project **cannot** be funded through more appropriate funding sources i.e. applications submitted for other funding sources including

government, non-government and philanthropic. A statement to this effect should be included in the application.

Criterion 5

Evidence of consultation with the community, local government and any other relevant stakeholders.

States and territories must demonstrate this by identifying:

- documentary evidence of consultations with relevant local governments and/or communities in reference to each project submitted
- outcomes of those consultations

Note: State and territory governments may provide documentary evidence of prior consultations (**but not consultations finalised more than five years prior to date of application submission**) if outcomes arising from prior consultations are directly related to the Program project and of their continued relevance.

Criterion 6

The likelihood of project success, including evidence of capacity to complete the project to meet industry standards, to deadline and within estimated budget.

States and territories must demonstrate this by identifying:

- A project plan, including a justification for the level of funding requested.
- Evidence of capacity and capability and previous experience in undertaking similar scale projects, this could include capital works, references.
- A budget plan, include the mandatory 25 per cent co-contribution.

7. How to apply

Before applying, states and territories must read and understand these guidelines and the sample application form.

These documents are published on the National Recovery and Resilience Agency website at www.recovery.gov.au.

Any amendments and addenda² will be published on the Agency's website and by registering on this website will be automatically notified on any changes. The Agency's website is the authoritative source for information for this Program.

To apply states and territories must:

- complete the online application form available through the Agency's website
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments
- submit the application by **17.00 ACT local time on 04 February 2022**

States and territories are responsible for ensuring that their applications are complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995 \(Cth\)](#) and we will investigate any false or misleading information and may exclude the application from further consideration.

If states and territories find an error in their application after submitting it, they should contact us immediately on national.flood.mitigation@recovery.gov.au. We are not obligated to accept any additional information, nor requests from jurisdictions to correct their application after the closing time.

If we find an error, inconsistency or omission, we may ask for clarification or additional information from states and territories that will not materially change the nature of their application in fairness to other applicants.

States and territories should keep a copy of their application and any supporting documents.

We will acknowledge that we have received applications within three working days.

If states and territories need further guidance around the application process or if they are unable to submit an application online they must contact us at national.flood.mitigation@recovery.gov.au.

7.1 Attachments to the application

We require states and territories in their application to address each of the following **key principles** for all projects submitted to the Program:

- The project directly demonstrates a positive effect on a community's resilience and preparedness to reduce flood risk and withstand the devastating impacts of flooding.
- The project maximises economic and social outcomes for the community.
- The project reduces the exposure to flood hazards that influence insurance affordability for relevant households or local governments, through the improvement or construction of flood mitigation infrastructure.

² Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

- The project supports a reduction in the expected future eligible expenditure under the Disaster Recovery Funding Arrangements 2018.

In addition, provide the following documents for each of the projects submitted under the application:

- a business case
- an indicative budget
- a project management plan including risk management
- evidence of consultation with the community, local government and any other relevant stakeholders
 - State and territory applicants must provide documentary evidence of consultations with relevant local governments and or communities in reference to **each project submitted. The outcomes of those consultations must be provided.**
 - State and territory governments may provide documentary evidence of prior consultations **(but not consultations finalised more than five years prior to date of application submission)** if outcomes arising from prior consultations are directly related to the Program and the projects in the application and of continued relevance.
 - State and territory governments must provide documentary evidence that they have consulted with the Australian Local Government Association about the availability of the Program in their jurisdiction.
- States and territories must provide documentary evidence as part of their overarching application of the relevant Emergency Management Minister's endorsement of both the overarching application and the ten projects or applications identified as priority projects, contained as part of the overarching application
- the priority ranking of projects
 - prioritisation should align with those in the [National Disaster Risk Reduction Framework](#), which will allow a national-level assessment of relative priority across states and territories.
- support for the co-contribution on the terms offered.

The ERF Act and guidelines outline that the Australian Government may access up to \$50 million in building resilience funding each year from 2019-20.

Applicants must therefore provide documentary evidence for each project of:

- efforts to secure/applications submitted for relevant funding
- notifications of unsuccessful funding applications
- other relevant supporting documentation.

For each project, applicants must provide evidence of all relevant government, non-government and philanthropic funding:

- that the project may be/have been eligible for,
- that has been applied for, including the amount applied for, the outcome of the application, and:
 - where unsuccessful, the reasons provided
 - where successful, details of any funding already received or expected
 - if pending, the outcome notification date.

States and territories must attach supporting documentation to the application form in line with the instructions provided within the form. States and territories should only attach requested documents. We may not consider information in attachments that we do not request.

In addition to the above, jurisdictions should provide a covering summary (for example, in table format) of the assessment process that the state or territory has undertaken to determine the projects submitted to the Program, including the process for prioritising the top 10 projects. This summary should include, at a minimum, the following detail:

- The number of applications received
- Funding requested for each application
- The LGA(s) for each application
- Summary project detail for each application
- Summary detail on why the application was not successful
- The basis on which the top 10 projects were prioritised.

7.2 Timing of program processes

States and territories must submit an application between the published opening and closing dates specified on the cover page of these guidelines.

We will only accept a late application where an applicant can demonstrate exceptional circumstances prevented it from submitting the application by the closing date and time.

The Agency will decide, at its absolute discretion, if exceptional circumstances apply to a late application. The Agency will notify applicants as soon as practicable if the late application is deemed eligible for further assessment.

7.3 Questions during the application process

If states and territories have any questions during the application open period, contact national.flood.mitigation@recovery.gov.au.

If applicable, answers to questions will be posted on the Agency's website: www.recovery.gov.au.

8. The Program Review and Assessment Process

8.1 Assessment of applications

The inter-government Program Review Panel will assess each eligible application on its merit against the assessment criteria as follows:

- how well it meets the criteria
- how it compares to other applications
- how projects have been prioritised by the state or territory applying
- whether it provides value with relevant money.³ When assessing the extent to which an application represents value with relevant money, the Program Review Panel will have regard to:
 - the overall objective/s to be achieved in providing the funding
 - the relative value of the funding sought
 - extent to which the geographic location of the application matches identified priorities
 - the extent to which the evidence in the application demonstrates that it will contribute to meeting the outcomes/objectives.
- any national interest, financial, legal, regulatory, governance or other issue or risk that is identified during any due diligence processes conducted in respect of the
- states and territories applications.

8.2 Who will assess applications?

The inter-government Program Review Panel will assess each eligible application on its merit against the assessment criteria.

The Program Review Panel (the Panel) will comprise members agreed by the Agency's Coordinator-General.

Panel members will be drawn from relevant Commonwealth Portfolios such as:

- National Recovery and Resilience Agency
- Department of the Prime Minister and Cabinet
- The Treasury
- Department of Finance
- Department of Home Affairs
- Department of Infrastructure, Transport, Regional Development and Communications
- Department of Agriculture, Water and the Environment
- Bureau of Meteorology
- Australian Climate Service.

Panel members will have suitable subject matter expertise, qualifications and experience to conduct the Program's assessment process that complies with the prescriptions in the *ERF Act* and the ERF guidelines.

³ See glossary for an explanation of 'value with money'.

The Panel will ensure that recommended projects under the Program are not more appropriately funded from another funding source and are highly likely, based on relevant evidence, to contribute to the delivery of the Program's strategic objectives.

Where necessary, the Panel may request applicants further substantiate any claims associated with flood risk, disaster recovery funding, insurance, and community impact or other criteria where the evidence provided by an applicant is considered insufficient or non-compelling.

The Panel, in its deliberations under this Program, may engage the services of a subject matter expert or representative from a non-government organisation, and may consider the advice of, and data provided by, Commonwealth agencies, including but not limited to the Bureau of Meteorology and the CSIRO.

The Panel will apply the eligibility outlined in section five and assessment criteria outlined in section six. Assessment will result in applications receiving a score, which will be used to inform funding allocations and recommendations.

The Panel will provide advice to the Coordinator-General of the Agency regarding the applications.

The Coordinator-General will recommend projects to the Minister for Emergency Management and National Recovery and Resilience for funding approval. The Coordinator-General may delegate to a Commonwealth Official the responsibility to make recommendations to the Minister for Emergency Management and Agency regarding any funding allocations to projects under the program, in accordance with the requirements of the *ERF Act*.

The Minister may take into account other advice or considerations in making a final determination on successful program projects. This includes a geographical and project type balance, with an equitable distribution across state and territory jurisdictions where possible and reasonable and in line with the project funding caps. 'Equitable distribution' does not necessarily mean an equal distribution of program funds.

8.3 Who will approve the funding under the Program?

In accordance with the *ERF Act*, the Minister for Emergency Management is responsible for deciding which projects to fund. In making these decisions, the Minister may take into account the findings of the Program Review Panel, the advice and recommendations of the Coordinator-General, the availability of funds for the purposes of the Program, and other considerations relevant to the applicable legislation and Program.

The Minister's decision is final in all matters, including:

- the approval of the funding
- the funding amount to be awarded
- the terms and conditions of the funding agreement.

Projects may be approved for full or part funding from this Program. Any funding shortfall either due to the funding approved or by the budget being exceeded during the life of the project is the responsibility of that state or territory.

If efficiencies are realised on completion of the project jurisdictions may be put to **other projects under this program** in that jurisdiction. Should jurisdiction use the funding toward other flood mitigation measures that state and territory must report that expenditure to the state and commonwealth.

9. Notification of application outcomes

We will advise states and territories of the outcome of their applications in writing and will be advised of any specific conditions attached to the funding.

9.1 Feedback on the application

Unsuccessful applications can receive feedback regarding the outcome. Written feedback will be provided on request.

10. Successful grant applications

10.1 The Funding Agreement

Applicants must enter into a funding agreement with the Commonwealth.

Following the Minister's decision, and after applicants have been notified of the Minister's decision on projects to be funded and the quantum of funding allocated, Schedules will be developed under the [Federation Funding Agreement](#) - Environment between the Commonwealth and each relevant state or territory government (the funding agreement or Schedule). The Schedule will detail the project delivery, program reporting and milestone requirements, and other relevant considerations.

This Schedule must be finalised before we can make any payments. We are not responsible for any expenditure incurred until the funding agreement is finalised and executed. If jurisdictions choose to start their projects before they have an executed funding agreement, they do so at their own risk.

10.2 How we pay the funding

The Schedule will state the:

- total funding amount to be paid, including GST
- any financial contributions must make
- any in-kind contributions will make
- any financial contribution provided by a third party

The Commonwealth Treasury will transfer funding allocation as a single, payment once the funding agreement has been finalised through the normal monthly payment mechanism to states and territories. States and territories will be required to report how the funding has been spent in accordance with the reporting milestones outlined in the Schedule.

11. Announcement of grants

If successful, the project and approved funding amount will be listed on the Agency website (www.recovery.gov.au). The Minister for Emergency Management and National Recovery and Resilience will make the first announcement about successful projects. A state and territory can request to have this announcement managed jointly with the Commonwealth.

12. How we monitor projects

12.1 Keeping us informed

States and territories should let us know if anything is likely to affect their funded projects or organisation.

We need to know of any key changes to organisations or business activities, particularly if they affect states and territories ability to complete the grant, carry on business, and pay debts due.

If states and territories become aware of a breach of terms and conditions under the funding agreement, they must contact us immediately.

States and territories must notify us of events relating to their projects and provide an opportunity for the Minister or their representative to attend.

12.2 Reporting

States and territories must submit **quarterly** reports in line with the funding agreement. Grantees must have systems in place to meet their data collection and reporting obligations outlined in their bilateral agreement. We will expect states and territories to report on:

- progress against agreed project milestones and outcomes, as per table below:

| Milestone/Objective | Location (LGA) | Agreed End Date | Actual/ Anticipated End Date | Status | Current % Complete | Total funding (\$) | Funding Spent \$ |
|---------------------|----------------|-----------------|------------------------------|--------|--------------------|--------------------|------------------|
| | | | | | | | |

- contributions of participants directly related to the project, as per table below:

| Name of Partner | Type of Contribution | Value of Contribution | Comments |
|-----------------|----------------------|-----------------------|----------|
| | | | |

- Expenditure of the funding.
- Reporting on the projects will be managed in accordance with the Schedule to the Federation Funding Agreement – Environment. Reporting will provide a snapshot of the progress of the delivery of the project at the point in time when it is received by the Commonwealth.
- States and territories will be required to provide:
 - an Interim Update required three months after the Schedule commences and completed on a biannual basis;
 - a Performance Report required six months after the Schedule commences and completed on a biannual basis; and
 - a Final Report, no later than three months from the date that the project was completed.

- Further specific reporting details to meet agency reporting requirement will be discussed with states and territories and agreed for implementation through the development of the Schedules.

Ad-hoc reports

We may ask states and territories for ad-hoc reports on their funded projects. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

Final report

When states and territories complete their project, they must submit a final report as outlined in the funding agreement.

Final reports must:

- identify if and how outcomes have been achieved
- include the agreed evidence as specified in the funding agreement
- identify the total eligible expenditure incurred
- be submitted in format provided and in line with the timing outlined in the funding agreement.

12.3 Financial declaration

We may ask states and territories to provide a declaration that the funding was spent in accordance with the funding agreement and to report on any underspends of the funding.

12.4 Project visits

We may visit jurisdictions during or at the completion of their project agreement. We will provide states and territories with reasonable notice of any visit.

12.5 Evaluation

We will evaluate the Program to measure how well the outcomes and objectives have been achieved. We may use information from the application and reports for this purpose. We may also interview states and territories, or ask for more information to help us understand the Program's impact and to evaluate how effective the Program was in achieving its outcomes.

12.6 Acknowledgement

The Agency logo should be used on all materials related to projects under the Program. Whenever the logo is used, the publication must also acknowledge the Commonwealth as follows:

National Flood Mitigation Infrastructure Program 2021–22 – an Australian Government initiative.

If states and territories make a public statement about a project funded under the Program, we require them to acknowledge the funding by using the following:

'This [name of project] received funding from the Australian Government.'

States and territories should nominate a point of contact to liaise with the Commonwealth on any media or announcements relating to the program. States and territories should notify the Agency and the Minister's office regarding any planned announcements relating to this program and each project.

First announcements relating to individual projects must be managed jointly with the Commonwealth.

13. Probity

The Australian Government is committed to ensuring that grant assessment and selection processes under the Program are fair, performed according to the published guidelines, incorporate appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and are otherwise consistent with relevant legislation.

These guidelines may be updated from time-to-time by the National Recovery and Resilience Agency. When this happens, the revised guidelines will be published on the Agency's website at www.recovery.gov.au.

13.1 Enquiries and feedback

The Department of the Prime Minister and Cabinet (PM&C) complaints procedures are published on the PM&C website: www.pmc.gov.au/pmc/complaints. These procedures apply to complaints about this Program. All complaints about a grant process must be provided in writing.

Any questions states and territories have about decisions under this Program should be sent to national.flood.mitigation@recovery.gov.au.

If jurisdictions do not agree with the way their complaint is handled, they may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the National Recovery and Resilience Agency.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: www.ombudsman.gov.au

13.2 Conflicts of interest

Any conflicts of interest could affect the performance or integrity of the Program. There may be an actual, potential or perceived conflict of interest if Agency staff, any member of a committee (including the Program Review Panel) or advisor thereof and/or states and territories or any of their personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government official or member of an external committee (including the Program Review Panel)
- has a relationship with, or interest in, an organisation which is likely to interfere with or restrict an applicant from carrying out the proposed activities fairly and independently, or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives some form of benefit (for example, funding) under the Program.

States and territories' will be asked to declare, as part of their application, any perceived or existing conflicts of interests or that, to the best of their knowledge, there is no conflict of interest.

If states and territories later identify an actual, potential or perceived conflict of interest, they must inform the National Recovery and Resilience Agency in writing immediately at national.flood.mitigation@recovery.gov.au.

Conflicts of interest for Australian Government officials will be handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999 \(Cth\)](#). Committee members and other officials including the decision maker must also declare any conflicts of interest.

13.3 Privacy

We treat personal information according to the [Privacy Act 1988 \(Cth\)](#) and the [Australian Privacy Principles](#). This includes letting states and territories know:

- what personal information we collect
- why we collect personal information
- how we use personal information
- who we give personal information to.

Personnel information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about funding applicants and recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on the Agency website as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information state and territories give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of the application, states and territories must declare their ability to comply with the *Privacy Act 1988 (Cth)* and the Australian Privacy Principles, as if they were an agency for the purposes of that Act and impose the same privacy obligations on officers, employees, agents and subcontractors that they engage to assist with the activity, in respect of personal information collected, used, stored, or disclosed in connection with the activity. Accordingly, states and territories must not do anything, which if done by the Agency would breach an Australian Privacy Principle as defined in the Act.

13.4 Confidential Information

Other than any information available in the public domain, states and territories agree not to disclose to any person, other than us, any confidential information relating to the Program, without our prior written approval. The obligation will not be breached where states and territories are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may, at any time, require states and territories to arrange for applicants' employees, agents or subcontractors to give a written undertaking relating to non-disclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the Funding Agreement confidential to the extent that we are satisfied it meets all of the three conditions below:

1. clearly identify the information as confidential in the application and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to the applicant or someone else.

We will not be in breach of any confidentiality obligation if the information is disclosed to:

- the Panel and other Commonwealth employees and contractors to help us administer or manage the Program effectively
- employees and contractors of the Agency so we can research, assess, monitor and analyse our programs and activities

- employees and contractors of other Commonwealth agencies for any purpose, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in Program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary, and
- a House or a Committee of the Australian Parliament.

13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this Program, may be subject to the [Freedom of Information Act 1982](#) (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: Freedom of Information Coordinator
National Recovery and Resilience Agency
PO Box 6500
Canberra ACT 2602

By email: FOI@recovery.gov.au

14. Glossary

| Term | Definition |
|--|---|
| accountable authority | See subsection 12(2) of the Public Governance, Performance and Accountability Act 2013 |
| Administration costs | The administration costs associated with managing a successful project under the Program, will fall to the state and territory to manage. These costs may form part of the application for funding but cannot be more than five percent of the total project costs estimated in the application. Administration costs must be included in the application at the time of submitting and included in the total estimated project cost. |
| administering entity | When an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes. |
| Agency | The National Recovery and Resilience Agency. |
| Applicant | The state or territory government applying for funding under the Program. |
| Assessment criteria | The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings. |
| Audit report | The audit report required to be undertaken against actual (not estimated) project costs. |
| Bilateral Agreement | A Schedule under the Federation Funding Agreement – Environment, to which ONLY the Commonwealth and the relevant state or territory government are parties for the purposes of the Program. |
| Bioswale | Bioswales are channels designed to concentrate and convey stormwater runoff while removing debris and pollution. Bioswales, which can be beneficial in recharging groundwater, are typically vegetated, mulched, or xeriscaped. They consist of a swaled drainage course with gently sloped sides designed to safely maximize the time water spends in the swale, which aids the collection and removal of pollutants, silt and debris. |
| Council of Australian Governments (COAG) | Primary Australian intergovernmental forum operating from 1992 to 2020. |

| Term | Definition |
|--|--|
| COAG Reform Fund | A Special Account for the purpose of making grants of financial assistance to states and territories; provides for the terms and conditions of grants to be detailed in written agreements between the Commonwealth and states and territories. |
| Commencement date | The expected start date for the project |
| Commonwealth entity | A Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the <i>Public Governance, Performance and Accountability Act 2013</i> (Cth). |
| Commonwealth Grants Rules and Guidelines (CGRGs) | The guidelines, which establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities (such as the Agency) in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration. |
| Completion date | The expected date that the project must be completed. |
| Coordinator-General | The Head of the National Recovery and Resilience Agency. |
| Council on Federal Financial Relations (CFFR) | The Council on Federal Financial Relations, comprising the Commonwealth Treasurer as Chair and all state and territory treasurers, is responsible for overseeing the financial relationship between the Commonwealth and state and territory governments. |
| Date of effect | The date on which a Funding Agreement is signed or a specified starting date. |
| Decision maker | The person who makes a decision to award funding. The <i>Emergency Response Fund Act 2019</i> (Cth) mandates the decision maker for funding as the Commonwealth Minister responsible for emergency management. |
| Disaster | A serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic or environmental losses and impacts (National Disaster Risk Reduction Framework). |
| Disaster Recovery Funding Arrangements 2018 | The arrangements under which the Australian Government provides financial assistance to state and territory governments to assist relief and recovery activities following an eligible natural disaster. |

| Term | Definition |
|---|---|
| Disaster Recovery Funding Arrangements Management System | The processes and controls implemented by a state or territory government agency and third-party organisations (where applicable) in relation to an estimated reconstruction cost, as defined by the Disaster Recovery Funding Arrangements 2018. |
| Eligibility criteria | The mandatory criteria which must be met to qualify for funding under the Program. |
| Emergency Management Minister | Minister for Natural Disaster and Emergency Management or, in the event of a revised Ministry list, the Minister whose title includes the words “Emergency Management”. |
| Emergency Response Fund (ERF) | <p>The Emergency Response Fund (ERF) is provided for under the <i>Emergency Response Fund Act 2019</i> (Cth), with operational guidance provided in the Emergency Response Fund Program guidelines (ERF Guidelines).</p> <p>The ERF makes available up to \$50 million annually to build resilience to, prepare for, or reduce the risk of future disasters, or build the long-term sustainability of communities that are at risk of being affected by a future disaster.</p> |
| <i>Emergency Response Fund Act 2019</i> (Cth) (the ERF Act) | The legislation that provides for the establishment of the Emergency Response Fund. |
| Federation Funding Agreements Framework (FFAF) | The Framework can be conceived as comprising five elements: the Intergovernmental Agreement on Federal Financial Relations (IGA FFR); CFFR and its role as gatekeeper; the FFA architecture; the FFA Principles; and the administrative arrangements. |
| Federation Funding Agreement – Environment | An agreement between the Commonwealth of Australia and the states and Territories. |
| Flood Mitigation Infrastructure | <p>An essential public asset with the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities.</p> <p>For the Program eligible flood mitigation infrastructure may include, but is not limited to:</p> <ul style="list-style-type: none"> •Levees and levee systems (that is structures built to contain, control or divert the flow of water) •Infrastructure to assist Flood Plain Restoration (such as raising riverbeds or excavating riverbanks) •Particular Green Infrastructure that reduces the risk of flooding by protecting coastline or managing stormwater velocity or flow (such as mangrove reforestation, greenways along floodplains, or bioswales). |

| Term | Definition |
|--|--|
| Funding Agreement | The agreement that sets out the relationship between the parties to the agreement, and specifies the details of the funding. |
| Funding Drawdown | NFMIP Program funding drawn from the Emergency Response Fund and deposited to the COAG Reform Fund; must occur prior to 30 June; may occur prior to finalisation of Bilateral Agreements under this Program. |
| Funding Shortfall | Project funding required that exceeds the funding allocated to a project under the Program. A funding shortfall will not be met by the Commonwealth. |
| Grant | For the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> a. under which relevant money⁴ or other Consolidated Revenue Fund (CRF) money⁵ is to be paid to a grantee other than the Commonwealth; and b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives. |
| Green Infrastructure | For the purposes of this Program, Green Infrastructure is infrastructure that demonstrably reduces a risk of flooding for a particular community or communities, by protecting coastline or managing stormwater velocity or flow. This includes, for example but not limited to, mangrove reforestation, greenways along floodplains, or bioswales. |
| Head Agreement | The Federation Funding Agreements Framework (FFAF) – Federation Funding Agreement – Environment. |
| Levee | Structures built to contain, control or divert the flow of water. |
| Minister | The Commonwealth Minister for Emergency Management and National Recovery and Resilience. |
| National Disaster Risk Reduction Framework | The framework developed by the Australian Government that outlines the strategic priorities, drivers for action and guiding principles for national disaster risk reduction activities. |
| NRRA | The National Recovery and Resilience Agency, (the Agency), which from 1 July 2021 carries has responsibility for administering the Program. |

⁴ Relevant money is defined section 6 of the *Public Governance, Performance and Accountability Act 2013* (Cth).

⁵ Other CRF money is defined in section 105 of the *Public Governance, Performance and Accountability Act 2013* (Cth)

| Term | Definition |
|---------------------------------------|---|
| Program | The National Flood Mitigation Infrastructure Program 2021-22 administered by the Agency. |
| Program Outcome Notification | The Commonwealth decision notification notice provided to an applicant jurisdiction; notifies the applicant of projects to be funded under the Program and the amount of Commonwealth funding allocated to each. |
| Program Start Date | Date on which an NFMIP Bilateral Agreement or Schedule under the FFAF has been signed by both the Commonwealth and a jurisdiction. |
| Program End Date | Date a Bilateral Agreement expires between the Commonwealth and a state or territory. This is taken to occur when all performance reporting and final milestone payments for all Projects funded within a jurisdiction have been satisfied. |
| Program Administrator | The staff member and/or section within the National Recovery and Resilience Agency (NRRRA) responsible for the day to day administration of the Program. |
| Program Review Panel | The expert panel established to ensure the success of the Program through impartial assessment of NFMIP Program applications against the assessment criteria and development of evidence-based recommendations for the Minister. |
| Program Scaling | Process to reconfigure a successful NFMIP project that can no longer be delivered to the outcomes agreed in the relevant Bilateral Agreement under the FFAF. This requires a business case submitted to NRRRA for review and agreement. |
| Project | A single project for which a state or territory applicant seeks funding under the NFMIP Program; submitted with other projects as part of a single comprehensive state or territory application. |
| Publicly funded research organisation | Publicly-funded research organisations such as universities or the Commonwealth Science and Industrial Research Organisation (CSIRO) |
| Recipient | A state or territory government allocated program funding for a project or projects under this Program. |
| Schedules | Agreements under the Environment FFAF. |
| Selection criteria | Includes eligibility criteria and assessment criteria. |
| Selection process | The method used to select projects to fund under the Program in accordance with these guidelines. |
| State Appointed Auditor | An auditor appointed and funded by a jurisdiction to conduct audit and assurance activities as prescribed in the relevant NFMIP Bilateral Agreement. |

| Term | Definition |
|--------------------------------|--|
| State or Territory Application | The form and accompanying documentation that must be completed by an applicant seeking funding under the Program. |
| Unspent Funds | Funds remaining from the actual cost of a Program NFMIP project under the Program, which, at project completion as per the relevant Bilateral Agreement, have not been transferred to a third party account. |
| Value with money | <p>Value with money in this document refers to ‘value with relevant money’ which is a judgement based on the application representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>Assessing value with relevant money involves consideration of When administering the Program, an official should consider the relevant financial and non-financial costs and benefits of each project proposal including, but not limited to:</p> <ul style="list-style-type: none"> • the quality of the project proposal and activities; • fitness for purpose of the project proposal in contributing to and achieving Program government objectives; • that the absence of funding is likely to prevent the applicant’s and government’s outcomes being achieved; and • any relevant risks to the Agency, for example, arising from the applicant’s relevant experience and performance history. |



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| Project Name | Project Description | Requested amount | Funded amount |
|---|--|---------------------|---------------------|
| AUSTRALIAN CAPITAL TERRITORY | | \$3,340,000 | \$3,340,000 |
| Goliath Court Flood Mitigation | The work involves constructing raised vehicle crossings, storm water pipes, and additional inlets at Goliath Court. It also involves constructing a new discharge pipe along the Sullivan's Creek. | \$1,220,000 | \$1,220,000 |
| Mawson Stormwater Improvements | The work involves constructing new drainage to prevent flooding in the commercial precinct of Mawson. | \$2,120,000 | \$2,120,000 |
| NEW SOUTH WALES | | \$13,370,000 | \$13,370,000 |
| Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$1,040,000 |
| Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,440,000 |
| Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$4,580,000 |
| Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$1,240,000 |
| Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$2,150,000 |
| Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase capacity. | \$1,920,000 | \$1,920,000 |
| NORTHERN TERRITORY | | \$9,400,000 | \$9,400,000 |
| Katherine Flood Mitigation Levee South | This project involves construction of a new 3km flood mitigation levee aligned along the eastern side to the southern tip of Katherine South. | \$9,400,000 | \$9,400,000 |
| QUEENSLAND | | \$12,981,096 | \$9,900,500 |
| Armstrong Creek Causeway, Normanton to Burketown | 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 | \$793,339 |
| Floraville and Truganini Roads Upgrades, Burketown to Normanton | 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. | \$3,353,494 | \$3,353,494 |
| Dutton Street Bridge (Palm Creek Crossing), Ingham | 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. | \$8,834,263 | \$5,753,667 |
| SOUTH AUSTRALIA | | \$3,180,000 | \$3,180,000 |



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| | | | |
|---|---|--------------------|--------------------|
| Two Wells Township Levee | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Two Wells Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$1,660,000 |
| Prospect Drainage Scheme Upgrade – Stage 1 | This project will provide a new, high capacity drainage system by upgrade/replacement of sections of the Prospect Outfall Drain. It will also enable future upstream connections to the new outfall drain to further reduce flood risk. The works are proposed outcomes from the Barker Inlet Central Stormwater Management Plan. | \$1,520,000 | \$1,520,000 |
| TASMANIA | | \$3,192,500 | \$3,192,500 |
| Latrobe Council – Latrobe Flood Levees | This project involves constructing of earth and concrete flood levees, water diversion structures and associated works. | \$1,270,000 | \$1,270,000 |
| South Hobart Primary School | This project will protect the school from significant rainfall events, and mitigate a high risk of drowning on the site for any rainfall event above a 1 in 20 year or five per cent AEP. | \$648,000 | \$648,000 |
| Kingsborough Council – Kingston Rivulet | This project will upgrade the historic Kingston Rivulet to maximise the amount of flood water capable of draining into existing stormwater systems. | \$274,500 | \$274,500 |
| Waratah – Wynyard Council – Port Creek Mitigation | This project involves widening of Port Creek as well as levee banks to hold back floodwaters in Port Creek from the surrounding airport and residential dwellings and floodwater discharge. | \$1,000,000 | \$1,000,000 |
| VICTORIA | | \$6,917,000 | \$6,917,000 |
| Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$3,500,000 |
| Castlemaine and Campbell's Ck Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$2,217,000 |
| Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$1,200,000 |
| WESTERN AUSTRALIA | | \$700,000 | \$700,000 |
| Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$700,000 |



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-000705

The Hon Scott Morrison MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Dear Prime Minister

s 34(3) s 34(2) s 34(3)
s 34(2) 34(3)
s 34(3)

In light of the recent major flooding events across Western Australia and New South Wales, I am of the view that the scale of the challenge faced by communities, and particularly local governments with primary responsibility for flood planning justifies additional investment from the Australian Government.

Of note, the Insurance Council of Australia and the Australian Prudential Regulation Authority have recently advised that investments in mitigation that reduce the risk to properties is the most effective way to reduce insurance premiums. Your support for this initiative will also reinforce the Australian Government’s commitment to protecting and assisting Australian communities from future flood disasters.

I have copied this letter to the Deputy Prime Minister, the Treasurer, and the Minister for Finance.

Yours sincerely

DAVID LITTLEPROUD MP

s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



EXEMPT IN FULL

s 47B, s 47C, s 47E(d)



Agreed improvements to the National Flood Mitigation Infrastructure Program (NFMIP) 2021-2022

1. In order to improve the process for applicants and ensure the objectives of the program are met, the following changes have been made for the second tranche of the NFMIP 2021-22:
 - a. *States and territories provide their to 10 priority projects.*
 - This cap will obliges states and territories to be more selective and only submit applications for high priority projects that are appropriately evidenced.
 - This approach is designed to attract high quality applications that comply with program eligibility criteria and maximise program outcomes if projects are approved for funding.
 - The 2020-21 program assessment process was delayed due to multiple requests to jurisdictions that required further details and evidence to support application claims; extending the assessment period for over three months. Capping applicant projects to **10** will allow applicants to focus resources on providing comprehensive evidence to support applications and refine the administration of the review and assessment processes. These factors will facilitate a shortened and streamlined assessment period of two months.
 - b. *Capping the funding amount for each project.*
 - Project funding will be capped at **\$10m per project** to maximise the number of projects that can be funded under this program.
 - This will maximise the number of projects that can be funded under the program, in line with the program's national focus, while enabling the equitable distribution of funds across jurisdictions where possible, in line with project funding caps.
 - 'Equitable distribution' does not necessarily mean an equal distribution of funding amounts to each jurisdiction. It is preferable for all jurisdictions to receive funding under the program, however, this is subject to the merits of the projects when ranked nationally. There will be no cap on the amount of funding each jurisdiction can receive, meaning that a jurisdiction may be approved for multiple projects.
 - c. *Mandating a co-contribution from jurisdictions.*
 - This will encourage states and territories to only submit priority applications that the jurisdiction is also willing to financially commit to if the project is successful.
 - d. *Allow the inclusion of a capped project cost for the administration of each project by states or territory (likely no more than **5% of the project cost**).*
 - Allocated administration costs enable states and territories to properly resource and budget for each project and comply with mandatory auditing and reporting

responsibilities. Given extensive concerns raised on this matter in the previous program, this change would be supported by jurisdictions as a critical improvement to the 2020-21 program.

e. Specifically exclude road projects and narrow the scope of eligible infrastructure.

- The 2020-21 NFMIP Program Guidelines included funding for road improvements. There are other funding programs available through all levels of government for road improvements and there are other more targeted infrastructure projects that would benefit from this funding.
- Narrowing the eligibility criteria will encourage more targeted and better -evidenced project applications and improve the review and assessment timeframes for the program, supporting earlier commencement of projects.

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s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d) s 42




s 47B, s 47C, s 47E(d)



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Minister for Agriculture, Drought and Emergency Management

Signature.....

Date: 27/5/2021

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| Minister's Comments | | | | |
|---------------------------|-------------------------|--|---|--|
| Rejected Yes/No | Timely Yes/No | Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant | Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief | Quality Poor 1.....2.....3.....4.....5 Excellent Comments: |

Key Issues

1. This submission provides advice on the critical steps and key deadlines for ensuring that the \$50 million in pre-disaster resilience funding available under the Emergency Response Fund (ERF) in 2020-21 and allocated for the National Flood Mitigation Infrastructure Program (the Program) are expended this financial year.

Finalising the approval of allocations

2. On 10 May 2021, you met with the Director General of Emergency Management Australia (EMA) to discuss the Program and approved 22 projects for funding allocated from the ERF (MS21-000705 refers). In order to use the entire \$50 million available from the ERF in 2020-21, you approved 21 projects to be fully funded and one Queensland project (Dutton Street Bridge, Ingham) to receive partial funding. Following your approval, the Department notified state and territory governments of the funding outcomes and the projects were publicly announced via media release (**Attachment B** refer).
3. To ensure that your obligations under the ERF Act are satisfied, the final funding allocations for each project require your formal endorsement. The project funding allocations are at **Attachment A** for your signature.
4. Since the applications for the program were submitted through the respective state and territory emergency management ministers, we recommend you write to each Minister to formally advise of the funding allocations and seek their continued support through the delivery of the projects (**Attachment E1** through **Attachment E8** refer).

Ensuring the ERF funds are spent this financial year

5. Under the ERF Act, the \$50 million pre-disaster resilience component available for 2020-21 expires on 30 June 2021. It is therefore critical that the funds are made available for use before this date given that the projects have already been announced and the funds for 2021-22 have already been committed by you to another round of this Program.

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6. [REDACTED] This satisfies the requirements under s32A ERF Act for you to request that the Minister for Finance draw down the funds from the ERF. Once your request has been actioned by the Department of Finance (DoF), the funds will be drawn down from the ERF Special Account to the Home Affairs ERF Special Account. The Department understands that at that point the \$50m component of the ERF will then be considered as fully expended from 2020-21.
7. To initiate this process, it is essential that you write to the Minister for Finance, copy the Treasurer, with a signed Ministerial Direction confirming that you have considered your legislative obligations, endorsed the final list of funded projects and are satisfied the Program agreements with the jurisdictions will be made, and that you authorise the release of \$50 million from the ERF as allocated Program funds **by no later than 9 June 2021 (Attachment C and Attachment D)**.
8. As the ERF is currently invested, DoF and the Treasury require the time before 30 June 2021 to liquidate investments and transfer the funds to the Home Affairs ERF Special Account for disbursement to states and territories.
9. The funding will be transferred to states and territories through normal Treasury processes in early 2021-22 financial year. This is a routine financial process and aligns with the preference indicated by jurisdictions for receiving the funds. Given the timeframes involved, the jurisdictions have conveyed concerns that a large injection of Commonwealth funding before the end of the financial year in their respective Treasuries may create issues for their budget processes. There is higher comfort level from jurisdictions to receive the funding per the normal Treasury arrangements.

Mechanism for providing funding to the jurisdictions

10. The funding will be provided to states and territories as a 'grant' under sections 32 and 32A ERF Act. The grant is established under the *Federation Funding Agreements* (FFAs) negotiated by Treasury in 2020 to facilitate payments to the states and territories. The agreement between the Commonwealth and each jurisdiction will be created through the co-signing of Schedules to the FFA which facilitate the transfer of funds to the jurisdictions, and set the conditions for the delivery of funded projects as required by the Program Guidelines. The Schedules will be co-signed by you and the state or territory portfolio minister responsible for emergency management at which point the agreement will be finalised and the funding can be transferred to the jurisdictions.
11. The funding will be transferred to the jurisdictions as a single, upfront payment. The conditions in the Schedule include mechanisms for reporting, milestone payments, and audit and assurance as outlined in the Program Guidelines.
12. The Department has drafted eight Schedules (one for each jurisdiction) in consultation with the DoF, Treasury, and the Department of the Prime Minister and Cabinet (PM&C). As required by the FFA process, these Schedules are currently with state and territory governments for their review and feedback. Once this process is complete, the Schedules will be provided to you for your urgent signature.

13. [REDACTED]
[REDACTED]. The Department is rapidly progressing the agreements with the jurisdictions and they will be finalised, ensuring the funding is expended.
14. This approach provides states and territories with the required time to seek their Ministers' approvals, arrange for receipt of the funds through their Treasury processes, and ensure the conditions in the Schedules are clear. It also mitigates the risk of delays that could impact the delivery of the funding this financial year. If the Schedules were required before the ERF funding could be drawn down, there was a significant risk of jurisdictional delays, with the consequence being the Commonwealth may not have been able to deliver on the Program this financial year. This risk has been mitigated and the funds are considered to have been committed and expended from 2020-21.

Background

15. In accordance with the ERF Act 2019 (Section 20 (l)(c)-(f)) the ERF may be used to provide a grant of financial assistance to carry out a project that is directed towards achieving resilience to, preparedness for, or a reduction of risk of future disasters, or the long-term sustainability of a community in an area that is at risk of being affected by a natural disaster. Section 34 of the Act prescribes an annual limit of \$50 million which may be drawn from the ERF each financial year for this purpose.
16. On 4 December 2020, you wrote to the Prime Minister seeking his agreement to draw \$50 million from the ERF in 2020-21 to deliver a national program to invest in priority flood mitigation infrastructure initiatives (MS20-003016 refers). State and Territory Governments, in consultation with local governments and the community, were eligible to apply for funding. Applications opened on 21 December 2020 and closed on 12 February 2021. A total of 74 applications from eight jurisdictions totalling over \$232 million were received.

Consultation – internal/external

17. The DoF, Treasury, PM&C, Australian Government Solicitor, and Finance and Legal Divisions within the Department were consulted on process to draw down funds from the ERF and the development of the Ministerial Direction.
18. In consultation with Treasury, the Council on Federation Funding Relations (CFFR) was advised of this Program and the expected \$50 million in expenditure at the February and April 2021 meetings in accordance with National Cabinet requirements.
19. State and Territory Governments, PM&C, DoF and the Treasury have been consulted on the timeframes relating to approvals under the FFAs.

Consultation – Secretary

20. The Secretary was not consulted on the approach in the submission.

Sensitivities



23. In accordance with our long standing practices, should you wish for unclassified media lines to be prepared in relation to this issue please contact the Home Affairs Media Coordination team – media@homeaffairs.gov.au.

Financial/systems/legislation/deregulation/media implications

24. The Chief Finance Officer has been consulted on the contents of the submission.
25. On 10 May 2021, the successful projects under this Program were made publicly available through a media release.

Attachments

- Attachment A** Ministerial Endorsement of 2021-21 NFIMP approved project allocations
- Attachment B** Media release: ‘Money flowing to stop future flooding’ (10 May 2021)
- Attachment C** Cover letter to the Minister for Finance providing the Ministerial Direction
- Attachment D** Ministerial Direction to release funds from ERF in line with project allocations under the Program
- Attachment E1** Letter to Mick Gentleman MLA, ACT Minister for Police and Emergency Services
- Attachment E2** Letter to the Hon David Elliott MP, NSW Minister for Police and Emergency Services
- Attachment E3** Letter to The Hon Nicole Manison MLA, NT Minister for Police, Fire and Emergency Services
- Attachment E4** Letter to the The Hon Mark Ryan MP, Queensland Minister for Fire and Emergency Services
- Attachment E5** Letter to the The Hon Vincent Tarzia MP , South Australian Minister for Police, Emergency Services and Correctional Services
- Attachment E6** Letter to the The Hon Jacquie Petrusma MP, Tasmanian Minister for Police, Fire and Emergency Management

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Attachment E7 Letter to the Hon Lisa Neville MP, Victorian Minister for Police and
Emergency Services

Attachment E8 Letter to The Hon Reece Whitby MLA, Western Australian Minister for
Emergency Services

Authorising Officer

Cleared by:

Joe Buffone
Director General
Emergency Management Australia

Date: 23 May 2021

Mob: [REDACTED]

Contact Officer [REDACTED], Director – EMA Strategic Programs, Disaster Preparedness Branch, Ph: [REDACTED]

CC Minister for Home Affairs
Secretary
Group Manager, Legal
Chief Financial Officer
Assistant Secretary, Disaster Risk Reduction Branch



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National Flood Mitigation Infrastructure Program: Final Project Allocations for Ministerial Endorsement

| Project Name | Project Description | Amount Requested | Proposed Funding | Minister's initial |
|---|--|------------------|------------------|--------------------|
| NORTHERN TERRITORY | | | | |
| Katherine Flood Mitigation Levee South | This project involves construction of a new flood mitigation levee (3km in length) aligned along the eastern side of Katherine South to the southern tip of Katherine South. | \$9,400,000 | \$9,400,000 | |
| VICTORIA | | | | |
| Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$3,500,000 | |
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| TASMANIA | | | | |
| Latrobe Council – Latrobe Flood Levees | This project involves constructing of earth and concrete flood levees, water diversion structures and associated works. | \$1,270,000 | \$1,270,000 | |
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| WESTERN AUSTRALIA | | | | |
| Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$700,000 | |
| NEW SOUTH WALES | | | | |
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| | | | | |
|---|--|-------------|--------------------------------|--|
| Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$2,150,000 | |
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| Two Wells Township Levee | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Two Wells Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$1,660,000 | |
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| AUSTRALIAN CAPITAL TERRITORY | | | | |
| Goliath Court Flood Mitigation | The work involves constructing raised vehicle crossings, storm water pipes, and additional inlets at Goliath Court. It also involves constructing a new discharge pipe along the Sullivan's Creek. | \$1,220,000 | \$1,220,000 | |
| Mawson Stormwater Improvements | The work involves constructing new drainage to prevent flooding in the commercial precinct of Mawson. | \$2,120,000 | \$2,120,000 | |
| QUEENSLAND | | | | |
| Armstrong Creek Causeway, Normanton to Burketown | 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 | \$793,339 | |
| Floraville and Truganini Roads Upgrades, Burketown to Normanton | 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 | \$3,353,494 | |
| Dutton Street Bridge (Palm Creek Crossing), Ingham | 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. | \$8,834,263 | Partial funding \$5,753,667 | |

Dated the _____ day of May 2021

HON DAVID LITTLEPROUD MP
MINISTER FOR AGRICULTURE, DROUGHT AND EMERGENCY MANAGEMENT



The Hon David Littleproud MP

Minister for Agriculture, Drought and Emergency Management
Monday, 10 May 2021

 Media release

Money flowing to stop future flooding

The Australian Government is providing \$50 million for projects across the country under the National Flood Mitigation Infrastructure Program, Minister for Emergency Management, David Littleproud, announced today.

The Australian Government will fund or co-fund 22 separate projects in each state and territory to assist our communities to prepare for future flood events.

“We’re taking these steps to protect Australian communities, individuals and businesses from an increasingly complex natural hazard environment,” Minister Littleproud said.

“Communities are going to see the benefits from this program through a reduction in the impacts of major flooding events, with additional benefits such as lower insurance costs and local job creation,” he said.

“The funding for flood mitigation projects reflects the Australian Government’s commitment to helping local communities prepare for major rainfall and flood events, such as those we witnessed in February and March this year.

This funding is made possible through the Government’s \$4 billion Emergency Response Fund, established in December 2019.

The ERF is a dedicated Australian Government investment fund. Under the legislation establishing the fund, \$50 million may be drawn on each year to assist communities to build resilience and prepare for future natural disasters.

Successful projects to receive funding under the National Flood Mitigation Infrastructure Program this year are:

- Australian Capital Territory, Goliath Court Flood Mitigation
- Australian Capital Territory, Mawson Stormwater Improvements
- New South Wales, Yoogali McCormack Levee Upgrades
- New South Wales, Cessnock Levee (Bund Wall)
- New South Wales, Holbrook Levee
- New South Wales, Hanwood Stormwater Pump and Levee
- New South Wales, Bellambi Gully Channel Improvement
- New South Wales, Fairfield Golf Course Detention Basin Upgrade
- Northern Territory, Katherine Flood Mitigation Levee South
- Queensland, Armstrong Creek Causeway, Normanton to Burketown
- Queensland, Floraville and Truganini Roads Upgrades, Burketown to Normanton
- Queensland, Dutton Street Bridge (Palm Creek Crossing), Ingham
- South Australia, Two Wells Township Levee
- South Australia, Prospect Drainage Scheme Upgrade – Stage 1

- Tasmania, Latrobe Council – Latrobe Flood Levees
- Tasmania, South Hobart Primary School Flood Mitigation Stage 2 Works
- Tasmania, Kingsborough Council – Kingston Rivulet
- Tasmania, Waratah – Wynyard Council – Port Creek Mitigation Works
- Victoria, Wangaratta Urban Flood Mitigation Infrastructure
- Victoria, Castlemaine and Campbell's Ck Levee
- Victoria, Carisbrook Township Western Levee
- Western Australia, Warmun Community Risk Mitigation

Last updated: 10 May 2021



FILE COPY

The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

Senator the Hon Simon Birmingham
Minister for Finance
Parliament House
CANBERRA ACT 2600
financeminister@finance.gov.au

Dear Minister

I write to you to inform you that I have determined the funding allocations to projects under the National Flood Mitigation Infrastructure Program (the Program) for 2020/21. This Program is funded under the \$50 million pre-disaster resilience component of the Emergency Response Fund (ERF). I therefore request that you release the program funding from the ERF to the Treasury for distribution to states and territories.

As you are aware, the Program is a key initiative of the Australian Government's commitment to reducing economic and social harm to Australian communities in flood prone and flood affected areas. Under the ERF, up to \$50 million may be accessed annually for pre-disaster resilience, including flood mitigation.

I am pleased to advise that the Government will allocate the full \$50 million available in 2020-21 to state and territory governments to fund or co-fund the delivery of 22 flood mitigation projects across the country. These projects are an important opportunity to reduce the likelihood and impact of major flooding events, addressing insurability of public assets and insurance costs for residents and businesses, as well as creating local jobs.

Enclosed is my Ministerial Direction that initiates the process to draw down the required funds from the ERF for 2020-21. I request that you forward it to your Department, at your earliest convenience, for action to ensure that the funding committed by the Government is available for delivery to state and territory governments before the end of the financial year.

I understand that your Department requires this documentation before **9 June 2021** in order to effect the transfer before the end of the financial year. If the funding is not drawn down before 30 June 2021, it expires under *Emergency Response Fund Act 2019* (ERF Act) and the Program commitments will not be delivered.

I have copied this letter and the enclosure to the Treasurer, the Hon Josh Frydenberg MP, as required under the ERF Act.

Yours sincerely

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Emergency Response Fund – Ministerial Direction to draw down funds

I, David Littleproud, Minister for Agriculture, Drought and Emergency Management, acting in accordance with section 32A of the *Emergency Response Fund Act 2019* (the Act), hereby declare that:

- 1) arrangements have been or will be made with each state and territory to carry out projects directed towards achieving resilience and preparedness to a future natural disaster, or reduction of the risk of a future natural disaster for the purposes of subsection 20(1A) of the Act;
- 2) the terms and conditions on which that financial assistance is granted are or will be set out in a written agreement between the Commonwealth and each recipient; and
- 3) on account of these arrangements, the committed amounts shown in Table 1 are payable by the Commonwealth.

Table 1: Committed Amounts by Jurisdiction

| Jurisdiction | Committed amount |
|-----------------------------------|------------------------|
| Australian Capital Territory | \$3,340,000.00 |
| New South Wales | \$13,370,000.00 |
| Northern Territory | \$9,400,000.00 |
| Queensland | \$9,900,500.00 |
| South Australia | \$3,180,000.00 |
| Tasmania | \$3,192,500.00 |
| Victoria | \$6,917,000.00 |
| Western Australia | \$700,000.00 |
| Total of committed amounts | \$50,000,000.00 |

In accordance with section 32A of the *Emergency Response Fund Act 2019*, I direct that \$50,000,000.00 is to be:

- a) debited from the Emergency Response Fund Special Account; and
- b) credited to the COAG Reform Fund

on Monday, 21 June 2021.

The purpose of this direction is to enable the amount to be debited from the COAG Reform Fund for the purpose of making the grants.

Dated the 27 day of May 2021

HON DAVID LITTLEPROUD MP
MINISTER FOR AGRICULTURE, DROUGHT AND EMERGENCY MANAGEMENT



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Mick Gentleman MLA
Minister for Police and Emergency Services
GPO Box 1020
CANBERRA ACT 2601
gentleman@act.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Australian Capital Territory with **\$3,340,000** of financial assistance across two projects, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction co-contribution | Total Project Cost |
|--------------------------------|----------------------|------------------------------|--------------------|
| Goliath Court Flood Mitigation | \$1,220,000 | \$0 | \$1,220,000 |
| Mawson Stormwater Improvements | \$2,120,000 | \$1,010,000 | \$3,130,000 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and the Australian Capital Territory to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for the Australian Capital Territory, the Hon Andrew Barr MLA.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke.

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon David Elliott MP
Minister for Police and Emergency Services
GPO Box 5341
SYDNEY NSW 2001
office@elliott.minister.nsw.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide New South Wales with **\$13,370,000** for two projects, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction co-contribution | Total Project Cost |
|---|-----------------------------|-------------------------------------|---------------------------|
| Yoogali McCormack Levee Upgrades | \$1,040,000 | \$520,000 | \$1,560,000 |
| Cessnock Levee (Bund Wall) | \$2,440,000 | \$2,900,000 | \$5,340,000 |
| Holbrook Levee | \$4,580,000 | \$0 | \$4,580,000 |
| Hanwood Stormwater Pump and Levee | \$1,240,000 | \$620,000 | \$1,860,000 |
| Bellambi Gully Channel Improvement | \$2,150,000 | \$1,070,000 | \$3,220,000 |
| Fairfield Golf Course Detention Basin Upgrade | \$1,920,000 | \$960,000 | \$2,880,000 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and New South Wales to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP and the Treasurer for New South Wales the Hon Dominic Perrottet MP.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'DL', with a large, stylized flourish extending to the right.

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Nicole Manison MLA
Minister for Police, Fire and Emergency Services
PO Box 3146
DARWIN NT 0801
minister.manison@nt.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Northern Territory with **\$9,400,000** for one project, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction Co-Contribution | Total Project Cost |
|--|-----------------------------|-------------------------------------|---------------------------|
| Katherine Flood Mitigation Levee South | \$9,400,000 | \$600,000 | \$10,000,000 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and the Northern Territory to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP and the Treasurer for the Northern Territory, the Hon Michael Gunner MLA.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'DL', with a large, stylized flourish extending to the right.

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Mark Ryan MP
Minister for Fire and Emergency Services
PO Box 15195
City East
BRISBANE QLD 4002
police@ministerial.qld.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide Queensland with **\$9,900,500** for three projects, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction Co-Contribution | Total Project Cost |
|---|-----------------------------|-------------------------------------|---------------------------|
| Armstrong Creek Causeway, Normanton to Burketown | \$793,339 | \$0 | \$793,339 |
| Floraville and Truganini Roads Upgrades, Burketown to Normanton | \$3,353,494 | \$0 | \$3,353,494 |
| Dutton Street Bridge (Palm Creek Crossing), Ingham | \$5,753,667 | \$3,080,596 | \$8,834,263 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and Queensland to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Queensland, the Hon Cameron Dick MP.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Littleproud', with a large, stylized flourish at the end.

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Vincent Tarzia MP
Minister for Police, Emergency Services and Correctional Services
GPO Box 668
ADELAIDE SA 5001
ministertarzia@sa.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide South Australia with **\$3,180,000** for two projects, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction Co-Contribution | Total Project Cost |
|--|-----------------------------|-------------------------------------|---------------------------|
| Two Wells Township Levee | \$1,660,000 | \$360,000 | \$2,020,000 |
| Prospect Drainage Scheme Upgrade – Stage 1 | \$1,520,000 | \$3,000,000 | \$4,520,000 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and South Australia to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for South Australia the Hon Rob Lucas MLC.

Yours sincerely

A handwritten signature in blue ink, consisting of a large 'D' followed by a stylized 'L' and 'P' that loops back under the 'P'.

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Jacquie Petrusma MP
Minister for Police, Fire and Emergency Management
3/90 Clarence Street
BELLRIVE TAS 7018
jacquie.petrusma@dpac.tas.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide Tasmania with **\$3,192,500** for four projects, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction Co-Contribution |
|--|-----------------------------|-------------------------------------|
| Latrobe Council – Latrobe Flood Levees | \$1,270,000 | \$3,400,000 |
| South Hobart Primary School Works | \$648,000 | \$0 |
| Kingsborough Council – Kingston Rivulet | \$274,500 | \$29,200 |
| Waratah – Wynyard Council – Port Creek Mitigation | \$1,000,000 | \$1,514,000 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and Tasmania to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Tasmania, the Hon Peter Gutwein MP.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Littleproud', with a large, sweeping flourish extending to the right.

DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Lisa Neville MP
Minister for Police and Emergency Services
Level 17, 8 Nicholson Street
EAST MELBOURNE VIC 3002
lisa.neville@parliament.vic.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide Victoria with **\$6,917,000** for three projects, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction Co-Contribution | Total Project Cost |
|--|-----------------------------|-------------------------------------|---------------------------|
| Wangaratta Urban Flood Mitigation Infrastructure | \$3,500,000 | \$1,800,000 | \$5,300,000 |
| Castlemaine and Campbell's Creek Levee | \$2,217,000 | \$1,109,000 | \$3,326,000 |
| Carisbrook Township Western Levee | \$1,200,000 | \$600,000 | \$1,800,000 |

The projects that the Government has approved represent an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and Victoria to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Victoria, the Hon Tim Pallas MP.

Yours sincerely



DAVID LITTLEPROUD MP



The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-001111

27 MAY 2021

The Hon Reece Whitby MLA
Minister for Emergency Services
Level 7 Dumas House
2 Havelock Street
WEST PERTH WA 6005
Reece.Whitby@dpc.wa.gov.au

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for and mitigating against the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide Western Australia with **\$700,000** of for one project, as outlined below:

Table 1: Projects funded through the National Flood Mitigation Infrastructure Program

| Project name | Commonwealth Funding | Jurisdiction Co-Contribution | Total Project Cost |
|----------------------------------|----------------------|------------------------------|--------------------|
| Warmun Community Risk Mitigation | \$700,000 | \$0 | \$700,000 |

The project that the Government has approved represents an important opportunity to reduce the likelihood and impact of major flooding events, while lowering insurance costs for residents and businesses, as well as creating local jobs.

In accordance with the Commonwealth Grant Rules and Guidelines and the ERF legislation, the Program funding will be delivered to your government under a Schedule to the *Federation Funding Agreement – Environment* that was negotiated by Treasury in 2020. The Schedule outline the commitments and responsibilities of each party as required by the Program Guidelines. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. At this point, the arrangement will be finalised and the funding can be transferred from the Commonwealth.

The Department of Home Affairs will continue to work closely with officials from the Commonwealth Treasury and Western Australia to finalise a mutually agreed Schedule. Once this process is complete, I will send the signed Schedule to you for your signature.

I look forward to working with you throughout the implementation of these arrangements and the delivery of the projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Western Australia, the Hon Mark McGowan MP.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Littleproud', written in a cursive style.

DAVID LITTLEPROUD MP



National Flood Mitigation Infrastructure Program

Guidelines January 2021

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Change log

| Version | Date | Changes |
|---------|------------------|---|
| v1.0 | 11 December 2020 | Original program guidelines document |
| v1.1 | 28 January 2021 | <p>Added <i>application</i> key term.</p> <p>(new) 2.1.3 Added contact information.</p> <p>(new) 4.2.4 Clarified Departmental funding of project costs.</p> <p>(new) 5.1 Added Application Form Criteria</p> <p>(new) 5.1.1 Clarified application submission destination.</p> <p>(new) 5.2.3 Clarified role of local governments in program applications.</p> <p>5.3 Clarified the definition of flood mitigation infrastructure for the purposes of funding eligibility.</p> <p>(new) 5.3.3 Added additional information on what flood mitigation infrastructure may include.</p> <p>5.7 Clarified process for estimating costs.</p> <p>5.8 Clarified project cost exclusions.</p> <p>6. Corrected numbering of sections.</p> <p>6.2.1 Changed approver of panel membership to Director General Emergency Management Australia.</p> <p>6.6.2 Added equality of access to information.</p> <p>8.1 Clarified applicability of <i>Disaster Recovery Funding Arrangements 2018</i> state assurance activities.</p> <p>8.2.1 Aligned timing of the submission audit reporting with the <i>Disaster Recovery Funding Arrangements 2018</i>.</p> <p>General formatting updates.</p> |

1. Glossary of key terms

| Key term | Definition |
|---|---|
| applicant | The state or territory government applying funding under the <i>program</i> . |
| application | The method undertaken by the applicant in order to request funding under the <i>program</i> . |
| contact officer | The key working level contact identified by the <i>applicant</i> as the primary point of contact for all engagements on the application or program following submission of the application. |
| Council of Australian Governments (COAG) | Primary intergovernmental forum in Australia from 1992 to 2020. |
| Department | The Department of Home Affairs responsible for administering the <i>program</i> . |
| Disaster Recovery Funding Arrangements 2018 | The arrangements under which the Australian Government provides financial assistance to state and territory governments to assist relief and recovery activities following an eligible natural disaster. |
| Disaster Recovery Funding Arrangements Management System | The processes and controls implemented by a state or territory government agency and third-party organisations (where applicable) in relation to an estimated reconstruction cost, as defined by the <i>Disaster Recovery Funding Arrangements 2018</i> . |
| Emergency Response Fund (ERF) | <p>The Emergency Response Fund was established in December 2019 and is administered under the <i>Emergency Response Fund Act 2019</i>, with operational guidance provided in the <i>Emergency Response Fund Program Guidelines</i>.</p> <p>The Emergency Response Fund provides \$150 million annually to support emergency response and recovery from natural disasters in Australia that have a significant or catastrophic impact.</p> <p>The Emergency Response Fund also provides an additional \$50 million annually to build resilience to, prepare for, or reduce the risk of future disasters, or build the long-term sustainability of communities that are at risk of being affected by a future disaster.</p> |
| Emergency Response Fund Act 2019 | The legislation that establishes the Emergency Response Fund. |
| essential public asset | Defined as ‘an asset which must be a transport or public infrastructure asset of an eligible undertaking which, the state considers, and the department agrees, is an integral part of a state’s infrastructure and normal functioning of a community’ as per the <i>Disaster Recovery Funding Arrangements 2018</i> . |
| flood mitigation infrastructure | An essential public asset with the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities. |
| Minister | The Minister for Agriculture, Drought and Emergency Management who is the accountable authority for the program. |
| National Disaster Risk Reduction Framework | The framework developed by the Australian Government that outlines the strategic priorities, drivers for action and guiding principles for national disaster risk reduction activities. |
| program | The National Flood Mitigation Infrastructure Program 2020-21. |

| Key term | Definition |
|--------------------------------|---|
| program administrator | A member and/or section within the Emergency Management and Coordination Group of the Department of Home Affairs. |
| program review panel | The expert panel established to ensure the success of the program through the impartial assessment of applications and development of evidence-based recommendations. |
| project | A flood mitigation infrastructure activity undertaken by the relevant state and territory government in the context of the program. |
| recipient | The state and territory government receiving program funding for a successful project. |
| state appointed auditor | An auditor appointed by the state or territory government to conduct audit and assurance activities. |

2. Overview

2.1 Purpose

- 2.1.1 These guidelines provide information on the administration of the National Flood Mitigation Infrastructure Program (the *program*). The intended users are the Australian Government, as the *program administrator*, and state and territory governments, as the intended *applicants*.
- 2.1.2 These guidelines may be updated at any time during the course of the *program* to provide further details as they arise, while maintaining the integrity and transparency of the program.
- 2.1.3 Queries regarding the *program* should be directed to national.flood.mitigation@homeaffairs.gov.au

2.2 Context

- 2.2.1 Many Australian communities are exposed to flooding, with varied impacts and damage that can be substantial and devastating. The Australian Government, in the State of the Climate 2020, reported that heavy rainfall events in Australia are becoming more intense, with an increase in the intensity of short-duration extreme rainfalls. Such events are associated with flash flooding and an increased risk to communities. Further, Deloitte Access Economics¹ found flooding to be the most costly natural hazard-related cause of disaster when both tangible and intangible losses are taken into account. However, for many households and communities the ability to reduce flood risk is beyond their control.
- 2.2.2 This *program* reflects the Australian Government's commitment to support impactful, national flood mitigation priorities through the provision of \$50 million in 2020-21 from the Emergency Response Fund. In line with National Priority 3: Enhanced investment of the *National Disaster Risk Reduction Framework*², the *program* will target high priority locally and nationally significant flood mitigation infrastructure activities, with a view to maximising broader social and economic outcomes, including through limiting future disaster recovery needs and costs.

2.3 Program purpose and outcomes

- 2.3.1 The *program* will contribute to, or pay for, the improvement or construction of *flood mitigation infrastructure* to support local communities mitigate their priority flood risks and reduce the impact of flood events.
- 2.3.2 The outcomes to be achieved through the *program* are:
- reduction in the impact of future floods on a specific community or communities
 - reduction in the expected future eligible expenditure under the Disaster Recovery Funding Arrangements 2018
 - positive change in the insurability of the existing flood mitigation infrastructure
 - addressing relevant household or local government insurance affordability as a result of the improvement or construction of the flood mitigation infrastructure
 - ancillary to the above, local job creation.

¹ Deloitte Access Economics, (2019). *The social and economic cost of the North and Far North Queensland Monsoon Trough*. Brisbane: Queensland Reconstruction Authority.

² Australian Government. Department of Home Affairs, (2018). *National Disaster Risk Reduction Framework*. Canberra: Department of Home Affairs.

3. Timeframes

3.1 Delivery timeframes

- 3.1.1 Applications for the *program* will open on 21 December 2020, and **close at 5pm AEST on 12 February 2021**.
- 3.1.2 The Australian Government *project review panel* will assess applications in early 2021, with the intent to make a recommendation to the *Minister* and announce successful *projects* in March 2021.
- 3.1.3 Funding agreements with relevant state and territory governments will be established following this announcement, with the first milestone payment to be made prior to 30 June 2021.

3.2 Milestones

- 3.2.1 *Project* specific timeframes, including estimated date of completion, and delivery milestones will be determined with the relevant state and territory governments during the development of the bilateral agreement.

4. Funding and agreements

4.1 Funding source

- 4.1.1 The *program* is funded from the \$50 million component of the *Emergency Response Fund* and is made available through the *Council of Australian Governments (COAG) Reform Fund*.
- 4.1.2 The *Emergency Response Fund* is intended to complement existing sources of funding for relevant activities.

4.2 Allocation of funding

- 4.2.1 A maximum of \$50 million is available in 2020-21 for the *program*. Allocations will consider:
- prioritisation of projects submitted by the state and territory government
 - availability of other Australian Government funding sources
 - relative flood risk and mitigation impact
 - reduction of relevant household or local government insurance premiums;
 - likelihood of project success, and
 - equitable share across all state and territory jurisdictions, where possible and reasonable.
- 4.2.2 There is no funding cap for each application or limit on the number of *applications* that can be submitted by a state or territory government.
- 4.2.3 A co-contribution from the state or territory government, and/or other appropriate funding partners is desirable but not essential.
- 4.2.4 The *Department* may provide funding for some or all of the estimated project costs.

4.3 Project funding agreements

- 4.3.1 Funding for successful *project* proposals will be provided to state and territory governments through the establishment of a relevant funding arrangement under *the Intergovernmental Agreement on Federal Financial Relations*.

5. Eligibility criteria

5.1 Application form criteria

5.1.1 An *application* will only be deemed valid for assessment if the application:

- is made using the provided Application Form (see Attachment A)
- is complete with all particulars
- is submitted by a state or territory government agency
- demonstrates support by the relevant state or territory emergency management minister
- is provided to the *Department* via email at national.flood.mitigation@homeaffairs.gov.au, and
- is provided to the *Department* by 5pm AEST 12 February 2021.

5.2 Only a state or territory government may apply for *program* funding

5.2.1 Only a state or territory government may apply for *program* funding. However, a state or territory government may use a third party to deliver the *project* on its behalf, including through the procurement of a commercial service provider or through funding a local government.

5.2.2 This does not diminish the responsibility of state and territory governments to assure and audit the project's preservation of eligibility, integrity and expenditure. Further details are at Section 8: Audit and Assurance.

5.2.3 Interested local governments with eligible *projects* should contact their state or territory government's emergency management agency to discuss the state or territory government's support for and submission of that *project* on the local government's behalf.

5.3 Only *flood mitigation infrastructure* may be eligible for *program* funding

5.3.1 *Flood mitigation infrastructure* is an *essential public asset*, as defined in the *Disaster Recovery Funding Arrangements 2018*, with the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities.

5.3.2 Eligible infrastructure may include, but is not limited to: dams, levees, bridges, culverts and other drainage systems, rainfall and river height measurement systems, weather radar systems and flood warning infrastructure, where that infrastructure appropriately meets the definition of *flood mitigation infrastructure*.

5.3.3 *Flood mitigation infrastructure* may also include non-physical components, such as specific information technologies, that in their absence would render the flood mitigation infrastructure wholly inoperable.

5.3.4 State and territory governments are responsible for assessing and demonstrating that the infrastructure is *flood mitigation infrastructure* in accordance with paragraphs 5.3.1 to 5.3.3 above.

- Such evidence may include businesses cases, flood mitigation strategies and other supporting documentation that demonstrates eligibility.

5.4 A project must be for the improvement of an existing or construction of a new *flood mitigation infrastructure*

5.4.1 State and territory governments may apply for *program* funding to support the improvement of an existing or the construction of a new *flood mitigation infrastructure*.

5.4.2 The improvement of an existing, or the construction of new, *flood mitigation infrastructure* must have an outcome of reducing flood risk to, **and** the impact of flood on, a specific community or communities, **and** at least one of the following outcomes:

- reduction in expected future eligible expenditure under the *Disaster Recovery Funding Arrangements 2018*
- material improvement in the insurability of the existing *flood mitigation infrastructure*, and/or
- addresses relevant household or local government insurance affordability as a result of the *flood mitigation infrastructure*.

5.4.3 State and territory governments are required to provide assurance to the Australian Government that the evidence supporting claims of the achievability of relevant outcomes are authoritative and can be relied on.

5.5 State and territory governments must consult with local governments and communities

5.5.1 State and territory governments are required to consult with, and evidence the consultation with, relevant local governments and/or community or communities on the need for and decision to implement the specific *flood mitigation infrastructure project*.

5.5.2 State and territory governments may draw on consultation previously undertaken with appropriate local governments and/or community or communities, where it can be demonstrated that the consultation is relevant and that the outcomes of this consultation remain unchanged.

5.6 State and territory government must indicate the relevant priority of *projects*

5.6.1 State and territory governments are required to disclose and evidence each *project's* relative priority within the state or territory and why each *project* has been submitted for *program* funding.

5.6.2 If a state or territory government is submitting multiple applications, each *project* must be prioritised within that group of applications.

5.6.3 The framework for determining prioritisation must be clearly articulated to allow for a national level assessment of relative priority across multiple states and territories.

5.7 Processes for estimating cost of *projects*

5.7.1 Consistent with the *Disaster Recovery Funding Arrangements*³, the estimated *project* costs must be determined through:

- a market response, or
- cost estimation.

5.7.2 If 'market response' is the selected method, the applicable procurement processes must be followed when requesting pricing from the market.

5.7.3 If *cost estimation* is the selected method, *states must* verify the estimated **construction** cost by:

- using an internal engineer or quantity surveyor with the appropriate level of expertise and experience, or

³ Australian Government. Department of Home Affairs, (2018). *Disaster Recovery Funding Arrangements*. Canberra: Department of Home Affairs, page 29, sections 6.4.2, 6.4.6, and as relevant, 6.4.7.

- engaging an independent engineer or quantity surveyor with the appropriate level of expertise and experience.

5.8 Project cost exclusions

5.8.1 Estimated and actual *project* costs must not include:

- costs already incurred by the *applicant* or a local government, in the delivery of a *project* or *application* associated with this *program*
- costs already incurred or expected to be incurred by the *applicant* or a local government, in the development of a *project* or *application* associated with this *program*,
- costs already incurred by any party in relation to the maintenance, improvement or construction of the relevant *flood mitigation infrastructure*
- the cost of the acquisition of land or property.

5.9 State and territory governments must disclose other *project* funding sources and amounts

5.9.1 State and territory governments must disclose all *project* funding sources and amounts provided or committed in relation to the *flood mitigation infrastructure*.

5.9.2 State and territory governments are also required to disclose whether and how *projects* will be delivered if the full funding request is not available through the *program*.

5.10 Only *projects* that do not have an existing full funding commitment are eligible for *program* funding

5.10.1 *Projects* where the *program* funding would be used to replace funding already committed to the *project* from other sources are not eligible under this *program*.

6. Application and assessment processes

6.1 Application process

- 6.1.1 *Applications* must be approved by the respective state or territory government emergency management minister prior to submission to the *Minister*. Evidence of this approval should be submitted with the *application*.
- 6.1.2 Completed *applications* are to be provided to the *Minister*, through the *Department*, by **5pm AEDT on 12 February 2021**.
- 6.1.3 *Applications* must be submitted using the Application Form template at **Attachment A**.
- 6.1.4 The Australian Government reserves the right to discuss the *application* or *project* and request additional information from the state or territory government through the *contact officer*.

6.2 Program Review Panel

- 6.2.1 The *program review panel* will consist of members of the *Department*, and other key Commonwealth agencies, as agreed by the Director General Emergency Management Australia. The *program review panel* will be chaired by a member of the *Department* delegated by the Director General Emergency Management Australia, being the Commonwealth official responsible for making recommendations to the *Minister* concerning the use of funding, in accordance with the *Emergency Response Fund Guidelines*.
- 6.2.2 *Program review panel* members will cover a range of relevant subject matter knowledge and expertise to ensure that:
- *projects* and/or the *program* complement other Australian Government programs; and
 - there is no alternative funding source or duplication of proposals.
- 6.2.3 The *program review panel* will be responsible, where necessary, for substantiating with *applicants* any claims associated with flood risk, disaster recovery funding, insurance, and community impact where the evidence provided by an *applicant* is considered insufficient.
- 6.2.4 The Australian Government, through the *program review panel*, reserves the right to engage the services of a subject matter expert or representative from a non-government organisation, if required.
- 6.2.5 Allocations may also consider the advice of, and data provided by, Commonwealth agencies, such as the Bureau of Meteorology and the CSIRO.

6.3 Assessment principles

- 6.3.1 To ensure consistency, a predetermined assessment matrix, which refers to the eligibility and assessment criteria outlined in these *guidelines* will be used by the *program review panel*.
- 6.3.2 Assessment against this matrix will result in *applications* receiving a weighted score, which will be used to inform funding allocation decisions.

6.4 Equity principles

- 6.4.1 To ensure an equitable and transparent distribution of funds, allocations will be made based on the merit of each individual *application*.
- 6.4.2 Consideration will be given to the equitable distribution of the *program* funds to ensure all state and territory governments have an opportunity to receive support for their priority initiative.

6.4.3 'Equitable distribution' does not mean an equal distribution of *program* funds.

6.5 Decision making

6.5.1 The *Minister* is responsible for making decisions about *projects* to receive *program* funding and the amount of *program* funding to be allocated to a *project*.

6.5.2 Advice to the *Minister* on the projects recommended to receive program funding will be provided by the Director General of Emergency Management Australia, informed by the *program review panel*. The *Minister* may take into account other advice as appropriate.

6.6 Probity

6.6.1 The *Department* will administer the *program* with fairness, transparency, contestability and accountability.

6.6.2 The *Department* will ensure equality of access to information by developing a regularly updated guidance document that in response to relevant queries submitted to the Department.

7. Monitoring and reporting

7.1 Project reporting

- 7.1.1 State and territory governments must undertake regular monitoring and reporting in line with the project-by-project requirements outlined in the bilateral agreement.
- 7.1.2 The Australian Government may request additional information and/or reporting, outside the agreed milestones, if deemed necessary.
- 7.1.3 *Project* reporting will be considered as supporting documentation during the audit and assurance process.

8. Audit and assurance

8.1 Program assurance is informed by the *Disaster Recovery Funding Arrangements 2018* state assurance activities⁴

8.1.1 The objectives of the *program* assurance activities are to provide the Commonwealth with reasonable assurance over:

- each state or territory government's *Disaster Recovery Funding Arrangements Management System*, as it relates to state and territory government controls for:
 - market response
 - cost estimation
 - the eligibility and integrity of the expenditure included in the *project* expenditure acquittal form.

8.1.2 The *Department* will confirm, and the state or territory government must provide a copy of, the relevant assurance report provided for the purposes of the *Disaster Recovery Funding Arrangements 2018*⁵.

8.2 State and territory government are required to submit an audit report to acquit the *project*

8.2.1 State and territory governments in receipt of *program* funding are required to submit an audited *project* expenditure acquittal to the *Department* no later than nine months from the end of the financial year (that is, for the audit of the period 1 July 2020 – 30 June 2021, the audit report is due no later than 31 March 2022) in which the project was completed, unless otherwise specified in the funding agreement. This timeframe is consistent with the *Disaster Recovery Funding Arrangements*.

8.2.2 State and territory governments must engage the services of a *state appointed auditor* to undertake the audit activity.

8.2.3 On request from the *Department*, the *state appointed auditor* must be available to the *Department* or its auditor for consultation on the audited *project* expenditure acquittal.

8.2.4 The audited *project* expenditure acquittal must be in the form prescribed at **Attachment B**.

8.3 State, territory and local government must maintain appropriate records

8.3.1 State, territory and local governments must keep an accurate audit trail for seven (7) years from the end of the *project*.

8.3.2 The *Department* may, at any time, request documentation from *applicants* to evidence the state or territory government's compliance with any aspect of the *program*.

8.3.3 State and territory governments must make available to the *Department* within one (1) month all documentation relevant to a request by the *Department*.

⁴ Australian Government. Department of Home Affairs, (2018). *Disaster Recovery Funding Arrangements*. Canberra: Department of Home Affairs, page 44, section 10.

9. Public acknowledgement of Commonwealth funding

9.1 Joint announcements of approved *projects*

- 9.1.1 The announcement of an approved *project* or *projects* must be through a joint media release, or other joint announcement, unless otherwise agreed by the *Department*.
- 9.1.2 The *Department* and state or territory *contact officer* must work together on the details of a joint media release or other joint announcement.
- 9.1.3 When referring to an approved *project*, it must be described as:
- ‘jointly funded by the Commonwealth and ^{^insert name of state^} under the National Flood Mitigation Infrastructure Program’ or,
 - ‘funded by the Commonwealth under the National Flood Mitigation Infrastructure Program.’

9.2 Arrangements for subsequent communication opportunities

- 9.2.1 State and territory governments, through the *contact officer*, must reach prior agreement with the *Department* on the nature and content of any subsequent events, announcements, promotional material or publicity relating to the *project*. This includes but is not limited to:
- any state or territory government media releases regarding the *project* or *program*
 - ceremonies related to the *project* or the specific *flood mitigation infrastructure*
 - media events that include reference to the *project* or *program*
 - plaques and signage related to the *project* and the specific *flood mitigation infrastructure*.

10. Attachment A – Application Form

National Flood Mitigation Infrastructure Program

Application covering sheet

This covering application form is to be submitted by the relevant state or territory government, and must refer to, and include all applications being submitted.

Regardless of the number of applications being submitted by a state or territory government, only one application covering sheet is required.

Grey instructional text should be deleted prior to submission.

Part 1 – Applicant Information

| | |
|-------------------------|---|
| State/territory | <i>Choose an item.</i> |
| Organisation/Department | <i>Name of the organisation submitting the application</i> |
| Contact Officer | <i>Details of the contact officer, including name, title, email and phone number.</i> |

Part 2 – Submission overview

| | |
|---|---|
| Number of applications submitted | <i>Choose an item.</i> |
| Total value of bids submitted | <i>Provide an approximate total value of all applications submitted</i> |
| Name of applications submitted | <i>Using dot points, list the name of the applications submitted</i> |
| Are these applications eligible for funding as per the criteria outlined in the Program Guidelines? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Part 3 – Prioritisation

| | |
|-------------------------------|--|
| Order of prioritisation | <i>Please place applications in order of prioritisation</i> |
| Basis for this prioritisation | <i>Please provide a basis for this prioritisation, including any evidence which may have influenced this prioritisation.</i> |

Part 4 – Minister's clearance

| | |
|-------------------|--|
| Minister's Name | |
| Title | |
| Date of clearance | |

National Flood Mitigation Infrastructure Program

Project application form

This project application form is to be completed for each project that seeks funding from the National Flood Mitigation Infrastructure Program. In order for this application to be considered eligible, all sections must be completed, with the finalised application attached to the Application Covering Sheet, prepared by the relevant state or territory government.

Grey instructional text should be deleted prior to submission.

| Part 1 – Application Overview | |
|---|---|
| State/territory | <i>Choose an item.</i> |
| Project name | <i>What is the name of the project?</i> |
| Will this project be delivered by a third party, such as a commercial service provider or through a local government? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Name of the third party or local government | <i>Name of the third party, such as the commercial service provider or local government who will be engaged to deliver the project.</i> |
| State/Territory Contact officer | <i>Details of the contact officer, including name, title, email and phone number</i> |

| Part 2 – Project Overview | |
|---|---|
| Will this project result in the construction of a new asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, where will this asset be located | <i>Provide clear details regarding the location of this asset</i> |
| Will this project result in the improvement of an existing asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, where is this asset located? | <i>Provide clear details regarding the location of this asset</i> |
| If yes, provide an overview of the works | <i>Provide an overview of the works that will be undertaken</i> |

| Part 3 – Existing Infrastructure | |
|---|---|
| Has the asset ever been impacted by a natural disaster? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, provide details of the event | <i>Provide details of the disaster/s, including impacts and associated recovery activities, including costs.</i> |
| Has financial assistance, such as that available under the Disaster Recovery Funding Arrangements, ever been received for this asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please provide details | <i>Outline the assistance provided under the Disaster Recovery Funding Arrangements, including the Australian Government Reference Number (AGRN).</i> |
| Has financial assistance previously been, or is currently being, provided through Commonwealth, state/territory or other initiatives to support this asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Part 4 – Detailed project overview | |
|---|--|
| Detailed project description | <i>Provide a detailed description of the project.</i> |
| Why is this project required? | <i>Clearly articulate why this project is required. What would be the consequences if this project was not undertaken?</i> |
| Are documents attached to provide evidence of this need? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| What are the proposed outcomes for this project? | <i>Clearly articulate the proposed outcomes for this project, including community benefits.</i> |
| What is the proposed delivery timeframe for this project? | <i>Provide an overview of the proposed delivery timeframe for this project, i.e. when is it expected to be completed?</i> |

| Part 5 – Financial | |
|---|--|
| What is the estimated cost for this project? | <i>What is the estimated cost for this project?</i> |
| Will a co-contribution be provided? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, what is the value of the co-contribution? | <i>Outline the value of the co-contribution.</i> |
| If yes, who is providing the co-contribution? | <i>Provide an overview of who is providing the co-contribution (i.e. state or territory government, or local government) and outline if this funding is being provided on an ad hoc basis, or through an existing program.</i> |

| Part 6 – Community Consultation | |
|---|--|
| Has community consultation been undertaken prior to the submission of this application? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please provide details of this consultation | <i>Provide a detailed overview of the community consultation undertaken to support the development of this application, consideration should be given to the community feedback received, and how this shaped the application.</i> |
| Are documents attached to provide evidence of this consultation? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

11. Attachment B – Project acquittal documentation

National Flood Mitigation Infrastructure Program

Acquittal summary form

This acquittal summary form is to be completed by the state and territory government for each project that was provided with funding from the National Flood Mitigation Infrastructure Program.

The acquittal summary form must be submitted within three months after the completion of the project. In order for the acquittal summary form to be accepted by the Australian Government, all relevant information and attachments must be included, with the declaration completed by the relevant responsible officer.

Grey instructional text should be deleted prior to submission.

| Part 1 – General Information | |
|---------------------------------|--|
| State/territory | <i>Choose an item.</i> |
| Project name | <i>What is the name of the project, as per the original application?</i> |
| Project reference number | <i>What is the project reference number provided by the Australian Government?</i> |
| State/Territory Contact officer | <i>Details of the contact officer, including name, title, email and phone number</i> |

| Part 3 – Acquittal overview (Project outcomes) | |
|--|--|
| Was the project delivered as per the bilateral agreement established between ^state name^ and the Australian Government? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If no, please justify. | <i>Provide a detailed justification outlining why the project was not delivered in line with the terms and conditions outlined in the bilateral agreement. What impact did this have on the project?</i> |

| Part 2 – Financial Information | |
|--|--|
| Amount allocated to the project | <i>The amount allocated to the project under the National Flood Mitigation Infrastructure Program. This figures should not include the value of a co-contribution (if applicable).</i> |
| Value of the funding being acquitted | <i>The value of the funding being acquitted in this acquittal summary form.</i> |
| Was a co-contribution provided? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, what was the value of the co-contribution? | <i>The value of the co-contribution provided.</i> |
| If yes, who provided the co-contribution? | <i>Provide an overview of who provided the co-contribution (i.e. state or territory government, or local government) and outline if the funding was provided on an ad hoc basis, or through an existing program.</i> |

| Part 3 – Acquittal overview (Financial) | |
|--|---|
| Was the project delivered in line with the requirements outlined in the <i>National Flood Mitigation Infrastructure Program Program Guidelines</i> ? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|---|---|
| If no, please justify. | <i>Provide a detailed justification outlining why the project was not delivered in line with the requirements outlined in the National Flood Mitigation Program Program Guidelines.</i> |
| Where allocated funds used for ineligible expenses as outlined in section 5.7 of the <i>National Flood Mitigation Infrastructure Program Program Guidelines</i> ? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please detail. | <i>Provide a detailed justification outlining why funds provided under the National Flood Mitigation Infrastructure Program were used for ineligible expenses.</i> |

Part 4 – Supporting documentation

| | |
|---|---|
| Is the Financial Statement Claim attached? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| As per section 7.2 of the <i>National Flood Mitigation Infrastructure Program Program Guidelines</i> is a report from the state appointed auditor attached? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is there financial documentation, such as contracts, invoices, receipts etc. attached to support this acquittal? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is there additional documentation attached to support this acquittal? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please specify. | |

Part 5 – Declaration

We/I certify that ^organisation and/or department name^ has delivered ^project name^ under the National Flood Mitigation Infrastructure Program and in line with the requirements outlined in the bilateral agreement, established with the Australian Government on ^date^.

We/I certify that project activities, including expenditure, align and comply with the criteria set out in the National Flood Mitigation Infrastructure Program, Program Guidelines.

We/I acknowledge that records relating to this funding must be kept for a minimum of seven (7) years. We also acknowledge that the Australian Government may request additional information, or conduct an audit to verify the accuracy of information contained in this acquittal summary form.

| | |
|-----------|--|
| Name | |
| Title | |
| Signature | |
| Date | |

National Flood Mitigation Infrastructure Program

Financial statement claim form

To support the acquittal summary form, the state and territory government must complete the financial statement claim form for each project that was provided with funding from the National Flood Mitigation Infrastructure Program.

The headings in the financial statement claim form template should be amended, if required, to ensure expenditure is accurately outlined. Sub-headings should be included, where possible to assist with breaking down costs.

The declaration must be completed by the relevant responsible officer.

All relevant expenditure must be outlined in the table below, with the final figure to add up to the amount provided by the Australian Government.

| | Net expenditure | Value of co-contribution (if applicable) | Australian Government Contribution |
|--|-----------------|--|------------------------------------|
| Project Management Costs | | | |
| | | | |
| | | | |
| <i>Total Project Management Costs</i> | | | |
| Construction Costs | | | |
| | | | |
| | | | |
| <i>Total Construction Costs</i> | | | |
| Audit and Assurance Costs | | | |
| | | | |
| | | | |
| <i>Total Audit and Assurance Costs</i> | | | |

Declaration

I certify the above stated expenditure by the ^state or territory name^ government is correct and conforms to the National Flood Mitigation Infrastructure Program, Program Guidelines, and the terms and conditions outlined in the bilateral agreement, established on ^data^.

| | |
|-----------|--|
| Name | |
| Title | |
| Signature | |
| Date | |

HELPING COMMUNITIES REBUILD AND RECOVER FROM NATURAL DISASTERS

MEDIA RELEASE

05 May 2021

Prime Minister, Minister for Agriculture, Drought and Emergency Management, Minister for the Environment

The Morrison Government will establish a new national agency to help support local communities respond to large-scale natural disasters and undertake new initiatives to manage the impact of future events and the changing climate.

The National Recovery and Resilience Agency will provide support to local communities during the relief and recovery phases following major disasters.

The new Agency will also provide advice to Government on policies and programs to mitigate the impact of future major disaster events.

Prime Minister Scott Morrison said \$600 million would be invested in a new program of disaster preparation and mitigation, managed by the new National Recovery and Resilience Agency.

“The new Agency will help communities rebuild and recover from natural disasters, helping many Australians in their greatest time of need, while strengthening our defences against future major disasters,” the Prime Minister said.

“Immediate funding will support resilience projects across the community and for individuals’ homes, such as bushfire and cyclone proofing houses, building levees and improving the resilience of telecommunications and essential supplies.

“In the past two years Australians have faced floods, bushfires, cyclones, drought and now the COVID-19 pandemic and I’m determined to keep Australians safe and support the recovery of communities and regions right across Australia.”

The National Recovery and Resilience Agency will be led by Coordinator-General Shane Stone and bring together the former National Drought and North Queensland Flood Response and Recovery Agency and the National Bushfire Recovery Agency, including the \$2 billion National Bushfire Recovery Fund.

The Agency will also take responsibility for supporting the long-term recovery of communities rebuilding after the recent storms and floods in New South Wales and Queensland and cyclones in West Australia.

Minister for Agriculture, Drought and Emergency Management David Littleproud said Emergency Management Australia will also receive support to upgrade their National Situation Room to include a real time 'common operating picture', for all natural disasters.

"We will also provide \$4.5 million to support disaster recovery scenario training to help regional communities prepare for high-risk hazards," Minister Littleproud said.

"This funding will provide accredited training for people working in disaster recovery and two pilot Resilience Hubs to coordinate regional training and capability development across all levels of government when responding to a natural disaster."

Minister Littleproud said the final, critically important part of these national reforms was the establishment of a world-class climate service with detailed climate and disaster information.

"Through the Australian Climate Service we will draw on the expertise of our best and brightest scientists to help us better anticipate, manage and adapt to climate impacts to inform the work of the National Recovery and Resilience Agency and Emergency Management Australia," he said.

"I am proud of the reforms to our federal emergency management architecture that have been announced today, along with the ongoing work to implement all of the Royal Commission's other recommendations.

"This national approach to policy reform will carry all the way through to peoples' front doors."

Minister for the Environment Sussan Ley said that the Australian Climate Service would strengthen Australia's position as a world leader in anticipating and adapting to the impacts of changing climates for decades to come.

"We do face more extreme weather events due to changing climate and this is about being prepared, and being able to take steps to make our communities more resilient," Minister Ley said.

"By bringing together critical data from the nation's key climate research institutions, the Australian Climate Service will not only help save lives and money through a more informed emergency response, it will inform long-term planning for infrastructure, housing and basic services like power, telecommunications, and water.

"It will help shape the way we build communities and underpin Australia's future adaptation strategies, including the new National Climate Resilience and Adaptation Strategy announced in January.

"The collaboration between the Bureau of Meteorology, the CSIRO, ABS and Geoscience Australia is critical to delivering rich insights drawn from an expanded range of data sources.

“It will be further complemented by the Morrison Government’s investments in adaptation and resilience through initiatives such as the National Environmental Science Program and Great Barrier Reef Restoration and Adaptation initiatives.”

PRIME MINISTER OF AUSTRALIA

The Hon Scott Morrison MP



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National Flood Mitigation Infrastructure Program (NFMIP) Assessment Methodology and Matrix

Methodology

During the panel discussion a number of criteria emerged which assisted the panel members with their assessment. These discussions were captured in the final Panel Assessment Spreadsheet. As a result 54 projects were not shortlisted based on the NFMIP eligibility criteria guidelines and additional considerations listed below:

- Projects relating to road works and upgrades that may be eligible to apply for funding under Department of Infrastructure road funding.
- Projects that could potentially receive support from another funding source.
- Projects relating to drainage/ storm water issues and general maintenance that can be managed by local council or state government.
- Projects that lacked evidence to support the claims in the application.
- Projects that lacked community consultation or did not demonstrate strong community flood mitigation benefits.
- Projects that did not meet the definition of an essential public asset.
- Projects that may hinder or conflict with already established Commonwealth emergency management initiatives.
- Projects that may be based on or result in poor urban planning, or may increase risk by opening up residential land in high risk flood zones.
- Projects that included beautification elements were clarified with the applicants, as the program should not fund any such elements.

Assessment Matrix

The below matrix was used by Panel members to score each project against the criteria. These weighted scores were compiled in the final Panel Assessment Spreadsheet to form the shortlist.

| CRITERIA FROM GUIDELINES | EXPECTED OUTCOME | Not at all OR Not involved (Score - 0) | Satisfactory (Score - 1) | Good (Score - 2) | Excellent (Score - 3) | |
|---|--|--|--------------------------|------------------|-----------------------|-------|
| Mandatory criteria (Must fulfil at least one) | Reduces flood risk to community (i.e. less likely to flood) (Weighting 25%) | | | | | 0.00% |
| | Reduces impact of flood on community (e.g. impact – egress/supplies) (Weighting 25%) | | | | | 0.00% |
| Other criteria (Must fulfil at least one or more) | Reduction of DRFA eligible costs (Weighting 20%) | | | | | 0.00% |
| | Increase in asset insurability (Weighting 10%) | | | | | 0.00% |
| | Community or local government insurance affordability (Weighting 20%) | | | | | 0.00% |

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The Hon David Littleproud MP

Minister for Agriculture, Drought and Emergency Management

Friday, 11 December 2020

 Media release

\$50 million National Flood Infrastructure Initiative Building on Resilience

The Australian Government has today announced the establishment of a \$50 million National Flood Mitigation Infrastructure Fund to help Australian communities to better prepare for extreme weather events and flooding.

The program has been established under the Emergency Response Fund and aligns with recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework, and findings of the State of the Climate Report 2020.

Minister for Emergency Management David Littleproud said the funding initiative will support state, territory and local governments to improve or construct essential public infrastructure to better withstand severe flood events.

“This initiative was determined by Emergency Management Australia (EMA) based on their consultations about the types of projects that could support the ERFs objectives.

“The foundations of our national emergency management arrangements remain strong, however, the events of the past 12 months have compelled us to re-examine how we prepare for and manage emergencies,” Minister Littleproud said.

“We need to adjust our approach from focusing on our emergency services responding to major flood events, to all sectors of the community, including all levels of government, helping prevent and mitigate disasters.

“The Government is committed to reducing the economic and social harm to Australian communities in flood prone or flood affected areas and this program will be a key part of our longer-term flood mitigation efforts.”

“Beyond the ERF, the government is already investing more than \$2 billion in regions impacted by the 2019-20 Black Summer Bushfires, with a wide range of supports for individuals, communities, local councils and businesses for immediate and long-term relief and recovery,” Minister Littleproud said.

Emergency Management Australia, within the Department of Home Affairs, will lead the delivery of the program, bringing together emergency management and infrastructure experts from across the Australian Government.

“Our communities continue to display extraordinary resilience in the face of consecutive disasters so this initiative will go a long way in making sure we’re a step ahead when the next disaster hits.

“The successful projects will showcase the innovation, commitment and enthusiasm of our communities in assuring their safety from emergencies and disasters.”

Applications for funding under the 2020/21 program will open 21 December 2020.

Last updated: 11 December 2020



The Hon David Littleproud MP

Minister for Agriculture, Drought and Emergency Management
Monday, 10 May 2021

 Media release

Money flowing to stop future flooding

The Australian Government is providing \$50 million for projects across the country under the National Flood Mitigation Infrastructure Program, Minister for Emergency Management, David Littleproud, announced today.

The Australian Government will fund or co-fund 22 separate projects in each state and territory to assist our communities to prepare for future flood events.

“We’re taking these steps to protect Australian communities, individuals and businesses from an increasingly complex natural hazard environment,” Minister Littleproud said.

“Communities are going to see the benefits from this program through a reduction in the impacts of major flooding events, with additional benefits such as lower insurance costs and local job creation,” he said.

“The funding for flood mitigation projects reflects the Australian Government’s commitment to helping local communities prepare for major rainfall and flood events, such as those we witnessed in February and March this year.

This funding is made possible through the Government’s \$4 billion Emergency Response Fund, established in December 2019.

The ERF is a dedicated Australian Government investment fund. Under the legislation establishing the fund, \$50 million may be drawn on each year to assist communities to build resilience and prepare for future natural disasters.

Successful projects to receive funding under the National Flood Mitigation Infrastructure Program this year are:

- Australian Capital Territory, Goliath Court Flood Mitigation
- Australian Capital Territory, Mawson Stormwater Improvements
- New South Wales, Yoogali McCormack Levee Upgrades
- New South Wales, Cessnock Levee (Bund Wall)
- New South Wales, Holbrook Levee
- New South Wales, Hanwood Stormwater Pump and Levee
- New South Wales, Bellambi Gully Channel Improvement
- New South Wales, Fairfield Golf Course Detention Basin Upgrade
- Northern Territory, Katherine Flood Mitigation Levee South
- Queensland, Armstrong Creek Causeway, Normanton to Burketown
- Queensland, Floraville and Truganini Roads Upgrades, Burketown to Normanton
- Queensland, Dutton Street Bridge (Palm Creek Crossing), Ingham
- South Australia, Two Wells Township Levee
- South Australia, Prospect Drainage Scheme Upgrade – Stage 1

- Tasmania, Latrobe Council – Latrobe Flood Levees
- Tasmania, South Hobart Primary School Flood Mitigation Stage 2 Works
- Tasmania, Kingsborough Council – Kingston Rivulet
- Tasmania, Waratah – Wynyard Council – Port Creek Mitigation Works
- Victoria, Wangaratta Urban Flood Mitigation Infrastructure
- Victoria, Castlemaine and Campbell's Ck Levee
- Victoria, Carisbrook Township Western Levee
- Western Australia, Warmun Community Risk Mitigation

Last updated: 10 May 2021

s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)





Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000028

Senator the Hon Simon Birmingham
 Minister for Finance
 Parliament House
 CANBERRA ACT 2600

Dear Minister

I write to you to inform you that, in accordance with the requirements of the *Emergency Response Fund Act 2019* (ERF Act), I have determined the funding allocations for projects under the National Flood Mitigation Infrastructure Program (the Program) for 2021-22. This Program is funded from the \$50 million pre-disaster resilience component of the Emergency Response Fund (ERF), as previously approved by Cabinet and I am pleased to advise that the Government will allocate the full \$50 million available in 2021-22 to state and territory governments to fund or co-fund the delivery of 15 flood mitigation projects across the country.

As I have now approved the funding allocations, I therefore request **that you direct the drawdown of \$50 million available from the ERF in 2021-22 to the COAG Account for this Program in accordance with sections 28A and 32A ERF ACT.**

Enclosed is the Ministerial Direction to initiate the process to draw down the required funds from the ERF for 2021-22. I request that you forward it to your Department, at your earliest convenience, for action to ensure that the funding committed by the Government is available for delivery to state and territory governments before the end of the financial year, noting that the mandated allocations available from the ERF expire on 30 June.

The total funding allocations by jurisdiction for the Program are as follows:

| Jurisdiction | Program Funding Allocation |
|-----------------------------------|----------------------------|
| Australian Capital Territory | \$5,727,469 |
| New South Wales | \$19,214,500 |
| Northern Territory | \$10,000,000 |
| Queensland | \$894,000 |
| South Australia | \$9,945,000 |
| Tasmania | \$1,837,031 |
| Victoria | \$2,382,000 |
| Western Australia | \$0 |
| Total of committed amounts | \$50,000,000 |

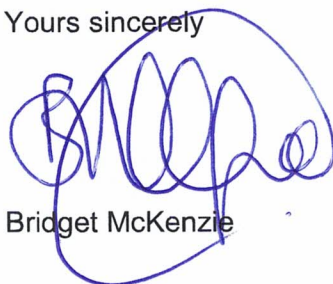
As you are aware, this Program is a key initiative of the Australian Government's commitment to reducing economic and social harm to Australian communities in flood prone and flood affected areas. The second round of the Program has a renewed focus in targeting levees, levee systems, infrastructure to promote flood plain restoration and specific green infrastructure initiatives that mitigate flood risk.

The Treasury will distribute the funding allocations to state and territory governments once Schedules to the Federation Funding Arrangements (FFA) – Environment have been negotiated and finalised with each jurisdiction receiving funding through this Program. A grant with the state or territory government established under the FFAs complies with the requirements of Division 4 of the ERF Act.

If the funding is not drawn down before 30 June 2022, its access to this financial year's allocation expires under the ERF Act and the Program commitments will not be delivered.

I have copied this letter and the enclosure to the Treasurer, the Hon Josh Frydenberg MP, as required under the ERF Act.

Yours sincerely



Bridget McKenzie



s 47B, s 47C, s 47E(d)

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NATIONAL RECOVERY AND RESILIENCE AGENCY

NRRA
Mr Stone
Mr Padovan

To: Minister for Emergency Management and National Recovery and Resilience (for signature by 20 November 2021, to meet Treasury’s deadline for transferring the funds to states and territories)

NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2020-21 – CO-SIGNING NEW SOUTH WALES SCHEDULE FOR FUNDS TRANSFER

MO
s 47F

Advisors
s 47F

Recommendations - that you:

1. Note that on 20 August 2021 you wrote to your state and territory ministerial counterparts, providing their respective Schedules to the Federation Funding Agreements regarding the National Flood Mitigation Infrastructure Program 2020-21 (MS21-000571 refers)

Noted / Please discuss

2. Note that Treasury has confirmed that on the 8 November 2021, the funding for four jurisdictions was successfully transferred to the Australian Capital Territory, Queensland, South Australia, and Western Australia.

Noted / Please discuss

3. Note the Schedules for Northern Territory, Tasmania, Victoria have been signed and Treasury is expected to transfer the funds on or around 8 December 2021.

Noted / Please discuss

4. Sign the Schedule for New South Wales at Attachment A, confirming the Commonwealth’s commitment to the agreement so that the funds can be transferred to commence work on their funded projects.

Signed / Not signed

5. Note the signed Schedule for New South Wales will enable Treasury to transfer the funds on or around 8 December 2021, and at this point the \$50 million for NFMIP 2020-21 from the Emergency Response Fund will have been transferred to the states and territories.

Noted / Please discuss

BRIDGET MCKENZIE

Date:

10/11/2021

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Comments:

Key Points:

1. This submission seeks your signature on the New South Wales Schedule in order to be included in the December 2021 pay run by Treasury.
2. On 21 June 2021, \$50 million was debited from the Emergency Response Fund (ERF) and credited to the COAG Reform Fund to fund the 22 projects approved for Commonwealth funding or co-funding under the National Flood Mitigation Infrastructure Program 2020-21 (MS21-000528 and MS21-000571 refer).
3. The funding for the Australian Capital Territory, Queensland, South Australia and Western Australia was transferred by Treasury on 8 November 2012.
4. As previously advised, the funding will be delivered under Schedules to the Federation Funding Agreements – Environment which require co-signature by you and the relevant minister from each state and territory. Once the bilateral arrangements for the delivery of the projects are finalised through the co-signature of Schedules, Treasury transfers the funds to jurisdictions.
5. On 20 August 2021, copies of the Schedule and a signed covering letter were sent from your office to the relevant states and territories seeking ministerial co-signatures.
6. On 25 October 2021, you signed Schedules for Australian Capital Territory, Queensland, South Australia, and Western Australia and subsequently have signed the Victoria Schedule on 29 October 2021 and the Northern Territory and Tasmania Schedules on 5 November 2021.
7. This is the final Schedule under this program, and once signed, the funding for the remaining four jurisdictions will be transferred at which point the \$50 million from the 2020-21 pre-disaster resilience component of the Emergency Response Fund will have been considered expended.

Sensitivities

8. The approved projects were announcement in May 2021. Signing of the Schedules was impeded due to an administrative oversight. This delayed the original date for the payment of the funding under this program to the jurisdictions. Payment could not occur on or around 9 September 2021 as originally planned and discussed with jurisdictions.
9. Further delays in co-signature of the Schedule provided may not meet the deadlines for the November pay run to states and territories. This will invite scrutiny and further delay the commencement and delivery of the projects funded under this program.

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OFFICIAL

Sophie Cartwright
Executive Director
Resilience Programs Branch
Phone no: [REDACTED]
10 November 2021

Policy Officer: s 47F [REDACTED]
Phone no: s 47F [REDACTED]

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ATTACHMENTS

**ATTACHMENT A FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN NEW SOUTH WALES**

OFFICIAL

New South Wales - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|--------------|---------|-------|-------|--|--|-------------------------------|-------|--------------|--|-------|--------------|---|------|-------------|
| Parties | Commonwealth New South Wales | | | | | | | | | | | | | | | |
| 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: Yoogali McCormack Levee Upgrades • Project 2: Cessnock Levee (Bund Wall) • Project 3: Holbrook Levee • Project 4: Hanwood Stormwater Pump and Levee • Project 5: Bellambi Gully Channel Improvement • Project 6: Fairfield Golf Course Detention Basin Upgrade <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to New South Wales an estimated total financial contribution of \$13.37m (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;">2020-21</th> <th style="text-align: center;">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: center;">20.16</td> <td style="text-align: center;">20.16</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">13.37</td> <td style="text-align: center;">13.37</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">6.79</td> <td style="text-align: center;">6.79</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 20.16 | 20.16 | Less estimated National Partnership Payments | 13.37 | 13.37 | Balance of non-Commonwealth contributions | 6.79 | 6.79 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 20.16 | 20.16 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 13.37 | 13.37 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 6.79 | 6.79 | | | | | | | | | | | | | | |
| 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 Attachment A.</p> <p>Resolution of terms</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.
- 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 New South Wales and provided to the Commonwealth for approval. New South Wales must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

- (10) 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.
- (11) 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 | New South Wales agrees and signs the Schedule | Upon signature of Schedule | \$13.37m |
| | New South Wales provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | New South Wales submits an Interim Report three months from the date at which the Schedule was signed | After the first Interim Report, six monthly until all projects under this Schedule are complete | N/A |
| | New South Wales 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 |
| | New South Wales submits an End of Project report | No later than three months from the date that the project was completed. | N/A |
| | New South Wales 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 Honorable Bridget McKenzie
Minister for Emergency Management and National Recovery and Resilience

6/11/2021

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



The Honourable David Elliott MP
Minister for Police and Emergency Services

9/11/2021

Attachment A

Details of New South Wales' Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Co-contribution |
|----------------------|---|--|----------------------|--------------------|
| 1 | Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$520,000 |
| 2 | Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,900,000 |
| 3 | Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$0 |
| 4 | Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$620,000 |
| 5 | Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$1,070,000 |
| 6 | Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase the basin capacity. | \$1,920,000 | \$1,680,000 |
| Total funding | | | \$13,370,000 | \$6,790,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21 - 000528

The Hon Mick Gentleman MLA
Minister for Police and Emergency Services
Member for Brindabella
GPO BOX 1020
CANBERRA ACT 2601

Dear Minister Gentleman

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

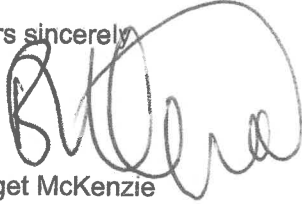
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$3,340,000 of funding under the Program for successful projects within the Australian Capital Territory (the ACT), specifically, the Goliath Court Flood Mitigation and Mawson Stormwater Improvements projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the ACT Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over the words 'Yours sincerely'.

Bridget McKenzie

Encl (Schedule to Federation Funding Agreement)

19/06/2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon David Elliott MP
Minister for Police and Emergency Services
Member for Baulkham Hills
GPO Box 5341
SYDNEY NSW 2001

Dear Minister Elliott

A handwritten signature in cursive script that reads 'David'.

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

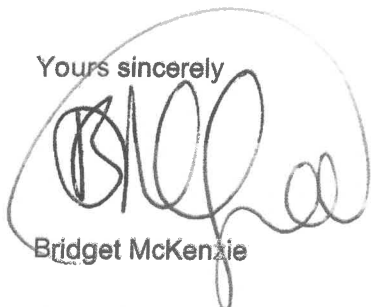
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$13,370,000 of funding under the Program for successful projects within New South Wales (NSW), specifically the Yoogali McCormack Levee Upgrades, the Cessnock Levee (Bund Wall), the Holbrook Levee, the Hanwood Stormwater Pump and Levee, the Bellambi Gully Channel Improvement and the Fairfield Golf Course Detention Basin Upgrade projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the NSW Government from the Commonwealth.

Thank you for your continued engagement with both myself and the NRRA.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', enclosed within a large, hand-drawn oval.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Nicole Manison MLA
Minister for Police and Emergency Services
PO Box 3146
DARWIN NT 0801

Dear Minister Manison

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

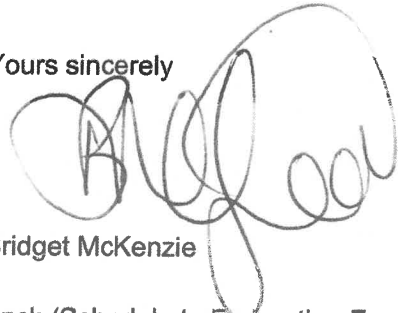
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$9,400,000 of funding under the Program for your successful project within the Northern Territory, specifically the Katherine Flood Mitigation Levee South project.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed the arrangement will be finalised and funding will be transferred to the Northern Territory Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written in a cursive style.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Dr Steven Miles
Deputy Premier and Minister for State Development,
Infrastructure, Local Government and Planning
Member for Murrumba
1 William Street
BRISBANE QLD 4000

Dear Deputy Premier

A handwritten signature in black ink that reads 'Steven Miles'.

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

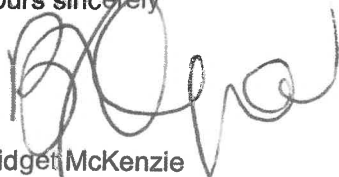
The NRRRA has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$9,900,500 of funding for Queensland's successful projects under the Program, specifically the Armstrong Creek Causeway Normanton to Burketown, the Floraville and Truganini Roads Upgrades - Burketown to Normanton and the Dutton Street Bridge (Palm Creek Crossing) Ingham projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Queensland Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written in a cursive style. The signature is positioned over the printed name 'Bridget McKenzie'.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Vincent Tarzia MP
Minister for Police, Emergency Services and Correctional Services
GPO Box 6446
ADELAIDE SA 5000

Dear Minister Tarzia

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$3,180,000 of funding under the Program for successful projects within South Australia, specifically, the Two Wells Township Levee and the Prospect Drainage Scheme Upgrade – Stage 1 projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the South Australian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Bridget McKenzie', with a stylized, cursive script.

Bridget McKenzie

Encl (Schedule to Federation Funding Agreement)



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Jacqueline Petrusma MP
Minister for Police, Fire and Emergency Management
3/90 Clarence Street
BELLRIVE TAS 7018

Dear Minister Petrusma

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

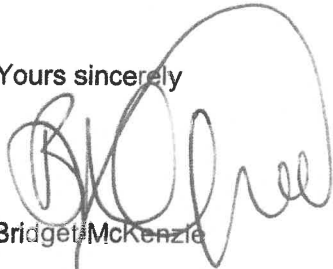
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$3,192,500 of funding under the Program for successful projects within Tasmania, specifically, the Latrobe Council – Latrobe Flood Levees, South Hobart Primary School Works, Kingsborough Council – Kingston Rivulet and Waratah-Wynard Council – Port Creek Mitigation projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Tasmanian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over the printed name.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000528

The Hon Richard Wynne MP
Acting Minister for Water
Member for Richmond
PO Box 500
East Melbourne VIC 3002

Dear Minister Wynne

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

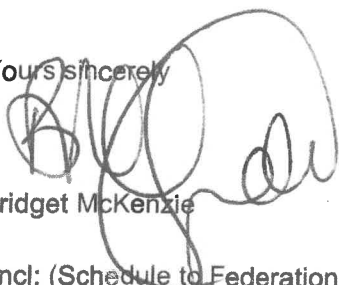
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$6,917,000 of funding under the Program for successful projects within Victoria, specifically, the Wangaratta Urban Flood Mitigation Infrastructure, Castlemaine and Campbell's Creek Levee and Carisbrook Township Western Levee projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Victorian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over the text 'Yours sincerely'.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Reece Whitby MLA
Minister for Emergency Services
Member for Baldavis
PO Box 4107
BALDAVIS WA 6171

Dear Minister Whitby

A handwritten signature in cursive script that reads 'Reece'.

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

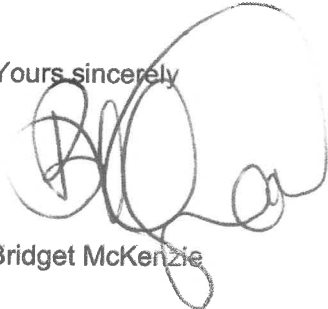
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$700,000 of funding for successful projects within Western Australia, specifically the Warmun Community Risk Mitigation – Flood Warning System project.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and the funding will be transferred to Western Australian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Bridget McKenzie', written over the text 'Yours sincerely'.

Bridget McKenzie

Encl (Schedule to Federation Funding Agreement)

19 AUG 2021

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PDR: MS21-000528

NRRA
Mr Stone
Mr Padovan

NATIONAL RECOVERY AND RESILIENCE AGENCY


MO
[CoS]
[Adviser/s]

To: Minister for Emergency Management and National Recovery and Resilience (for decision/signature at your earliest convenience, to provide states and territories with as much time as practicable to brief their ministers)

NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM – EMERGENCY REPOSE FUND PAYMENTS TO STATES AND TERRITORIES

Recommendations - that you:

1. Note that on 27 May 2021, the former Minister for Agriculture, Drought and Emergency Management, the Hon David Littleproud MP, approved the final funding allocations for 22 projects under the National Flood Mitigation Infrastructure Program (NFMIP 2020 – 2021) (Attachment B refers). (N) **Noted/ Please Discuss**
2. Note the final list of projects funded under the 2020 - 2021 NFMIP at Attachment C. (N) **Noted/ Please Discuss**
3. Note that the funding will be delivered to state and territory governments as a single, upfront grant under Schedules to the Federation Funding Agreements framework. (N) **Noted/ Please Discuss**
4. Sign the eight Schedules confirming the Commonwealth’s commitment to each arrangement and sign a covering letter to the relevant state or territory Minister at Attachments H through Attachment O. (S) **Signed/Not Signed**
5. Note the Agency will work with your office to prepare media releases. (N) **Noted/ Please Discuss**


Date: 19/8/2021

BRIDGET MCKENZIE

Comments:

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Key Points:

1. This Submission seeks your endorsement of bilateral agreements ('Schedules') with each state and territory to deliver Commonwealth grants arising from the National Flood Mitigation Infrastructure Program (NFMIP 2020 - 2021). The NFMIP 2020 - 2021 is funded through the \$50 million pre-disaster resilience component of the Emergency Response Fund ('ERF') available for disbursement for 2020-21.

Execution of Schedules and making of payments to each state and territory

2. On 27 May 2021, the former Minister for Agriculture, Drought and Emergency Management, the Hon David Littleproud MP, approved the final funding allocations for projects under the NFMIP 2020 - 2021 ([Attachment B](#) refers) and wrote to his ministerial counterparts in each state and territory to advise them of these outcomes ([Attachment C](#) refers). Minister Littleproud also wrote to the Minister for Finance, Senator the Hon Simon Birmingham, providing the direction required under the *Emergency Response Fund Act 2019* (ERF Act) to release \$50 million from the ERF in line with the project funding allocations.
3. Funding for each state and territory has been approved as a grant under s32A of the ERF Act, and will be provided under the Federation Funding Agreements framework (FFAs), negotiated by Treasury in 2020. The agreements between the Commonwealth and each jurisdiction are created as Schedules to the FFAs. The Schedules facilitate the transfer of funds to the jurisdictions and set the conditions for the delivery of funded projects as required by the NFMIP Program Guidelines.
4. The terms of each Schedule were negotiated separately between the Commonwealth and each state and territory government. Each Schedule, as well as a covering letter to the relevant state or territory Minister is included at [Attachments H through O](#) for your signature.
5. Following your endorsement, the Schedules will be provided to the relevant state or territory Minister for co-signing. The Schedule will commence as soon as the state or territory Minister co-signs the agreement.
6. Once the co-signed Schedules are returned to the Commonwealth, Treasury will transfer the funds to states and territories through normal payment mechanisms (expected on or around 9 September 2021). The funding will be transferred to each jurisdiction as a single, upfront payment and the funding will then be managed by the state or territory government with the entity responsible for delivering the project.

Audit and assurance

7. Audit, assurance, monitoring, reporting and acquittal requirements are set out in an Audit and Reporting Framework developed for projects funded under the NFMIP 2020 - 2021.
8. For each funded project, states and territories will provide to the Agency:
 - i. an Implementation Plan, no later than three months after the Schedule is signed,
 - ii. quarterly updates on Commonwealth funding expended,
 - iii. half-yearly updates and an end of project report on project timeframes, scope and budgetary overspends and underspends (including Commonwealth funding), and

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PROTECTED CABINET

- iv. an audit report which acquits all project expenditure, completed by the state-appointed auditor or a Certified Practising Accountant, no later than nine months from the end of the financial year in which the project was completed.
9. The terms of each Schedule set out the circumstances where the Commonwealth can seek to recover funds provided under the NFMIP.

Transfer of ERF and NFMIP to the National Recovery and Resilience Agency

10. On 5 May 2021, the Prime Minister, the Hon Scott Morrison MP, issued a joint media release with Minister Littleproud and the Minister for the Environment, the Hon Susan Ley MP, announcing the establishment of the Agency (Attachment D refers).
11. On 1 July 2021, policy authority for the ERF, including the NFMIP, transferred from Emergency Management Australia within the Department of Home Affairs to the Agency. The Department of Finance retains administering authority for the ERF Act.
12. Amendments to the ERF Act are currently being finalised to reflect this Machinery of Government change. These amendments will not impact your responsibilities as the Emergency Management Minister under the ERF Act.

Background

13. In accordance with the *ERF Act (Section 20 (1)(b), (c) and (f))*, the ERF may be used to provide a grant of financial assistance to carry out a project that is directed towards either or both of the following outcomes:
 - i. recovery from a natural disaster,
 - ii. post disaster resilience an area that has been affected (whether directly or indirectly) by a natural disaster, thereby building resilience to and reducing the risks of a future natural disaster; developing the long-term sustainability of a community at risk of being affected by a natural disaster.
14. Section 34 of the ERF Act prescribes an annual limit of up to \$50 million which may be drawn from the ERF each financial year to support the disaster resilience outcomes detailed at Paragraph 13 (ii) of this submission.
15. On 4 December 2020, Minister Littleproud wrote to the Prime Minister, the Hon Scott Morrison MP, seeking his agreement to draw \$50 million from the ERF in 2020-21 to deliver a national program to invest in priority flood mitigation infrastructure initiatives.
16. On 11 December 2020, Minister Littleproud announced the establishment of the NFMIP (Attachment E refers). Applications were open to state and territory governments from 21 December 2020 to 12 February 2021. On 10 May 2021, Minister Littleproud publicly announced the successful projects for Commonwealth funding or co-funding under this Program (Attachment F refers).
17. A detailed background on the establishment and administration of the NFMIP 2020- 2021 is provided at Attachment A.

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Consultation – internal/external

18. Schedules were developed in close consultation with the Treasury, the Department of the Prime Minister and Cabinet (PM&C), the Department of Finance (DoF), Emergency Management Australia, and the Agency. Each Schedule was separately negotiated with relevant counterparts in state and territory governments.
19. State and territory Governments, PM&C, DoF and the Treasury were consulted on the timeframes relating to approvals and the process under the FFAs.
20. DoF, Treasury, PM&C, the Australian Government Solicitor and Department of Home Affairs' Finance and Legal Divisions (servicing Emergency Management Australia) were consulted on process to draw down funds from the ERF and the development of the Ministerial Direction.
21. In consultation with Treasury, the Council on Federation Funding Relations (CFFR) was advised of this Program and the expected \$50 million in expenditure at the February and April 2021 meetings in accordance with National Cabinet requirements.

Sensitivities

s 47B, s 47E(d)



Financial/systems/legislation/deregulation/media implications

24. The Chief Finance Officer has been consulted on the contents of the submission.
25. Subject to your signature to the Schedules, media releases will be prepared for you. Your office may wish to make contact with the Agency Media Coordination team at media@recovery.gov.au to further discuss.
26. Accordingly, the Agency website will be updated in compliance with the prescriptions set out at s26 of the ERF Act, including to reflect the amounts to be disbursed to each state and territory against their respective successful NFMIP 2020 -2021 projects.

Sophie Cartwright
Executive Director
Resilience Programs Branch
4 August 2021

Policy Officer: s 47F
Phone no: s 47F

PROTECTED CABINET

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ATTACHMENTS

- ATTACHMENT A BACKGROUND ON THE ESTABLISHMENT AND ADMINISTRATION OF THE NFMIP**
- ATTACHMENT B FINAL LIST OF PROJECTS FUNDED UNDER THE NFMIP**
- ATTACHMENT C MS21-001111 ENDORSEMENT OF THE FORMER MINISTER ON FUNDING ALLOCATIONS FOR PROJECTS APPROVED UNDER THE NFMIP**
- ATTACHMENT D JOINT MEDIA RELEASE - HELPING COMMUNITIES REBUILD AND RECOVER FROM NATURAL DISASTERS (7 MAY 2021)**
- ATTACHMENT E MEDIA RELEASE - 50 MILLION NATIONAL FLOOD INFRASTRUCTURE INITIATIVE (11 DECEMBER 2020)**
- ATTACHMENT F MEDIA RELEASE - MONEY FLOWING TO STOP FUTURE FLOODING (5 MAY 2021)**
- ATTACHMENT G** s 47B, s 47E(d) 
- ATTACHMENT H1 COVER LETTER TO MICK GENTLEMAN MLA, AUSTRALIAN CAPITAL TERRITORY MINISTER FOR POLICE AND EMERGENCY SERVICES**
- ATTACHMENT H2 FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN THE AUSTRALIAN CAPITAL TERRITORY**
- ATTACHMENT I1 COVER LETTER TO THE HON DAVID ELLIOTT MP, NEW SOUTH WALES MINISTER FOR POLICE AND EMERGENCY SERVICES**
- ATTACHMENT I2 FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN NEW SOUTH WALES**

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Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000528

The Hon Richard Wynne MP
Acting Minister for Water
Member for Richmond
PO Box 500
East Melbourne VIC 3002

Dear Minister Wynne

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$6,917,000 of funding under the Program for successful projects within Victoria, specifically, the Wangaratta Urban Flood Mitigation Infrastructure, Castlemaine and Campbell's Creek Levee and Carisbrook Township Western Levee projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Victorian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely



Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021

Victoria - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of schedule | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|--------------|--------------|--|--|-------------------------------|--------------|--------------|--|------|-------------|--|------|-------------|
| Parties | Commonwealth Victoria | | | | | | | | | | | | | | | |
| 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 from the Commonwealth provided to the State and Territory governments (States) under this Schedule will contribute to the delivery of the following projects (Funded Projects):</p> <ul style="list-style-type: none"> • Project 1: Wangaratta Urban Flood Mitigation Infrastructure • Project 2: Castlemaine and Campbell's Creek Levee • Project 3: Carisbrook Township Western Levee <p>An overview of each project is provided at <u>Attachment A</u>.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$6.92m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>10.43</td> <td>10.43</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>6.92</td> <td>6.92</td> </tr> <tr> <td>Balance of non-Commonwealth contributions*</td> <td>3.51</td> <td>3.51</td> </tr> </tbody> </table> <p><i>*Non-Commonwealth contributions are provided by a third party</i></p> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 10.43 | 10.43 | Less estimated National Partnership Payments | 6.92 | 6.92 | Balance of non-Commonwealth contributions* | 3.51 | 3.51 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 10.43 | 10.43 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 6.92 | 6.92 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions* | 3.51 | 3.51 | | | | | | | | | | | | | | |
| 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 the States will apportion funding to projects as determined through the Program, and as shown at <u>Attachment A</u>.</p> <p>Resolution of terms</p> | | | | | | | | | | | | | | | |

- (2) The Commonwealth and States will work together to resolve any conflicts arising through the Bilateral Agreements, using the approach set out below.
- a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines
 - b. The Emergency Response Fund Guidelines and the National Flood Mitigation Infrastructure Program(NFMIP) 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) States must deliver the Program in accordance with the agreed Implementation Plan. This Implementation Plan will be finalised after the commencement of this Schedule.
- a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework
- (4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. Victoria 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 greater.

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. The frequency and timing of reporting under this Schedule is set out at Table 2.
- (6) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework
- (7) The Audit and Reporting Framework supersedes and replaces chapter 7 (Monitoring and reporting), chapter 8 (Audit and assurance) and Attachment B of the NFMIP Program Guideline.

Third parties

- (8) In line with the NFMIP Program Guidelines, States 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, the States 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.

Repayment of amounts to the Commonwealth

- (10) 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 delivered as part of this Program cannot be delivered in accordance with the relevant Implementation Plan and the project cannot be appropriately scaled, and
 - b. the Commonwealth and States cannot reach an agreement on how to reallocate the funds, or
 - c. another condition of this Schedule is not met.
- (11) In accordance with clause 6, and with regard to the circumstances of each matter, the Commonwealth will determine whether part or all of the funding provided under this Schedule should be repaid.

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 | Victoria agrees and signs the schedule | Upon signature of schedule | \$6.92m |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2021, whichever is later. | N/A |
| | Victoria provides 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 |
| | Victoria 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 |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Australian Capital Territory 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

/ / 2021

Signed for and on behalf of the State of Victoria by

The Honourable Richard Wynne MP
Acting Minister for Water

/ / 2021

Attachment A

Details of Victoria's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Non-Commonwealth contributions |
|----------------------|--|--|----------------------|--------------------------------|
| 1 | Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$1,800,000 |
| 2 | Castlemaine and Campbell's Creek Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$1,109,000 |
| 3 | Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$600,000 |
| Total funding | | | \$6,917,000 | \$3,509,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Dr Steven Miles
Deputy Premier and Minister for State Development,
Infrastructure, Local Government and Planning
Member for Murrumba
1 William Street
BRISBANE QLD 4000

Dear Deputy Premier

Steven,
As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

The NRRA has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$9,900,500 of funding for Queensland's successful projects under the Program, specifically the Armstrong Creek Causeway Normanton to Burketown, the Floraville and Truganini Roads Upgrades - Burketown to Normanton and the Dutton Street Bridge (Palm Creek Crossing) Ingham projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Queensland Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written in a cursive style. The signature is positioned over the printed name 'Bridget McKenzie'.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021

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 Attachment A.</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 border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> <tr> <th>(\$m)</th> <th></th> <th></th> </tr> </thead> <tbody> <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> </tbody> </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 |
| 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 | | | | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | | | | |

- 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

/ / 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

/ / 2021

Attachment A

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.



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon David Elliott MP
Minister for Police and Emergency Services
Member for Baulkham Hills
GPO Box 5341
SYDNEY NSW 2001

Dear Minister Elliott

A handwritten signature in black ink that reads 'David'.

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

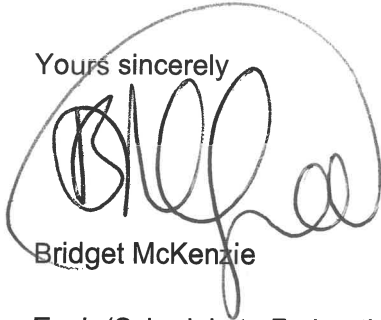
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$13,370,000 of funding under the Program for successful projects within New South Wales (NSW), specifically the Yoogali McCormack Levee Upgrades, the Cessnock Levee (Bund Wall), the Holbrook Levee, the Hanwood Stormwater Pump and Levee, the Bellambi Gully Channel Improvement and the Fairfield Golf Course Detention Basin Upgrade projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the NSW Government from the Commonwealth.

Thank you for your continued engagement with both myself and the NRRA.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', enclosed within a large, hand-drawn oval.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021

New South Wales - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|--------------|---------|-------|-------|--|--|-------------------------------|-------|--------------|--|-------|--------------|---|------|-------------|
| Parties | Commonwealth New South Wales | | | | | | | | | | | | | | | |
| 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: Yoogali McCormack Levee Upgrades • Project 2: Cessnock Levee (Bund Wall) • Project 3: Holbrook Levee • Project 4: Hanwood Stormwater Pump and Levee • Project 5: Bellambi Gully Channel Improvement • Project 6: Fairfield Golf Course Detention Basin Upgrade <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to New South Wales an estimated total financial contribution of \$13.37m (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;">2020-21</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: center;">20.16</td> <td style="text-align: right;">20.16</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">13.37</td> <td style="text-align: right;">13.37</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">6.79</td> <td style="text-align: right;">6.79</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 20.16 | 20.16 | Less estimated National Partnership Payments | 13.37 | 13.37 | Balance of non-Commonwealth contributions | 6.79 | 6.79 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 20.16 | 20.16 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 13.37 | 13.37 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 6.79 | 6.79 | | | | | | | | | | | | | | |
| 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 Attachment A.</p> <p>Resolution of terms</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.
- 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 New South Wales and provided to the Commonwealth for approval. New South Wales must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

- (10) 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.
- (11) 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 | New South Wales agrees and signs the Schedule | Upon signature of Schedule | \$13.37m |
| | New South Wales provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | New South Wales submits an Interim Report three months from the date at which the Schedule was signed | After the first Interim Report, six monthly until all projects under this Schedule are complete | N/A |
| | New South Wales 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 |
| | New South Wales submits an End of Project report | No later than three months from the date that the project was completed. | N/A |
| | New South Wales 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

/ / 2021

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

The Honourable David Elliott MP
 Minister for Police and Emergency Services

/ / 2021

Attachment A

Details of New South Wales' Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Co-contribution |
|----------------------|---|--|----------------------|--------------------|
| 1 | Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$520,000 |
| 2 | Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,900,000 |
| 3 | Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$0 |
| 4 | Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$620,000 |
| 5 | Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$1,070,000 |
| 6 | Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase the basin capacity. | \$1,920,000 | \$1,680,000 |
| Total funding | | | \$13,370,000 | \$6,790,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Reece Whitby MLA
Minister for Emergency Services
Member for Baldavis
PO Box 4107
BALDAVIS WA 6171

Dear Minister Whitby

A handwritten signature in cursive script that reads 'Reece'.

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

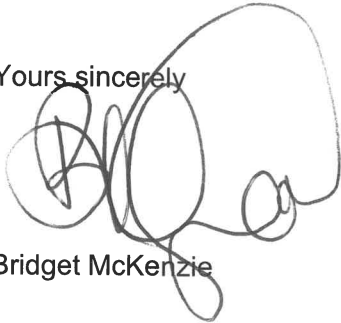
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$700,000 of funding for successful projects within Western Australia, specifically the Warmun Community Risk Mitigation – Flood Warning System project.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and the funding will be transferred to Western Australian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', with a large, sweeping flourish at the end.

Bridget McKenzie

Encl (Schedule to Federation Funding Agreement)

19 AUG 2021

Western Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|----------------|----------------|--------------|--------------|--|--|-------------------------------|------|-------------|--|------|-------------|---|---|----------|
| Parties | Commonwealth Western Australia | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2031. | | | | | | | | | | | | | | | |
| 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: Warmun Community Risk Mitigation – Flood warning system | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Western Australia an estimated total financial contribution of \$0.70m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>0.70</td> <td>0.70</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>0.70</td> <td>0.70</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>0</td> <td>0</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 0.70 | 0.70 | Less estimated National Partnership Payments | 0.70 | 0.70 | Balance of non-Commonwealth contributions | 0 | 0 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 0.70 | 0.70 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 0.70 | 0.70 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 0 | 0 | | | | | | | | | | | | | | |
| 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> <ol style="list-style-type: none"> The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines The Emergency Response Fund Guidelines and NFMIP Program Guidelines will prevail over the Schedule, <u>except</u> 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 Western Australia and provided to the Commonwealth for approval. Western Australia must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.
- (5) Western Australia must notify the Commonwealth as soon as practicable if the project timeframes set out in the Implementation Plan change.

Performance monitoring and reporting

- (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 these reporting obligations required by this Schedule.
- (7) The frequency and timing of reporting under this Schedule is set out at Table 2: Performance requirements, reporting and payment summary
- (8) 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

- (9) 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.
- (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, the Emergency Response Fund Guideline, NFMIP Program Guidelines and the conditions of this Schedule.

Repayment of amounts to the Commonwealth

(11) 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.

(12) 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 | Western Australia agrees and signs the Schedule | Upon signature of Schedule | \$700,000 |
| | Western Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | Western Australia submits an Interim Update three months from the project commencement date set out in the Implementation Plan | After the first Interim Update, six monthly until all projects under this Schedule are complete | N/A |
| | Western Australia submits a Performance Report six months from the project commencement date set out in the Implementation Plan. | After the first Performance Report, six monthly until all projects under this Schedule are complete. | N/A |
| | Western Australia submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Western Australia 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

/ / 2021

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

The Honourable Reece Whitby MLA
Minister for Emergency Services

/ / 2021

Attachment A

Details of Western Australia's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by jurisdiction |
|----------------------|----------------------------------|---|----------------------|------------------------------|
| 1 | Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$0 |
| Total funding | | | \$700,000 | \$0 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21 - 000528

The Hon Mick Gentleman MLA
Minister for Police and Emergency Services
Member for Brindabella
GPO BOX 1020
CANBERRA ACT 2601

Dear Minister Gentleman

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

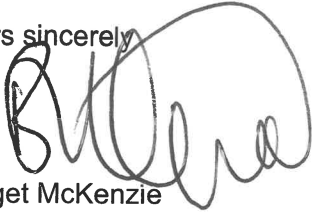
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$3,340,000 of funding under the Program for successful projects within the Australian Capital Territory (the ACT), specifically, the Goliath Court Flood Mitigation and Mawson Stormwater Improvements projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the ACT Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over the text 'Yours sincerely'.

Bridget McKenzie

Encl (Schedule to Federation Funding Agreement)

19/05/2017

The Australian Capital Territory - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|-------------|---------|-------|--------------|--|--|-------------------------------|------|-------------|--|------|-------------|---|------|-------------|
| Parties | Commonwealth Australian Capital Territory | | | | | | | | | | | | | | | |
| 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 (Program)</i>, 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: Goliath Court Flood Mitigation • Project 2: Mawson Stormwater Improvements <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Australian Capital Territory an estimated total financial contribution of \$3.34m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>4.35</td> <td>4.35</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>3.34</td> <td>3.34</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>1.01</td> <td>1.01</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 4.35 | 4.35 | Less estimated National Partnership Payments | 3.34 | 3.34 | Balance of non-Commonwealth contributions | 1.01 | 1.01 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 4.35 | 4.35 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 3.34 | 3.34 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 1.01 | 1.01 | | | | | | | | | | | | | | |
| 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 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> <p>a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines</p> | | | | | | | | | | | | | | | |

- 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 the Australian Capital Territory and provided to the Commonwealth for approval. The Australia Capital Territory must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

| | |
|--|---|
| | <p>(10) 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</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
|--|---|

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 | The Australian Capital Territory agrees and signs the Schedule | Upon signature of Schedule | \$3.34m |
| | The Australian Capital Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | The Australian Capital Territory 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 |
| | The Australian Capital Territory 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 |
| | The Australian Capital Territory submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Australian Capital Territory 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

/ / 2021

Signed for and on behalf of the Australian Capital Territory by

The Honourable Mr Mick Gentleman MLA
Minister for Police and Emergency Services

/ / 2021

Attachment A

Details of the Australian Capital Territory's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the ACT |
|----------------------|--------------------------------|--|----------------------|-------------------------|
| 1 | Goliath Court Flood Mitigation | The work involves constructing raised vehicle crossings, storm water pipes, and additional inlets at Goliath Court. It also involves constructing a new discharge pipe along the Sullivan's Creek. | \$1,220,000 | \$0 |
| 2 | Mawson Stormwater Improvements | The work involves constructing new drainage to prevent flooding in the commercial precinct of Mawson. | \$2,120,000 | \$1,010,000 |
| Total funding | | | \$3,340,000 | \$1,010,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Nicole Manison MLA
Minister for Police and Emergency Services
PO Box 3146
DARWIN NT 0801

Dear Minister Manison

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

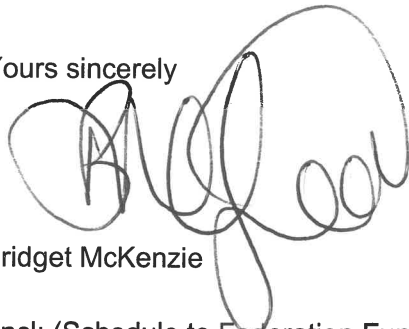
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$9,400,000 of funding under the Program for your successful project within the Northern Territory, specifically the Katherine Flood Mitigation Levee South project.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed the arrangement will be finalised and funding will be transferred to the Northern Territory Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', with a large, circular flourish at the end.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021

The Northern Territory - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of schedule | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|--------------|--------------|--|--|-------------------------------|------|-------------|--|-----|------------|--|------------|------------|
| Parties | Commonwealth Northern Territory | | | | | | | | | | | | | | | |
| 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: Katherine Flood Mitigation Levee South <p>An overview of the project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Northern Territory an estimated total financial contribution of \$9.40m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> <tr> <th>(\$m)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>10.0</td> <td>10.0</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>9.4</td> <td>9.4</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>0.6</td> <td>0.6</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 10.0 | 10.0 | Less estimated National Partnership Payments | 9.4 | 9.4 | Balance of non-Commonwealth contributions | 0.6 | 0.6 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 10.0 | 10.0 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 9.4 | 9.4 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 0.6 | 0.6 | | | | | | | | | | | | | | |
| 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 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> <p>a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines</p> | | | | | | | | | | | | | | | |

- 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 the Northern Territory and provided to the Commonwealth for approval. The Northern Territory must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

- | | |
|--|---|
| | <p>(10) 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</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
|--|---|

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 | The Northern Territory agrees and signs the Schedule | Upon signature of Schedule | \$9.40m |
| | The Northern Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | The Northern Territory 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 |
| | The Northern Territory 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 |
| | The Northern Territory submits End of Project Report | No later than three months from the date that the project was completed. | N/A |
| | The Northern Territory 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

/ / 2021

Signed for and on behalf of the Northern Territory by

The Honourable Nicole Manison MLA
Minister for Police, Fire and Emergency Services

/ / 2021

Attachment A

Details of the Northern Territory's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the NT |
|----------------------|--|--|----------------------|------------------------|
| 1 | Katherine Flood Mitigation Levee South | This project involves construction of a new flood mitigation levee (3km in length) aligned along the eastern side of Katherine South to the southern tip of Katherine South. | \$9,400,000 | \$600,000 |
| Total funding | | | \$9,400,000 | \$600,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Jacqueline Petrusma MP
Minister for Police, Fire and Emergency Management
3/90 Clarence Street
BELLRIVE TAS 7018

Dear Minister Petrusma

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

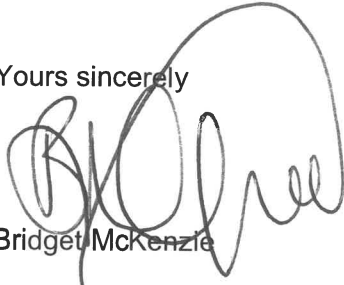
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$3,192,500 of funding under the Program for successful projects within Tasmania, specifically, the Latrobe Council – Latrobe Flood Levees, South Hobart Primary School Works, Kingsborough Council – Kingston Rivulet and Waratah-Wynard Council – Port Creek Mitigation projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Tasmanian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', with a large, sweeping flourish at the top.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021

Tasmania - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|---|---|------------------|---------|-------|-------------------------------|-------|--------------|--|------|-------------|---|-------|--------------|
| Parties | Commonwealth Tasmania | | | | | | | | | | | | |
| 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: Latrobe Council – Latrobe Flood Levees • Project 2: South Hobart Primary School • Project 3: Kingborough Council – Kingston Rivulet • Project 4: Waratah – Wynyard Council – Port Creek Mitigation <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Tasmania an estimated total financial contribution of \$3.19m (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 (\$m)</th> <th style="text-align: right;">2020-21</th> <th style="text-align: right;">Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td style="text-align: right;">17.46</td> <td style="text-align: right;">17.46</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: right;">3.19</td> <td style="text-align: right;">3.19</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: right;">14.27</td> <td style="text-align: right;">14.27</td> </tr> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 17.46 | 17.46 | Less estimated National Partnership Payments | 3.19 | 3.19 | Balance of non-Commonwealth contributions | 14.27 | 14.27 |
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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 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> | | | | | | | | | | | | |

- a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines
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Performance monitoring and reporting

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Third parties

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Repayment of amounts to the Commonwealth

- | | |
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| | <p>(10) 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</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
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Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
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| 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 | Tasmania agrees and signs the Schedule | Upon signature of Schedule | \$3.19m |
| | Tasmania provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | Tasmania 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 |
| | Tasmania 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 |
| | Tasmania submits the End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Tasmania 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

/ / 2021

Signed for and on behalf of the State of Tasmania by

The Honourable Jacqueline Petrusma MP
Minister for Police, Fire and Emergency Management

/ / 2021

Attachment A

Details of Tasmania's Funded Projects

| # | Project Name | Project Description | Commonwealth funding |
|-----------------------------------|---|---|----------------------|
| 1 | Latrobe Council – Latrobe Flood Levees | This project involves constructing of earth and concrete flood levees, water diversion structures and associated works. | \$1,270,000 |
| 2 | South Hobart Primary School | This project will protect the school from significant rainfall events, and mitigate a high risk of drowning on the site for any rainfall event above a 1 in 20 year or five per cent AEP. | \$648,000 |
| 3 | Kingborough Council – Kingston Rivulet | This project will upgrade the historic Kingston Rivulet to maximise the amount of flood water capable of draining into existing stormwater systems. | \$274,500 |
| 4 | Waratah – Wynyard Council – Port Creek Mitigation | This project involves widening of Port Creek as well as levee banks to hold back floodwaters in Port Creek from the surrounding airport and residential dwellings and floodwater discharge. | \$1,000,000 |
| Total Commonwealth funding | | | \$3,192,500 |

South Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|---|---|------------------|---------|-------|-------------------------------|------|-------------|--|------|-------------|---|-------------|-------------|
| Parties | Commonwealth South Australia | | | | | | | | | | | | |
| 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: Two Wells Township Levee • Project 2: Prospect Drainage Scheme Upgrade – Stage 1 <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
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Performance monitoring and reporting

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Repayment of amounts to the Commonwealth

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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

/ / 2021

Signed for and on behalf of the state of South Australia

The Honourable Vincent Tarzia MP
Minister for Police, Emergency Services and Correctional Services

/ / 2021

Attachment A

Details of South Australia's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by South Australia |
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| 1 | Two Wells Township Levee | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Two Wells Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$360,000 |
| 2 | Prospect Drainage Scheme Upgrade – Stage 1 | This project will provide a new, high capacity drainage system by upgrade/replacement of sections of the Prospect Outfall Drain. It will also enable future upstream connections to the new outfall drain to further reduce flood risk. The works are proposed outcomes from the Barker Inlet Central Stormwater Management Plan. | \$1,520,000 | \$3,000,000 |
| Total funding | | | \$3,180,000 | \$3,360,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21- 000528

The Hon Jacqueline Petrusma MP
Minister for Police, Fire and Emergency Management
3/90 Clarence Street
BELLRIVE TAS 7018

Dear Minister Petrusma

As announced by the Prime Minister, the Hon. Scott Morrison, MP, on 27 June 2021, I was appointed Minister for Emergency Management and National Recovery and Resilience within the Liberal National Government. In this capacity, I have responsibility for the newly established National Recovery and Resilience Agency (The Agency).

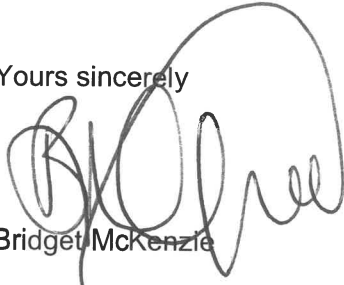
The Agency has carriage of the National Flood Mitigation Infrastructure Program (the Program), funded under the Australian Government's \$4 billion Emergency Response Fund. For 2020-21, the full \$50 million of pre-disaster resilience funding available from the Emergency Response Fund has been expended under the Program to support state, territory and local governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence on 27 May 2021 from my colleague, the Hon David Littleproud MP, in his former capacity as Minister for Agriculture, Drought and Emergency Management, the Commonwealth has approved \$3,192,500 of funding under the Program for successful projects within Tasmania, specifically, the Latrobe Council – Latrobe Flood Levees, South Hobart Primary School Works, Kingsborough Council – Kingston Rivulet and Waratah-Wynard Council – Port Creek Mitigation projects.

Please find enclosed the Schedule with my signature, ready for your co-signature. Once signed, the arrangement will be finalised and funding will be transferred to the Tasmanian Government from the Commonwealth.

Thank you for your continued engagement with both myself and the Agency.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', with a large, sweeping flourish at the top.

Bridget McKenzie

Encl: (Schedule to Federation Funding Agreement)

19 AUG 2021

South Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

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| | | | |

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

/ / 2021

Signed for and on behalf of the state of South Australia

The Honourable Vincent Tarzia MP
Minister for Police, Emergency Services and Correctional Services

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Attachment A

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| Total funding | | | \$3,180,000 | \$3,360,000 |

PROTECTED | CABINET



Australian Government
Department of Home Affairs

Submission

For decision
PDMS Ref. Number MS21-000705
Date of Clearance: 09/04/2021

To Minister for Agriculture, Drought and Emergency Management

Subject National Flood Mitigation Infrastructure Program - project funding recommendations

Timing *At your earliest convenience to enable funding arrangements for successful projects to be established before the end of the financial year.*

Recommendations

That you:

1. **note** that as per your announcement of 11 December 2020, the Department of Home Affairs (the Department) established the National Flood Mitigation Infrastructure Program (the Program) drawing on the \$50 million pre-disaster resilience component of the Emergency Response Fund (ERF) in 2020-21. noted / please discuss
 2. **note** that a total of 74 applications from States and Territories were received for funding under the Program, with a combined value of \$232 million (**Attachment A** refers). noted / please discuss
 3. **note** that an assessment of these applications was undertaken by an interdepartmental Program Review Panel and two alternative funding options are presented for your decision. noted / please discuss
- s 47B, s 47C, s 47E(d)
6. **agree** that, given the large number of eligible applications received, you **sign** the letter to the Prime Minister at **Attachment B** seeking approval to undertake a second funding round, drawing on the \$50 million available from the ERF for allocation in 2021-22. agreed and signed / not agreed / please discuss

7. **note** that the Department of the Prime Minister and Cabinet has advised that should you wish to allocate ERF funds for a different program other than flood mitigation in 2021-22, Cabinet approval will be required.

noted / please discuss

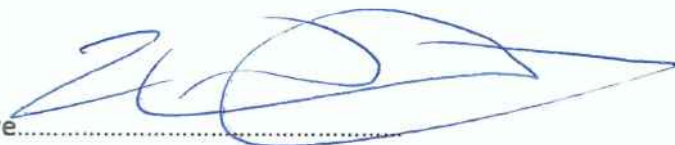
8. **note** that, as requested by your office, the Department has explored options to fund an Indigenous land management program, and in doing so has identified that there are limitations to utilising the ERF for this purpose.

noted / please discuss

9. **agree** that the Department, in consultation with the National Indigenous Australians Agency (NIAA), develop a proposal to progress an Indigenous land management program using other funding options.

agreed / please discuss

Minister for Agriculture, Drought and Emergency Management

Signature 

Date: 7.5 / 2021

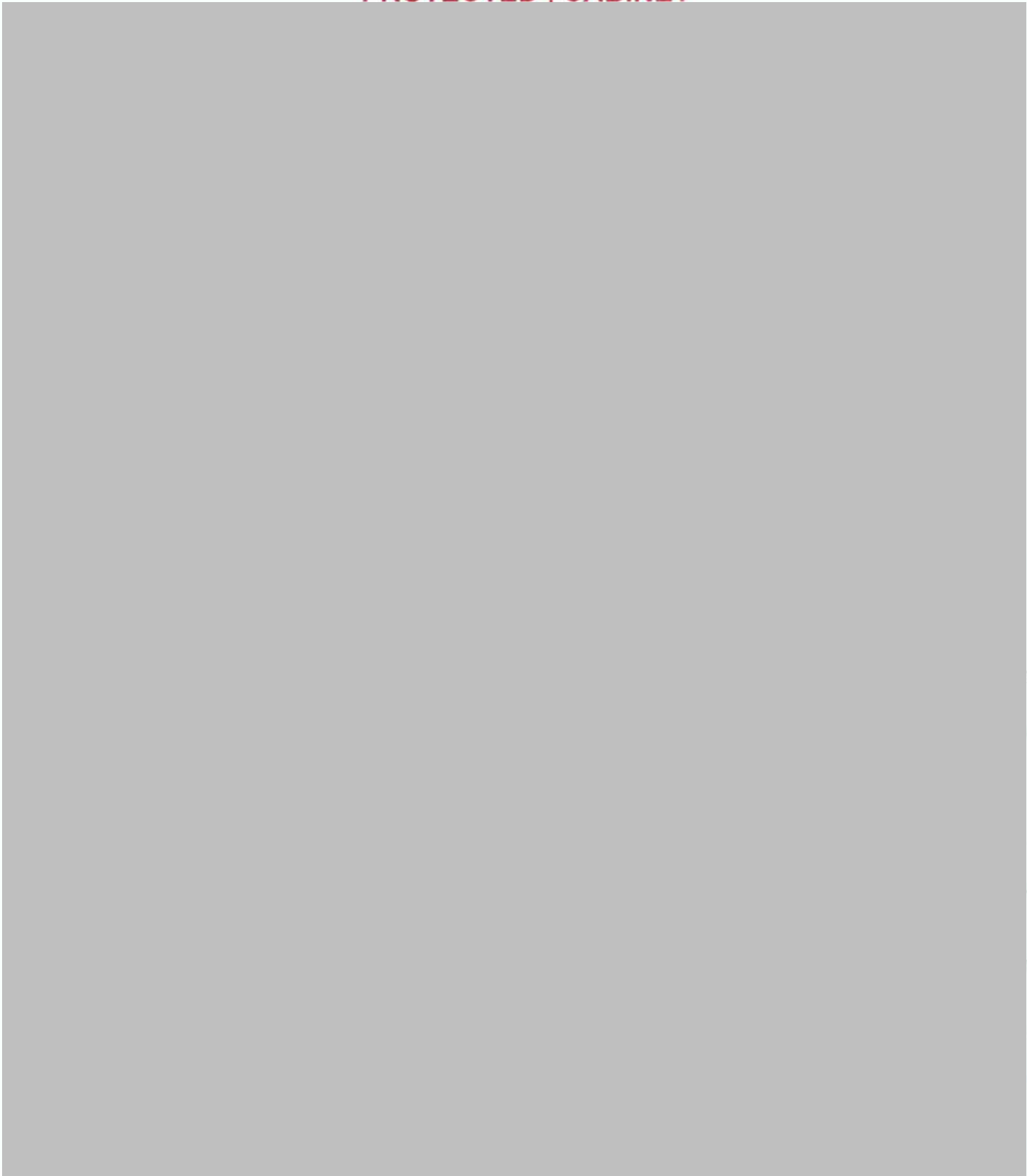
| Minister's Comments | | | | |
|---------------------------|-------------------------|--|---|--|
| | | | | |
| Rejected Yes/No | Timely Yes/No | Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant | Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief | Quality Poor 1.....2.....3.....4.....5 Excellent Comments: |

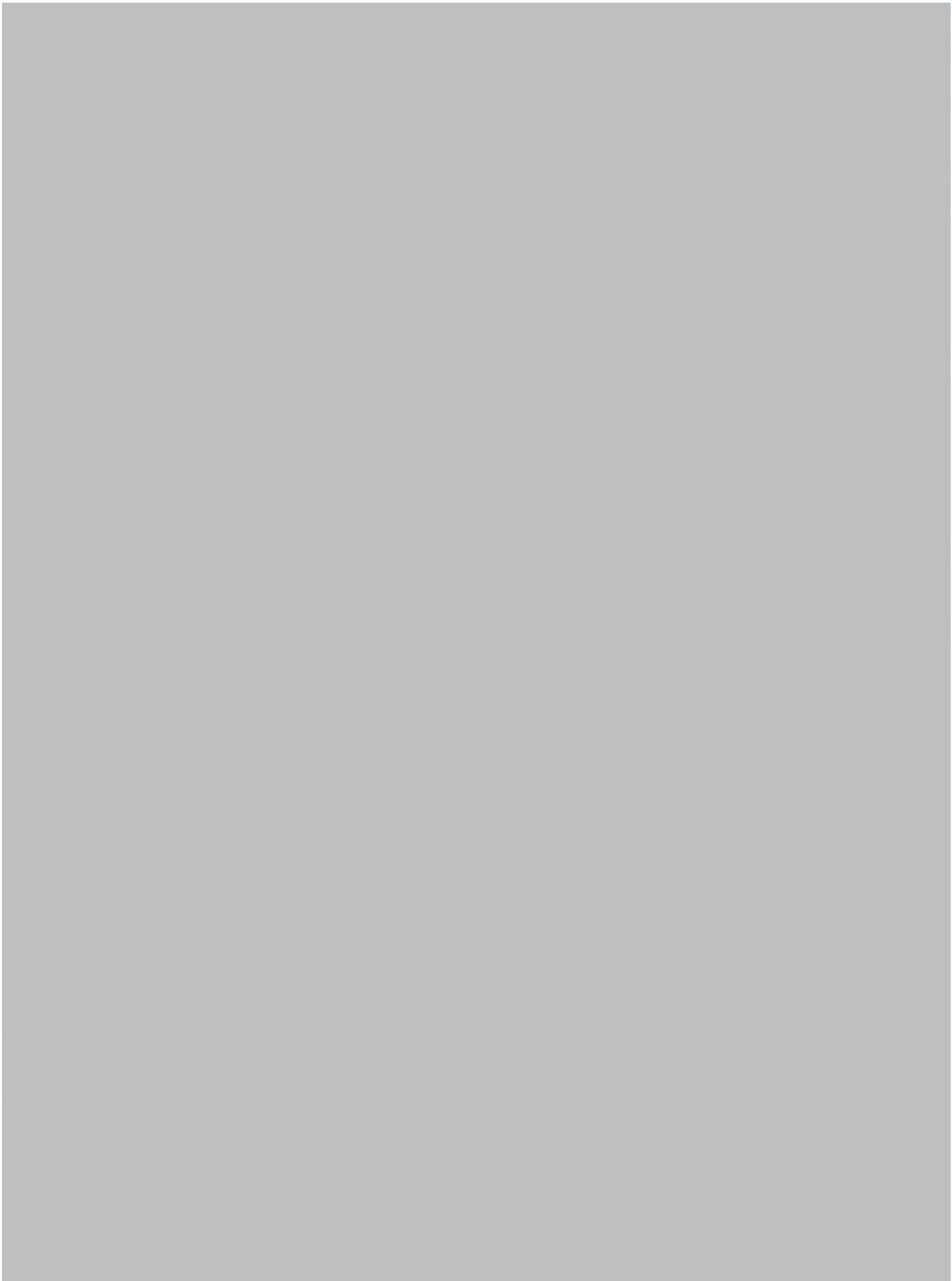
Key Issues

1. On Friday, 11 December 2020, you announced the establishment of the Program. The Program draws on the \$50 million pre-disaster resilience component of the ERF available for allocation in 2020-21.
2. State and Territory Governments, in consultation with Local Governments and the community, were eligible to apply for funding. The application period ran from 21 December 2020 to 12 February 2021. To assist applicants in preparing their applications, Program Guidelines setting out the Program's eligibility requirements and selection criteria were made available to applicants. A copy of the Guidelines is at **Attachment C**.
3. In total, 74 applications with a combined value of \$232 million were received, with representation from all States and Territories.
4. Assessment of the applications was undertaken by an interdepartmental Program Review Panel (the Panel), comprised of representatives from Departments of Home Affairs, Prime Minister & Cabinet, Treasury, Infrastructure, Transport, Regional Development and Communications, the National Drought and North Queensland Flood Response and Recovery Agency, and the Bureau of Meteorology. The methodology for the assessment of applications is at **Attachment D**.
5. Assessed criteria include the proposal's relative impact on reducing the flood risk and impact on communities, and the proposal's capacity to lower household or Local Government insurance premiums. The priority of the application as nominated by each State and Territory, relative to other applications in their jurisdiction, was also a consideration.











Extending the Program to a second round of flood mitigation funding

26. Noting the large number of applications received for flood mitigation funding, the Department recommends undertaking a second national flood mitigation infrastructure funding round, drawing on the \$50 million available from the ERF for allocation in 2021-22.
27. Flood infrastructure projects deliver significant value for the community and, relative to other disaster mitigation projects, provide a significant return on investment. Prioritising the development of flood mitigation infrastructure nationally is also recommended, given the potential threat to life and economic loss caused by flood events, as recently demonstrated in Western Australia and New South Wales.



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29. A second flood mitigation funding round could also be conducted relatively quickly. The Department of the Prime Minister and Cabinet has advised that should you wish to allocate ERF funds for a different program other than flood mitigation in 2021-22, Cabinet approval will be required. Should you wish to extend the program, authority to undertake another flood mitigation program may be sought via an exchange of letters with the Prime Minister.
30. Pending your agreement to extend the Program to a second round, and your agreement to Option 1, a letter to the Prime Minister to seek this authority is at **Attachment B**. Should you agree to Option 2 or other alternative options, a revised letter to the Prime Minister will be provided for your consideration.

Next Steps

31. Following your approval of projects for funding under the NFMIP, the Department will prepare letters from you for your signature to State and Territory emergency management ministers to inform them of the successful projects in their jurisdictions. The Department will then work with State and Territory Governments to develop bilateral agreements and determine project specific timeframes, including: funding delivery, estimated dates of completion, project delivery milestones, and audit and assurance mechanisms.

Development and Funding for an Indigenous Land Use Management Program

32. Given the substantial existing funding commitment in this policy area across Government, the ERF is not recommended as a suitable funding mechanism to support an Indigenous Land Management Program. The ERF Guidelines and legislation require that proposals for funding from the ERF should complement existing programs, but not replace other sources of funding, and there is already substantial Commonwealth expenditure in this space.
33. Commonwealth funding for an extension of the successful Indigenous Ranger grants program of \$762 million was announced in 2020 by the Minister for Indigenous Australians, the Hon Ken Wyatt AM, MP and the Minister for the Environment, the Hon Sussan Ley MP. Over the past 14 years, this program has strengthened Aboriginal and Torres Strait Islander peoples' connection to country while providing more than 2100 jobs and training opportunities in communities across Australia. This grants program is open only to existing registered ranger groups to continue their land and water management conservation efforts.
34. Consultation with NIAA indicates that provision of additional funding to land management in the context of the existing arrangements and quantum of investment is unlikely to yield demonstrable benefits in terms of on-the-ground risk reduction outcomes or in supporting Indigenous communities and rangers. More meaningful outcomes could be achieved by enabling a transition from the existing funding and program arrangements to a more coherent and strategic approach that build on the inherent skills and commercial self-sufficiency of Indigenous communities offering these services.
35. In order to transition to a more coherent and strategic approach, the Department proposes to develop a land use planning and disaster risk reduction pilot project in collaboration with the NIAA, science agencies (such as CSIRO) and relevant not-for-profit organisations.
36. Indigenous land management, also referred to as 'caring for Country', is undertaken by Indigenous individuals, groups and organisations across Australia for a range of customary, community, conservation and commercial reasons. This approach has economic, social and cultural benefits including building resilience to disasters.

37. Importantly, this systemic approach is in line with the National Disaster Risk Reduction Framework and would address Recommendations 18.1 and 18.2 of the Royal Commission into National Natural Disaster Arrangements.
38. Funding options exist to support a pilot program approach with a view to scaling up at the appropriate time and contingent on necessary resources. At present, and noting the limitations on the ERF, there is no suitable funding source for an additional moderate to large Indigenous program noting that this may also compete with existing Government measures.
39. Should you agree to pursue a pilot program, the Department will provide you with further advice on funding options which may include the use of the Disaster Resilience Australia Package and the national component of the disaster risk reduction funding package. This would enable a costed proposal for an evidence-based and scaled up program to come forward in the 2022 MYEFO.

Background

40. In accordance with the Emergency Response Fund Act 2019 (Section 20 (1)(c)-(f)) the ERF may be used to provide a grant of financial assistance to carry out a project that is directed towards achieving resilience to, preparedness for, or a reduction of risk of future disasters, or the long-term sustainability of a community in an area that is at risk of being affected by a natural disaster. Section 34 of the Act prescribes an annual limit of \$50 million which may be drawn from the Emergency Response Fund each financial year for this purpose.
41. On 4 December 2020, you wrote to the Prime Minister seeking his agreement to draw \$50 million from the ERF in 2020-21 to deliver a national program to invest in priority flood mitigation infrastructure initiatives (MS20-003016 refers).
42. Under the Emergency Response Fund (ERF) Guidelines, the Director General of Emergency Management Australia is the Commonwealth Officer responsible for providing advice to the Minister for Emergency Management regarding use of the ERF.
43. State and Territory Governments, in consultation with Local Governments and the Community, were eligible to apply for funding. Applications opened on 21 December 2020 and closed on 12 February 2021. A total of 74 applications from eight jurisdictions totalling over \$232 million were received. A summary of the applications received is at **Attachment A**.

Consultation – internal/external

44. The Department of the Prime Minister and Cabinet, Department of Finance, The Treasury, Department of Infrastructure, Transport, Regional Development and Communications, the National Drought and North Queensland Flood Response and Recovery Agency (NDNQFRRA), and the Bureau of Meteorology were consulted on the proposed funding options.
45. Legal Division, Finance Division, Emergency Management Australia (Recovery, Disaster Preparedness and Disaster Risk Reduction Branches), within the Department of Home Affairs were consulted on the development of this submission.
46. The Civil, Commercial and Employment Law Branch reviewed the assessment process for the grants program and have advised that based on the documents reviewed, they are comfortable that steps have been taken to mitigate probity and assurance risks.

Consultation – Secretary

44. The Secretary was not consulted on the approach in the submission.

Sensitivities

45. The release of the Australian National Audit Office Report '*Award of Funding under the Community Sport Infrastructure Program*' on 15 January 2020 has brought increased scrutiny to the awarding of government grants. The report concluded that the award of grand funding in the Community Sports Infrastructure Program was not informed by appropriate assessment processes and sound advice. The report highlighted the importance of the program guidelines in deciding grant funding. In line with the grants management framework, and for probity reasons including equity and fairness to all applicants, merit-based funding decisions are recommended.
46. It is likely that a decision to fund projects that are not recommended by the Director General EMA or not in the merit order as assessed by the Program Review Panel would be open to scrutiny.
47. It is important that the States and Territories are notified of the successful projects in a coordinated manner to ensure they are all informed within the same timeframes. Applicants may have technical questions about the terms of their offer, including where the amount awarded is different from the amount requested. This best practice stakeholder management was also an area of focus in the Australian National Audit Office Report.

49. In accordance with our long standing practices, should you wish for unclassified media lines to be prepared in relation to this issue please contact the Home Affairs Media Coordination team – media@homeaffairs.gov.au.

Financial/systems/legislation/deregulation/media implications

50. The Department of the Prime Minister and Cabinet has advised that should you wish to allocate ERF funds for a different program other than flood mitigation in 2021-22, Cabinet approval will be required. Should you wish to extend the program, authority to undertake another flood mitigation program may be sought via an exchange of letters with the Prime Minister.
51. There has been significant media interest in the Emergency Response Fund and the outcomes of this program.
52. The Department assesses that the list of recommended projects represent a proper use of Commonwealth resources and are consistent with associated legislation and guidelines, including: the Commonwealth Grants Rules and Guidelines; the Public Governance, Performance and Accountability Act 2013; Emergency Response Fund Act 2019; Emergency Response Fund Guidelines; and, the National Flood Mitigation Infrastructure Program Guidelines.

Attachments

Attachment A Application Summary and Decision Table

Attachment B Letter to the Prime Minister regarding extending the program in 2021/22

Attachment C National Flood Mitigation Infrastructure Program Guidelines

Attachment D Assessment Methodology and Matrix

| |
|---|
| Authorising Officer |
| Cleared by: |
| |
| Joe Buffone Director General Emergency Management Australia |
| Date: 09/04/2021 Mob: [REDACTED] |

Contact Officer Mark Dominick, Assistant Secretary, Disaster Preparedness Branch, [REDACTED]

- CC Minister for Home Affairs
- Secretary
- Deputy Secretary, Emergency Management and Coordination
- Group Manager Legal
- Chief Finance Officer
- Assistant Secretary Disaster Risk Reduction

s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)



s 47B, s 47C, s 47E(d)





s 47B, s 47C, s 47E(d)





Australian Government
Department of Home Affairs

National Flood Mitigation Infrastructure Program

Guidelines January 2021

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Change log

| Version | Date | Changes |
|---------|------------------|---|
| v1.0 | 11 December 2020 | Original program guidelines document |
| v1.1 | 28 January 2021 | <p>Added <i>application</i> key term.</p> <p>(new) 2.1.3 Added contact information.</p> <p>(new) 4.2.4 Clarified Departmental funding of project costs.</p> <p>(new) 5.1 Added Application Form Criteria</p> <p>(new) 5.1.1 Clarified application submission destination.</p> <p>(new) 5.2.3 Clarified role of local governments in program applications.</p> <p>5.3 Clarified the definition of flood mitigation infrastructure for the purposes of funding eligibility.</p> <p>(new) 5.3.3 Added additional information on what flood mitigation infrastructure may include.</p> <p>5.7 Clarified process for estimating costs.</p> <p>5.8 Clarified project cost exclusions.</p> <p>6. Corrected numbering of sections.</p> <p>6.2.1 Changed approver of panel membership to Director General Emergency Management Australia.</p> <p>6.6.2 Added equality of access to information.</p> <p>8.1 Clarified applicability of <i>Disaster Recovery Funding Arrangements 2018</i> state assurance activities.</p> <p>8.2.1 Aligned timing of the submission audit reporting with the <i>Disaster Recovery Funding Arrangements 2018</i>.</p> <p>General formatting updates.</p> |

1. Glossary of key terms

| Key term | Definition |
|--|---|
| applicant | The state or territory government applying funding under the <i>program</i> . |
| application | The method undertaken by the applicant in order to request funding under the <i>program</i> . |
| contact officer | The key working level contact identified by the <i>applicant</i> as the primary point of contact for all engagements on the application or program following submission of the application. |
| Council of Australian Governments (COAG) | Primary intergovernmental forum in Australia from 1992 to 2020. |
| Department | The Department of Home Affairs responsible for administering the <i>program</i> . |
| Disaster Recovery Funding Arrangements 2018 | The arrangements under which the Australian Government provides financial assistance to state and territory governments to assist relief and recovery activities following an eligible natural disaster. |
| Disaster Recovery Funding Arrangements Management System | The processes and controls implemented by a state or territory government agency and third-party organisations (where applicable) in relation to an estimated reconstruction cost, as defined by the <i>Disaster Recovery Funding Arrangements 2018</i> . |
| Emergency Response Fund (ERF) | <p>The Emergency Response Fund was established in December 2019 and is administered under the <i>Emergency Response Fund Act 2019</i>, with operational guidance provided in the <i>Emergency Response Fund Program Guidelines</i>.</p> <p>The Emergency Response Fund provides \$150 million annually to support emergency response and recovery from natural disasters in Australia that have a significant or catastrophic impact.</p> <p>The Emergency Response Fund also provides an additional \$50 million annually to build resilience to, prepare for, or reduce the risk of future disasters, or build the long-term sustainability of communities that are at risk of being affected by a future disaster.</p> |
| <i>Emergency Response Fund Act 2019</i> | The legislation that establishes the Emergency Response Fund. |
| essential public asset | Defined as 'an asset which must be a transport or public infrastructure asset of an eligible undertaking which, the state considers, and the department agrees, is an integral part of a state's infrastructure and normal functioning of a community' as per the <i>Disaster Recovery Funding Arrangements 2018</i> . |
| flood mitigation infrastructure | An essential public asset with the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities. |
| Minister | The Minister for Agriculture, Drought and Emergency Management who is the accountable authority for the program. |
| National Disaster Risk Reduction Framework | The framework developed by the Australian Government that outlines the strategic priorities, drivers for action and guiding principles for national disaster risk reduction activities. |
| program | The National Flood Mitigation Infrastructure Program 2020-21. |

| Key term | Definition |
|-------------------------|---|
| program administrator | A member and/or section within the Emergency Management and Coordination Group of the Department of Home Affairs. |
| program review panel | The expert panel established to ensure the success of the program through the impartial assessment of applications and development of evidence-based recommendations. |
| project | A flood mitigation infrastructure activity undertaken by the relevant state and territory government in the context of the program. |
| recipient | The state and territory government receiving program funding for a successful project. |
| state appointed auditor | An auditor appointed by the state or territory government to conduct audit and assurance activities. |

2. Overview

2.1 Purpose

- 2.1.1 These guidelines provide information on the administration of the National Flood Mitigation Infrastructure Program (the *program*). The intended users are the Australian Government, as the *program administrator*, and state and territory governments, as the intended *applicants*.
- 2.1.2 These guidelines may be updated at any time during the course of the *program* to provide further details as they arise, while maintaining the integrity and transparency of the program.
- 2.1.3 Queries regarding the *program* should be directed to national.flood.mitigation@homeaffairs.gov.au

2.2 Context

- 2.2.1 Many Australian communities are exposed to flooding, with varied impacts and damage that can be substantial and devastating. The Australian Government, in the State of the Climate 2020, reported that heavy rainfall events in Australia are becoming more intense, with an increase in the intensity of short-duration extreme rainfalls. Such events are associated with flash flooding and an increased risk to communities. Further, Deloitte Access Economics¹ found flooding to be the most costly natural hazard-related cause of disaster when both tangible and intangible losses are taken into account. However, for many households and communities the ability to reduce flood risk is beyond their control.
- 2.2.2 This *program* reflects the Australian Government's commitment to support impactful, national flood mitigation priorities through the provision of \$50 million in 2020-21 from the Emergency Response Fund. In line with National Priority 3: Enhanced investment of the *National Disaster Risk Reduction Framework*², the *program* will target high priority locally and nationally significant flood mitigation infrastructure activities, with a view to maximising broader social and economic outcomes, including through limiting future disaster recovery needs and costs.

2.3 Program purpose and outcomes

- 2.3.1 The *program* will contribute to, or pay for, the improvement or construction of *flood mitigation infrastructure* to support local communities mitigate their priority flood risks and reduce the impact of flood events.
- 2.3.2 The outcomes to be achieved through the *program* are:
- reduction in the impact of future floods on a specific community or communities
 - reduction in the expected future eligible expenditure under the Disaster Recovery Funding Arrangements 2018
 - positive change in the insurability of the existing flood mitigation infrastructure
 - addressing relevant household or local government insurance affordability as a result of the improvement or construction of the flood mitigation infrastructure
 - ancillary to the above, local job creation.

¹ Deloitte Access Economics, (2019). *The social and economic cost of the North and Far North Queensland Monsoon Trough*. Brisbane: Queensland Reconstruction Authority.

² Australian Government. Department of Home Affairs, (2018). *National Disaster Risk Reduction Framework*. Canberra: Department of Home Affairs.

3. Timeframes

3.1 Delivery timeframes

- 3.1.1 Applications for the *program* will open on 21 December 2020, and close at 5pm AEST on 12 February 2021.
- 3.1.2 The Australian Government *project review panel* will assess applications in early 2021, with the intent to make a recommendation to the *Minister* and announce successful *projects* in March 2021.
- 3.1.3 Funding agreements with relevant state and territory governments will be established following this announcement, with the first milestone payment to be made prior to 30 June 2021.

3.2 Milestones

- 3.2.1 *Project* specific timeframes, including estimated date of completion, and delivery milestones will be determined with the relevant state and territory governments during the development of the bilateral agreement.

4. Funding and agreements

4.1 Funding source

4.1.1 The *program* is funded from the \$50 million component of the *Emergency Response Fund* and is made available through the *Council of Australian Governments (COAG) Reform Fund*.

4.1.2 The *Emergency Response Fund* is intended to complement existing sources of funding for relevant activities.

4.2 Allocation of funding

4.2.1 A maximum of \$50 million is available in 2020-21 for the *program*. Allocations will consider:

- prioritisation of projects submitted by the state and territory government
- availability of other Australian Government funding sources
- relative flood risk and mitigation impact
- reduction of relevant household or local government insurance premiums;
- likelihood of project success, and
- equitable share across all state and territory jurisdictions, where possible and reasonable.

4.2.2 There is no funding cap for each application or limit on the number of *applications* that can be submitted by a state or territory government.

4.2.3 A co-contribution from the state or territory government, and/or other appropriate funding partners is desirable but not essential.

4.2.4 The *Department* may provide funding for some or all of the estimated project costs.

4.3 Project funding agreements

4.3.1 Funding for successful *project* proposals will be provided to state and territory governments through the establishment of a relevant funding arrangement under *the Intergovernmental Agreement on Federal Financial Relations*.

5. Eligibility criteria

5.1 Application form criteria

5.1.1 An *application* will only be deemed valid for assessment if the application:

- is made using the provided Application Form (see Attachment A)
- is complete with all particulars
- is submitted by a state or territory government agency
- demonstrates support by the relevant state or territory emergency management minister
- is provided to the *Department* via email at national.flood.mitigation@homeaffairs.gov.au, and
- is provided to the *Department* by 5pm AEST 12 February 2021.

5.2 Only a state or territory government may apply for *program* funding

5.2.1 Only a state or territory government may apply for *program* funding. However, a state or territory government may use a third party to deliver the *project* on its behalf, including through the procurement of a commercial service provider or through funding a local government.

5.2.2 This does not diminish the responsibility of state and territory governments to assure and audit the *project's* preservation of eligibility, integrity and expenditure. Further details are at Section 8: Audit and Assurance.

5.2.3 Interested local governments with eligible *projects* should contact their state or territory government's emergency management agency to discuss the state or territory government's support for and submission of that *project* on the local government's behalf.

5.3 Only flood mitigation infrastructure may be eligible for *program* funding

5.3.1 *Flood mitigation infrastructure* is an essential public asset, as defined in the *Disaster Recovery Funding Arrangements 2018*, with the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities.

5.3.2 Eligible infrastructure may include, but is not limited to: dams, levees, bridges, culverts and other drainage systems, rainfall and river height measurement systems, weather radar systems and flood warning infrastructure, where that infrastructure appropriately meets the definition of *flood mitigation infrastructure*.

5.3.3 *Flood mitigation infrastructure* may also include non-physical components, such as specific information technologies, that in their absence would render the flood mitigation infrastructure wholly inoperable.

5.3.4 State and territory governments are responsible for assessing and demonstrating that the infrastructure is *flood mitigation infrastructure* in accordance with paragraphs 5.3.1 to 5.3.3 above.

- Such evidence may include businesses cases, flood mitigation strategies and other supporting documentation that demonstrates eligibility.

5.4 A project must be for the improvement of an existing or construction of a new flood mitigation infrastructure

5.4.1 State and territory governments may apply for *program* funding to support the improvement of an existing or the construction of a new *flood mitigation infrastructure*.

5.4.2 The improvement of an existing, or the construction of new, *flood mitigation infrastructure* must have an outcome of reducing flood risk to, **and** the impact of flood on, a specific community or communities, **and** at least one of the following outcomes:

- reduction in expected future eligible expenditure under the *Disaster Recovery Funding Arrangements 2018*
- material improvement in the insurability of the existing *flood mitigation infrastructure*, and/or
- addresses relevant household or local government insurance affordability as a result of the *flood mitigation infrastructure*.

5.4.3 State and territory governments are required to provide assurance to the Australian Government that the evidence supporting claims of the achievability of relevant outcomes are authoritative and can be relied on.

5.5 State and territory governments must consult with local governments and communities

5.5.1 State and territory governments are required to consult with, and evidence the consultation with, relevant local governments and/or community or communities on the need for and decision to implement the specific *flood mitigation infrastructure project*.

5.5.2 State and territory governments may draw on consultation previously undertaken with appropriate local governments and/or community or communities, where it can be demonstrated that the consultation is relevant and that the outcomes of this consultation remain unchanged.

5.6 State and territory government must indicate the relevant priority of projects

5.6.1 State and territory governments are required to disclose and evidence each *project's* relative priority within the state or territory and why each *project* has been submitted for *program* funding.

5.6.2 If a state or territory government is submitting multiple applications, each *project* must be prioritised within that group of applications.

5.6.3 The framework for determining prioritisation must be clearly articulated to allow for a national level assessment of relative priority across multiple states and territories.

5.7 Processes for estimating cost of projects

5.7.1 Consistent with the *Disaster Recovery Funding Arrangements*³, the estimated *project* costs must be determined through:

- a market response, or
- cost estimation.

5.7.2 If 'market response' is the selected method, the applicable procurement processes must be followed when requesting pricing from the market.

5.7.3 If *cost estimation* is the selected method, *states* must verify the estimated **construction** cost by:

- using an internal engineer or quantity surveyor with the appropriate level of expertise and experience, or

³ Australian Government. Department of Home Affairs, (2018). *Disaster Recovery Funding Arrangements*. Canberra: Department of Home Affairs, page 29, sections 6.4.2, 6.4.6, and as relevant, 6.4.7.

- engaging an independent engineer or quantity surveyor with the appropriate level of expertise and experience.

5.8 Project cost exclusions

5.8.1 Estimated and actual *project* costs must not include:

- costs already incurred by the *applicant* or a local government, in the delivery of a *project* or *application* associated with this *program*
- costs already incurred or expected to be incurred by the *applicant* or a local government, in the development of a *project* or *application* associated with this *program*,
- costs already incurred by any party in relation to the maintenance, improvement or construction of the relevant *flood mitigation infrastructure*
- the cost of the acquisition of land or property.

5.9 State and territory governments must disclose other *project* funding sources and amounts

- 5.9.1 State and territory governments must disclose all *project* funding sources and amounts provided or committed in relation to the *flood mitigation infrastructure*.
- 5.9.2 State and territory governments are also required to disclose whether and how *projects* will be delivered if the full funding request is not available through the *program*.

5.10 Only *projects* that do not have an existing full funding commitment are eligible for *program* funding

- 5.10.1 *Projects* where the *program* funding would be used to replace funding already committed to the *project* from other sources are not eligible under this *program*.

6. Application and assessment processes

6.1 Application process

- 6.1.1 *Applications* must be approved by the respective state or territory government emergency management minister prior to submission to the *Minister*. Evidence of this approval should be submitted with the *application*.
- 6.1.2 Completed *applications* are to be provided to the *Minister*, through the *Department*, by 5pm AEDT on 12 February 2021.
- 6.1.3 *Applications* must be submitted using the Application Form template at Attachment A.
- 6.1.4 The Australian Government reserves the right to discuss the *application* or *project* and request additional information from the state or territory government through the *contact officer*.

6.2 Program Review Panel

- 6.2.1 The *program review panel* will consist of members of the *Department*, and other key Commonwealth agencies, as agreed by the Director General Emergency Management Australia. The *program review panel* will be chaired by a member of the *Department* delegated by the Director General Emergency Management Australia, being the Commonwealth official responsible for making recommendations to the *Minister* concerning the use of funding, in accordance with the *Emergency Response Fund Guidelines*.
- 6.2.2 *Program review panel* members will cover a range of relevant subject matter knowledge and expertise to ensure that:
 - *projects* and/or the *program* complement other Australian Government programs; and
 - there is no alternative funding source or duplication of proposals.
- 6.2.3 The *program review panel* will be responsible, where necessary, for substantiating with *applicants* any claims associated with flood risk, disaster recovery funding, insurance, and community impact where the evidence provided by an *applicant* is considered insufficient.
- 6.2.4 The Australian Government, through the *program review panel*, reserves the right to engage the services of a subject matter expert or representative from a non-government organisation, if required.
- 6.2.5 Allocations may also consider the advice of, and data provided by, Commonwealth agencies, such as the Bureau of Meteorology and the CSIRO.

6.3 Assessment principles

- 6.3.1 To ensure consistency, a predetermined assessment matrix, which refers to the eligibility and assessment criteria outlined in these *guidelines* will be used by the *program review panel*.
- 6.3.2 Assessment against this matrix will result in *applications* receiving a weighted score, which will be used to inform funding allocation decisions.

6.4 Equity principles

- 6.4.1 To ensure an equitable and transparent distribution of funds, allocations will be made based on the merit of each individual *application*.
- 6.4.2 Consideration will be given to the equitable distribution of the *program* funds to ensure all state and territory governments have an opportunity to receive support for their priority initiative.

6.4.3 'Equitable distribution' does not mean an equal distribution of *program* funds.

6.5 Decision making

6.5.1 The *Minister* is responsible for making decisions about *projects* to receive *program* funding and the amount of *program* funding to be allocated to a *project*.

6.5.2 Advice to the *Minister* on the projects recommended to receive program funding will be provided by the Director General of Emergency Management Australia, informed by the *program review panel*. The *Minister* may take into account other advice as appropriate.

6.6 Probity

6.6.1 The *Department* will administer the *program* with fairness, transparency, contestability and accountability.

6.6.2 The *Department* will ensure equality of access to information by developing a regularly updated guidance document that in response to relevant queries submitted to the Department.

7. Monitoring and reporting

7.1 Project reporting

- 7.1.1 State and territory governments must undertake regular monitoring and reporting in line with the project-by-project requirements outlined in the bilateral agreement.
- 7.1.2 The Australian Government may request additional information and/or reporting, outside the agreed milestones, if deemed necessary.
- 7.1.3 *Project reporting will be considered as supporting documentation during the audit and assurance process.*

8. Audit and assurance

8.1 Program assurance is informed by the *Disaster Recovery Funding Arrangements 2018* state assurance activities⁴

- 8.1.1 The objectives of the *program* assurance activities are to provide the Commonwealth with reasonable assurance over:
- each state or territory government's *Disaster Recovery Funding Arrangements Management System*, as it relates to state and territory government controls for:
 - market response
 - cost estimation
 - the eligibility and integrity of the expenditure included in the *project* expenditure acquittal form.
- 8.1.2 The *Department* will confirm, and the state or territory government must provide a copy of, the relevant assurance report provided for the purposes of the *Disaster Recovery Funding Arrangements 2018*⁵.

8.2 State and territory government are required to submit an audit report to acquit the *project*

- 8.2.1 State and territory governments in receipt of *program* funding are required to submit an audited *project* expenditure acquittal to the *Department* no later than nine months from the end of the financial year (that is, for the audit of the period 1 July 2020 – 30 June 2021, the audit report is due no later than 31 March 2022) in which the project was completed, unless otherwise specified in the funding agreement. This timeframe is consistent with the *Disaster Recovery Funding Arrangements*.
- 8.2.2 State and territory governments must engage the services of a *state appointed auditor* to undertake the audit activity.
- 8.2.3 On request from the *Department*, the *state appointed auditor* must be available to the *Department* or its auditor for consultation on the audited *project* expenditure acquittal.
- 8.2.4 The audited *project* expenditure acquittal must be in the form prescribed at **Attachment B**.

8.3 State, territory and local government must maintain appropriate records

- 8.3.1 State, territory and local governments must keep an accurate audit trail for seven (7) years from the end of the *project*.
- 8.3.2 The *Department* may, at any time, request documentation from *applicants* to evidence the state or territory government's compliance with any aspect of the *program*.
- 8.3.3 State and territory governments must make available to the *Department* within one (1) month all documentation relevant to a request by the *Department*.

⁴ Australian Government. Department of Home Affairs, (2018). *Disaster Recovery Funding Arrangements*. Canberra: Department of Home Affairs, page 44, section 10.

9. Public acknowledgement of Commonwealth funding

9.1 Joint announcements of approved *projects*

- 9.1.1 The announcement of an approved *project* or *projects* must be through a joint media release, or other joint announcement, unless otherwise agreed by the *Department*.
- 9.1.2 The *Department* and state or territory *contact officer* must work together on the details of a joint media release or other joint announcement.
- 9.1.3 When referring to an approved *project*, it must be described as:
- 'jointly funded by the Commonwealth and ^insert name of state^ under the National Flood Mitigation Infrastructure Program' or,
 - 'funded by the Commonwealth under the National Flood Mitigation Infrastructure Program.'

9.2 Arrangements for subsequent communication opportunities

- 9.2.1 State and territory governments, through the *contact officer*, must reach prior agreement with the *Department* on the nature and content of any subsequent events, announcements, promotional material or publicity relating to the *project*. This includes but is not limited to:
- any state or territory government media releases regarding the *project* or *program*
 - ceremonies related to the *project* or the specific *flood mitigation infrastructure*
 - media events that include reference to the *project* or *program*
 - plaques and signage related to the *project* and the specific *flood mitigation infrastructure*.

10. Attachment A – Application Form

National Flood Mitigation Infrastructure Program

Application covering sheet

This covering application form is to be submitted by the relevant state or territory government, and must refer to, and include all applications being submitted.

Regardless of the number of applications being submitted by a state or territory government, only one application covering sheet is required.

Grey instructional text should be deleted prior to submission.

| Part 1 – Applicant Information | |
|--------------------------------|---|
| State/territory | <i>Choose an item.</i> |
| Organisation/Department | <i>Name of the organisation submitting the application</i> |
| Contact Officer | <i>Details of the contact officer, including name, title, email and phone number.</i> |

| Part 2 – Submission overview | |
|---|---|
| Number of applications submitted | <i>Choose an item.</i> |
| Total value of bids submitted | <i>Provide an approximate total value of all applications submitted</i> |
| Name of applications submitted | <i>Using dot points, list the name of the applications submitted</i> |
| Are these applications eligible for funding as per the criteria outlined in the Program Guidelines? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Part 3 – Prioritisation | |
|-------------------------------|--|
| Order of prioritisation | <i>Please place applications in order of prioritisation</i> |
| Basis for this prioritisation | <i>Please provide a basis for this prioritisation, including any evidence which may have influenced this prioritisation.</i> |

| Part 4 – Minister's clearance | |
|-------------------------------|--|
| Minister's Name | |
| Title | |
| Date of clearance | |

National Flood Mitigation Infrastructure Program

Project application form

This project application form is to be completed for each project that seeks funding from the National Flood Mitigation Infrastructure Program. In order for this application to be considered eligible, all sections must be completed, with the finalised application attached to the Application Covering Sheet, prepared by the relevant state or territory government.

Grey instructional text should be deleted prior to submission.

| Part 1 – Application Overview | |
|---|---|
| State/territory | <i>Choose an item.</i> |
| Project name | <i>What is the name of the project?</i> |
| Will this project be delivered by a third party, such as a commercial service provider or through a local government? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Name of the third party or local government | <i>Name of the third party, such as the commercial service provider or local government who will be engaged to deliver the project.</i> |
| State/Territory Contact officer | <i>Details of the contact officer, including name, title, email and phone number</i> |

| Part 2 – Project Overview | |
|---|---|
| Will this project result in the construction of a new asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, where will this asset be located | <i>Provide clear details regarding the location of this asset</i> |
| Will this project result in the improvement of an existing asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, where is this asset located? | <i>Provide clear details regarding the location of this asset</i> |
| If yes, provide an overview of the works | <i>Provide an overview of the works that will be undertaken</i> |

| Part 3 – Existing Infrastructure | |
|---|---|
| Has the asset ever been impacted by a natural disaster? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, provide details of the event | <i>Provide details of the disaster/s, including impacts and associated recovery activities, including costs.</i> |
| Has financial assistance, such as that available under the Disaster Recovery Funding Arrangements, ever been received for this asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please provide details | <i>Outline the assistance provided under the Disaster Recovery Funding Arrangements, including the Australian Government Reference Number (AGRN).</i> |
| Has financial assistance previously been, or is currently being, provided through Commonwealth, state/territory or other initiatives to support this asset? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Part 4 – Detailed project overview | |
|---|--|
| Detailed project description | <i>Provide a detailed description of the project.</i> |
| Why is this project required? | <i>Clearly articulate why this project is required. What would be the consequences if this project was not undertaken?</i> |
| Are documents attached to provide evidence of this need? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| What are the proposed outcomes for this project? | <i>Clearly articulate the proposed outcomes for this project, including community benefits.</i> |
| What is the proposed delivery timeframe for this project? | <i>Provide an overview of the proposed delivery timeframe for this project, i.e. when is it expected to be completed?</i> |

| Part 5 – Financial | |
|---|--|
| What is the estimated cost for this project? | <i>What is the estimated cost for this project?</i> |
| Will a co-contribution be provided? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, what is the value of the co-contribution? | <i>Outline the value of the co-contribution.</i> |
| If yes, who is providing the co-contribution? | <i>Provide an overview of who is providing the co-contribution (i.e. state or territory government, or local government) and outline if this funding is being provided on an ad hoc basis, or through an existing program.</i> |

| Part 6 – Community Consultation | |
|---|--|
| Has community consultation been undertaken prior to the submission of this application? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please provide details of this consultation | <i>Provide a detailed overview of the community consultation undertaken to support the development of this application, consideration should be given to the community feedback received, and how this shaped the application.</i> |
| Are documents attached to provide evidence of this consultation? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

11. Attachment B – Project acquittal documentation

National Flood Mitigation Infrastructure Program

Acquittal summary form

This acquittal summary form is to be completed by the state and territory government for each project that was provided with funding from the National Flood Mitigation Infrastructure Program.

The acquittal summary form must be submitted within three months after the completion of the project. In order for the acquittal summary form to be accepted by the Australian Government, all relevant information and attachments must be included, with the declaration completed by the relevant responsible officer.

Grey instructional text should be deleted prior to submission.

| Part 1 – General Information | |
|---------------------------------|--|
| State/territory | <i>Choose an item.</i> |
| Project name | <i>What is the name of the project, as per the original application?</i> |
| Project reference number | <i>What is the project reference number provided by the Australian Government?</i> |
| State/Territory Contact officer | <i>Details of the contact officer, including name, title, email and phone number</i> |

| Part 3 – Acquittal overview (Project outcomes) | |
|--|--|
| Was the project delivered as per the bilateral agreement established between ^state name^ and the Australian Government? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If no, please justify. | <i>Provide a detailed justification outlining why the project was not delivered in line with the terms and conditions outlined in the bilateral agreement. What impact did this have on the project?</i> |

| Part 2 – Financial Information | |
|--|--|
| Amount allocated to the project | <i>The amount allocated to the project under the National Flood Mitigation Infrastructure Program. This figures should not include the value of a co-contribution (if applicable).</i> |
| Value of the funding being acquitted | <i>The value of the funding being acquitted in this acquittal summary form.</i> |
| Was a co-contribution provided? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, what was the value of the co-contribution? | <i>The value of the co-contribution provided.</i> |
| If yes, who provided the co-contribution? | <i>Provide an overview of who provided the co-contribution (i.e. state or territory government, or local government) and outline if the funding was provided on an ad hoc basis, or through an existing program.</i> |

| Part 3 – Acquittal overview (Financial) | |
|--|---|
| Was the project delivered in line with the requirements outlined in the <i>National Flood Mitigation Infrastructure Program Program Guidelines</i> ? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|---|---|
| If no, please justify. | <i>Provide a detailed justification outlining why the project was not delivered in line with the requirements outlined in the National Flood Mitigation Program Program Guidelines.</i> |
| Where allocated funds used for ineligible expenses as outlined in section 5.7 of the <i>National Flood Mitigation Infrastructure Program Program Guidelines</i> ? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please detail. | <i>Provide a detailed justification outlining why funds provided under the National Flood Mitigation Infrastructure Program where used for ineligible expenses.</i> |

Part 4 – Supporting documentation

| | |
|---|---|
| Is the Financial Statement Claim attached? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| As per section 7.2 of the <i>National Flood Mitigation Infrastructure Program Program Guidelines</i> is a report from the state appointed auditor attached? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is there financial documentation, such as contracts, invoices, receipts etc. attached to support this acquittal? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is there additional documentation attached to support this acquittal? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please specify. | |

Part 5 – Declaration

We/I certify that ^organisation and/or department name^ has delivered ^project name^ under the National Flood Mitigation Infrastructure Program and in line with the requirements outlined in the bilateral agreement, established with the Australian Government on ^date^.

We/I certify that project activities, including expenditure, align and comply with the criteria set out in the National Flood Mitigation Infrastructure Program, Program Guidelines.

We/I acknowledge that records relating to this funding must be kept for a minimum of seven (7) years. We also acknowledge that the Australian Government may request additional information, or conduct an audit to verify the accuracy of information contained in this acquittal summary form.

| | |
|-----------|--|
| Name | |
| Title | |
| Signature | |
| Date | |

National Flood Mitigation Infrastructure Program

Financial statement claim form

To support the acquittal summary form, the state and territory government must complete the financial statement claim form for each project that was provided with funding from the National Flood Mitigation Infrastructure Program.

The headings in the financial statement claim form template should be amended, if required, to ensure expenditure is accurately outlined. Sub-headings should be included, where possible to assist with breaking down costs.

The declaration must be completed by the relevant responsible officer.

All relevant expenditure must be outlined in the table below, with the final figure to add up to the amount provided by the Australian Government.

| | Net expenditure | Value of co-contribution (if applicable) | Australian Government Contribution |
|--|-----------------|--|------------------------------------|
| Project Management Costs | | | |
| | | | |
| | | | |
| | | | |
| <i>Total Project Management Costs</i> | | | |
| Construction Costs | | | |
| | | | |
| | | | |
| | | | |
| <i>Total Construction Costs</i> | | | |
| Audit and Assurance Costs | | | |
| | | | |
| | | | |
| | | | |
| <i>Total Audit and Assurance Costs</i> | | | |

| Declaration | |
|--|--|
| I certify the above stated expenditure by the ^state or territory name^ government is correct and conforms to the National Flood Mitigation Infrastructure Program, Program Guidelines, and the terms and conditions outlined in the bilateral agreement, established on ^data^. | |
| Name | |
| Title | |
| Signature | |
| Date | |



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National Flood Mitigation Infrastructure Program (NFMIP) Assessment Methodology and Matrix

Methodology

During the panel discussion a number of criteria emerged which assisted the panel members with their assessment. These discussions were captured in the final Panel Assessment Spreadsheet. As a result 54 projects were not shortlisted based on the NFMIP eligibility criteria guidelines and additional considerations listed below:

- Projects relating to road works and upgrades that may be eligible to apply for funding under Department of Infrastructure road funding.
- Projects that could potentially receive support from another funding source.
- Projects relating to drainage/ storm water issues and general maintenance that can be managed by local council or state government.
- Projects that lacked evidence to support the claims in the application.
- Projects that lacked community consultation or did not demonstrate strong community flood mitigation benefits.
- Projects that did not meet the definition of an essential public asset.
- Projects that may hinder or conflict with already established Commonwealth emergency management initiatives.
- Projects that may be based on or result in poor urban planning, or may increase risk by opening up residential land in high risk flood zones.
- Projects that included beautification elements were clarified with the applicants, as the program should not fund any such elements.

Assessment Matrix

The below matrix was used by Panel members to score each project against the criteria. These weighted scores were compiled in the final Panel Assessment Spreadsheet to form the shortlist.

| CRITERIA FROM GUIDELINES | EXPECTED OUTCOME | Not at all OR Not involved (Score - 0) | Satisfactory (Score - 1) | Good (Score - 2) | Excellent (Score - 3) | |
|---|--|--|--------------------------|------------------|-----------------------|-------|
| Mandatory criteria (Must fulfil at least one) | Reduces flood risk to community (i.e. less likely to flood) (Weighting 25%) | | | | | 0.00% |
| | Reduces impact of flood on community (e.g. impact – egress/supplies) (Weighting 25%) | | | | | 0.00% |
| Other criteria (Must fulfil at least one or more) | Reduction of DRFA eligible costs (Weighting 20%) | | | | | 0.00% |
| | Increase in asset insurability (Weighting 10%) | | | | | 0.00% |
| | Community or local government insurance affordability (Weighting 20%) | | | | | 0.00% |

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Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000051

The Hon Jacquie Petrusma MP
 Minister for Parks, Police, Fire and Emergency Management, Prevention of Family
 Violence
 Level 5
 4 Salamanca Place
 HOBART TAS 7000

Dear Minister

Jacqui

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for, and mitigating against, the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Tasmanian Government with financial assistance to support two projects, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|--|----------------------|------------------------------|--------------------|
| Sorell Council - Devenish Drive SW Upgrade | \$787,031 | \$262,344 | \$1,049,375 |
| Sorell Council - Seventh Avenue - Carlton Beach SW Upgrade | \$1,050,000 | \$350,000 | \$1,400,000 |

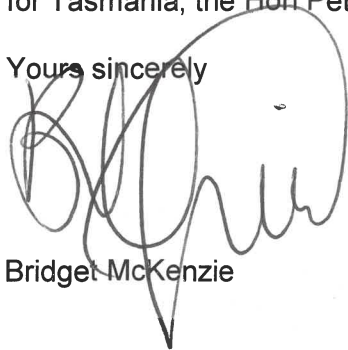
In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to your government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the National Recovery and Resilience Agency will work closely with officials from the Commonwealth Treasury and the Tasmanian Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth to the Tasmanian Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of these important projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Tasmania, the Hon Peter Gutwein MP.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over the text 'Yours sincerely'.

Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Peter Gutwein MP, Treasurer for Tasmania



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000051

The Hon Joseph Szakacs MP
 Minister for Police, Emergency Services and Correctional Services
 PO Box 102
 WOODVILLE SA 5011

Dear Minister

I am writing to you in regard to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful projects that the Commonwealth has approved for funding.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the South Australian Government with financial assistance to support two projects, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|---|----------------------|------------------------------|--------------------|
| Mt Bold Dam Safety Upgrade Additional Flood Attenuation | \$9,525,000 | \$3,175,000 | \$12,700,000 |
| Seventh Avenue Flood Mitigation | \$420,000 | \$1,200,000 | \$1,620,000 |

A Technical Advisory Panel comprised of experts from CSIRO, the Bureau of Meteorology and the Australian Climate Service conducted a technical review of applications against the criteria of the relative flood risk and flood mitigation impact of the project, and the impact of the project on reducing exposure to flood risks that influence insurability of existing flood mitigation infrastructure.

I note the remaining three projects included in your application sought \$4.35 million for works on Brown Hill Creek. The three projects were not supported through this Program, however I am pleased to advise I have approved a grant of \$10 million under the Preparing Australia Communities Program for the 'Lower Brown Hill Creek Upgrades' project.

Officials from National Recovery and Resilience Agency (NRRA) are able to provide feedback on these project applications and will contact to your Department to make arrangements shortly.

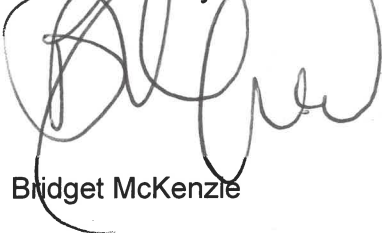
In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to your Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the NRRA will work with officials from the Commonwealth Treasury and South Australian Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth to the South Australian Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of these important projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for South Australia, the Hon Stephen Mullighan MP.

Yours sincerely



Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Stephen Mullighan MP, Treasurer for South Australia



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000051

The Hon Lisa Neville MP
 Minister for Police
 Minister for Water
 8 Nicholson Street,
 EAST MELBOURNE VIC 3002

Dear Minister

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful project that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for, and mitigating against, the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Victorian Government with financial assistance to support one project, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|--|----------------------|------------------------------|--------------------|
| Numurkah Flood Mitigation Project Northern Levee | \$2,382,000 | \$794,000 | \$3,176,000 |

Another project included in the application, the 'Seaspray levee upgrade for current and future one percent annual exceedance probability flood event' project, has been approved with a grant of \$1,060,942 under the Black Summer Bushfire Recovery grants program.

In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to your Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the NRRRA will work closely with officials from the Commonwealth Treasury and Victorian Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth to the Victorian Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of this important project.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Victoria, the Hon Tim Pallas MP.

Yours sincerely



Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Tim Pallas MP, Treasurer for Victoria



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS22-000051

The Hon Mark Ryan MP
Minister for Police and Corrective Services
Minister for Fire and Emergency Services
PO Box 15195
CITY EAST QLD 4002

Dear Minister *Mark,*

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in responding to, and preparing for, the devastating impacts of major rainfall and flood events, including the current significant flood event in Queensland.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Queensland Government with financial assistance to support two projects, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|-------------------------------------|----------------------|------------------------------|--------------------|
| Charleville Levee Remediation Works | \$300,000 | \$100,000 | \$400,000 |
| Ballin Drive Detention Basin | \$594,000 | \$198,000 | \$792,000 |

I am also pleased to advise that in response to the large scale floods across Queensland during February and March 2022, the Australian Government announced a further \$75 million to support recovery and post-disaster resilience activities specifically for Queensland, funded under the Emergency Response Fund.

Two further projects included in the application, the 'Archer Street Drainage Scheme' project and the 'Pioneer River Levee – The Valetta Gardens/Rivers Edge' project, have been approved with grants of \$6.3 million under the Preparing Australia Communities Program.

A Technical Advisory Panel comprised of experts from CSIRO, the Bureau of Meteorology and the Australian Climate Service conducted a technical review of applications against the criteria of the relative flood risk and flood mitigation impact of the project, and the impact of the project on reducing exposure to flood risks that influence insurability of existing flood mitigation infrastructure.

The remaining projects in Queensland put forward for funding under the Program were not supported for funding at this time. Officials from the National Recovery and Resilience Agency (NRRRA) are able to provide feedback on the applications and will contact your Department to make arrangements shortly.

I note however, that Premier Palaszczuk has requested the Australian Government consider co-funding a number of other large scale flood mitigation projects and that the Prime Minister has written back on this matter.

Applications for the \$50 million Coastal and Estuarine Risk Mitigation Program (2022-23), for which the Queensland Government is eligible to apply, are now open with applications closing in June 2022. I hope that you will consider submitting applications.


In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to the Queensland Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the NRRRA will work closely with officials from the Commonwealth Treasury and Queensland Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers responsible for emergency management. The funding can then be transferred from the Commonwealth to the Queensland Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of these important projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for Queensland, the Hon Cameron Dick MP.

Yours sincerely



Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Cameron Dick MP, Treasurer for Queensland



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000051

The Hon Mick Gentleman MLA
 Minister for Police and Emergency Services
 GPO Box 1020
 CANBERRA ACT 2601

Dear Minister *Mick,*

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for, and mitigating against, the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Australian Capital Territory Government with financial assistance to support two projects, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|--|----------------------|------------------------------|--------------------|
| Throsby Crescent Retardation Basin | \$890,000 | \$890,000 | \$1,780,000 |
| Narrabundah Playing Fields Retardation Basin | \$4,837,469 | \$5,000,000 | \$9,837,469 |

Please note that within the available funding envelope of \$50 million for the Program, the full contribution requested for the Narrabundah Playing Fields Retardation Basin project proposal was unable to be accommodated. The Commonwealth is able to contribute \$4,837,469 of the requested \$5,000,000.

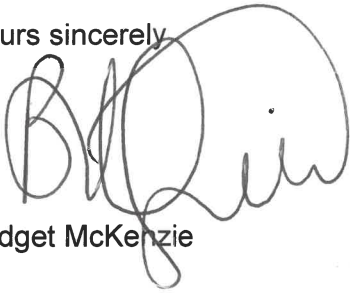
In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to your Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the National Recovery and Resilience Agency will work closely with officials from the Commonwealth Treasury and the Australian Capital Territory Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth and Australian Capital Territory Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of these important projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for the Australian Capital Territory, the Hon Andrew Barr MLA.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over the text 'Yours sincerely,'.

Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Andrew Barr MLA, Treasurer for Australian Capital Territory



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000051

The Hon Nicole Manison MLA
 Minister for Police, Fire and Emergency Services
 PO Box 3146
 DARWIN NT 0801

Dear Minister

Manison

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful project that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for, and mitigating against, the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Northern Territory Government with financial assistance to support one project, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|---|----------------------|------------------------------|--------------------|
| Kulaluk Flood Mitigation Infrastructure | \$10,000,000 | \$3,400,000 | \$13,400,000 |

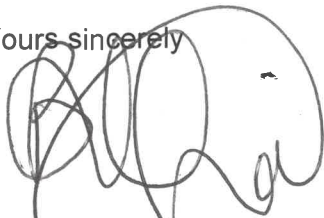
In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to your Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the National Recovery and Resilience Agency will work with officials from the Commonwealth Treasury and Northern Territory Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth to the Northern Territory Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of this important project.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for the Northern Territory, the Hon Michael Gunner MLA.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Bridget McKenzie', written over the words 'Yours sincerely'.

Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Michael Gunner MLA, Treasurer for Northern Territory



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Ref No: MS22-000051

The Hon Stephanie Anne Cooke MLA
 Minister for Emergency Services and Resilience
 GPO Box 5341
 SYDNEY NSW 2001

Dear Minister *Steph*

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in responding to, and preparing for, the devastating impacts of major rainfall and flood events, including the current significant flood event in New South Wales.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the New South Wales Government with financial assistance to support five projects, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|---|----------------------|------------------------------|--------------------|
| Young Trunk Drainage Upgrade | \$6,150,000 | \$2,050,000 | \$8,200,000 |
| Retford Farm Detention Basin | \$4,612,500 | \$1,537,500 | \$6,150,000 |
| Warren Levee Flood Mitigation Rehabilitation Work | \$5,325,000 | \$1,775,000 | \$7,100,000 |
| Alice Street Levee Rehabilitation | \$802,000 | \$268,000 | \$1,070,000 |
| Stockdale Detention Basin | \$2,325,000 | \$775,000 | \$3,100,000 |

One project proposal in New South Wales put forward for the Program was not supported for funding at this time. Officials from the National Recovery and Resilience Agency (NRRRA) are able to provide feedback on the application and will contact your Department to make arrangements shortly.

A Technical Advisory Panel comprised of experts from CSIRO, the Bureau of Meteorology and the Australian Climate Service conducted a technical review of applications against the criteria of the relative flood risk and flood mitigation impact of the project, and the impact of the project on reducing exposure to flood risks that influence insurability of existing flood mitigation infrastructure.

In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to the New South Wales Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the NRRRA will work closely with officials from the Commonwealth Treasury and New South Wales Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth to the New South Wales Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of these important projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for New South Wales, the Hon Matt Kean MP.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over a circular stamp or seal.

Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Matt Kean MP, Treasurer for New South Wales



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS22-000051

The Hon Stephen Dawson MLC
Minister for Emergency Services; Innovation and ICT;
Medical Research; Volunteering
12th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Minister

Stephen

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the outcome of the funding round.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

A Technical Advisory Panel comprised of experts from CSIRO, the Bureau of Meteorology and the Australian Climate Service conducted a technical review of applications against the criteria of the relative flood risk and flood mitigation impact of the project, and the impact of the project on reducing exposure to flood risks that influence insurability of existing flood mitigation infrastructure.

The projects put forward by Western Australia were not supported for funding at this time. I am pleased to advise that one project included in the application, the 'Improving Flood Preparedness' project, has been approved with a grant of \$1.39 million under the Preparing Australia Communities Program. The remaining three projects were not supported for funding at this time

Officials from the National Recovery and Resilience Agency are able to provide feedback on the project applications and will contact your Department to make arrangements shortly.

I would like to acknowledge your continued efforts in preparing for, and mitigating against, the devastating impacts of major rainfall and flood events and look forward to continuing to work with the Western Australian Government on this important issue issues.

Yours sincerely

Bridget McKenzie

Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Mark McGowan MLA, Treasurer for Western Australia

PROTECTED CABINET

PDR: MS22-000103

NRRA
Mr Stone
Ms Urquhart

NATIONAL RECOVERY AND RESILIENCE AGENCY

MO
S 47F

To: Minister for Emergency Management (consideration at your earliest convenience to assist timely delivery of funding by the states and territories)

EMERGENCY RESPONSE FUND – SCHEDULES TO FACILITATE PAYMENTS TO STATES AND TERRITORIES UNDER THE NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2021-22

Recommendations - that you:

- 1. **Sign** the Schedules to the Federation Funding Agreements (FAA) Framework - Environment, and the covering letter to the relevant state or territory minister, confirming the Commonwealth's commitment to each project under the \$50 million National Flood Mitigation Infrastructure Program (2021-22).

Refer Attachments A to N.

Signed / Not Signed

- 2. **Note** that the \$50 million was drawn down from the Emergency Response Fund on 6 May 2022 and when each state or territory execute and return their Schedule, the Treasury will transfer the relevant funds from the COAG Reform Account to the state and territory treasury as a single, upfront grant under the FFA.

Noted / Please Discuss



MURRAY WATT

Date: 29/6/22

Comments:

Key Points:

- 1. This brief is seeking your signature on Schedules to the Federation Funding Agreements (FAA) to enable delivery of projects approved by the former minister under the National Flood Mitigation Infrastructure Program (NFMIP) (2021-22). The program provides funding to the states and territories to contribute to or pay for the improvement or construction of flood mitigation infrastructure. This follows the first \$50 million round of the program in 2020-21.
- 2. On 30 March 2022, the former Minister for Emergency Management and National Recovery and Resilience, approved \$50 million in funding for 15 projects across seven states and territories under the NFMIP 2021-22 (refer sample letter at Attachment O). No projects were approved in Western Australia. A list of the 15 projects approved is at Attachment P.

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3. The former minister also wrote to former Minister for Finance, seeking the direction required under the *Emergency Response Fund Act 2019* (ERF Act) to release \$50 million from the ERF in line with the project funding allocations. The \$50 million was drawn down from the Emergency Response Fund on 6 May 2022 and is available for transfer to the states and territories.

Execution of Schedules

4. The bilateral agreements (Schedules) with seven states and territories to deliver Commonwealth grants arising from the NFMIP (2021-22) require your signature. The NFMIP 2021-22 is funded through the \$50 million pre-disaster resilience component of the Emergency Response Fund (ERF) available in 2021-22.
5. Funding for each state and territory has been approved as a grant under s32A of the ERF Act, and will be provided under the FFA, negotiated by the Treasury in 2020. The agreements between the Commonwealth and each jurisdiction are created as Schedules to the FFA. The Schedules facilitate the transfer of funds to the states and territories and set the conditions for the delivery of funded projects as required by the NFMIP 2021-22 Program Guidelines.
6. The terms of each Schedule have been negotiated between the National Recovery and Resilience Agency (NRRA) and the relevant state and territory government agencies. Each Schedule, in addition to a covering letter to the relevant state or territory minister, is included at **Attachments A to N** for your signature.
7. When the co-signed Schedules are returned to the Commonwealth by the states and territories, the Treasury will transfer the funds as a single, upfront payment to the states and territories through usual payment mechanisms. The funding will then be managed by the state or territory government with the entity responsible for delivering the project.
8. The funding has already been drawn down from the ERF, and there is no requirement for the funding to be paid before a certain date - ie there is no legislated time limit on the negotiation and disbursement processes. That said, payment as soon as practicable will assist timely delivery of projects.
9. When the executed Schedules are returned, they will be processed for payment through the Treasury's scheduled monthly pay run.

Audit and reporting

10. Audit, assurance, monitoring, reporting and acquittal requirements are set out in an Audit and Reporting Framework developed for projects funded under the NFMIP 2021-22 (**Attachment Q** refers).
11. Under the Audit and Reporting Framework, states and territories are required to provide an Implementation Plan no later than three months after the Schedule is signed and regular reports demonstrating progress against agreed project milestones and outcomes in the Implementation Plan.
12. The NRRA will review and approve the Implementation Plans, given their administrative nature.
13. The terms of each Schedule set out the circumstances where the Commonwealth can seek to recover funds provided under the NFMIP.

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Background

14. A detailed background on the establishment and administration of the NFMIP program is provided at **Attachment R**.
15. State and territory governments, in consultation with local governments and the community, were eligible to apply. The application period opened on 30 November 2021 and closed 4 February 2022.
16. 37 applications were received, for a total funding request of \$86.35 million, with representation from all states and territories.

s 47B, s 47E(d)



18. On Monday 21 February 2022, a Technical Advisory Panel comprised of experts from CSIRO, the Bureau of Meteorology and the Australian Climate Service conducted a technical review of applications against Assessment Criteria 2 and 6. The Panel was chaired by the National Recovery and Resilience Agency.

s 47B, s 47C, s 47E(d)



20. On Thursday 24 February 2022, the Program Review Panel comprised of representatives from the Department of Agriculture, Water and Environment, Department of Infrastructure, Transport, Regional Development and Communications, the Bureau of Metrology and the National Recovery and Resilience Agency (Chair) who assessed, rated and ranked the 18 projects against the Program Guidelines and Assessment Criteria.
21. On 25 February 2022 the eligible projects were endorsed by the Coordinator-General and were provided to the former minister for their consideration and approval, as the decision maker for grants made from the Emergency Response Fund under the *Emergency Response Fund Act 2019*.

Consultation

22. The Schedules were developed in consultation with the Treasury, the Department of the Prime Minister and Cabinet (PM&C), and the Department of Finance (DoF). Each Schedule was separately negotiated with the relevant state and territory department.

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23. DoF, Treasury, PM&C, and the Australian Government Solicitor were consulted on the process to draw down funds from the ERF and the development of the Ministerial Direction.

Media

24. The NRRRA Media Coordination team will work with your office to draft joint media releases with each state and territory following their signing of the Schedules.

Sophie Cartwright
Executive Director
Phone no: s 47F
Resilience Programs Branch
10 June 2022

Policy Officer: s 47F
Phone no: s 47F

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ATTACHMENTS

- ATTACHMENT A COVER LETTER TO MICK GENTLEMAN MLA, AUSTRALIAN CAPITAL TERRITORY MINISTER FOR POLICE AND EMERGENCY SERVICES**
- ATTACHMENT B FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN THE AUSTRALIAN CAPITAL TERRITORY**
- ATTACHMENT C COVER LETTER TO THE HON STEPH COOKE MP, NEW SOUTH WALES MINISTER FOR EMERGENCY SERVICES AND RESILIENCE**
- ATTACHMENT D FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN NEW SOUTH WALES**
- ATTACHMENT E COVER LETTER TO THE HON KATE WORDEN MLA, NORTHERN TERRITORY MINISTER FOR POLICE, FIRE AND EMERGENCY SERVICES**
- ATTACHMENT F FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN THE NORTHERN TERRITORY**
- ATTACHMENT G COVER LETTER TO THE HON STEVEN MILES - DEPUTY PREMIER, MINISTER FOR STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING, QUEENSLAND MINISTER FOR FIRE AND EMERGENCY SERVICES**
- ATTACHMENT H FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN QUEENSLAND**
- ATTACHMENT I COVER LETTER TO THE HON JOSEPH SZAKACS MP, SOUTH AUSTRALIAN MINISTER FOR POLICE, EMERGENCY SERVICES AND CORRECTIONAL SERVICES**
- ATTACHMENT J FEDERATION FINANCIAL AGREEMENTS SCHEDULE RELATING TO PROJECTS FUNDED IN SOUTH AUSTRALIA**

PROTECTED CABINET

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- ATTACHMENT K COVER LETTER TO THE HON JACQUIE PETRUSMA MP,
TASMANIAN MINISTER FOR POLICE, FIRE AND EMERGENCY
MANAGEMENT**
- ATTACHMENT L FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN TASMANIA**
- ATTACHMENT M COVER LETTER TO THE HON LISA NEVILLE MP, VICTORIAN
MINISTER FOR WATER**
- ATTACHMENT N FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN VICTORIA**
- ATTACHMENT O EXAMPLE LETTER TO THE HON MICK GENTLEMAN MLA -
MINISTER FOR POLICE AND EMERGENCY SERVICES,
INFORMING OF SUCCESSFUL PROJECTS UNDER THE
NATIONAL FLOOD MITIGATION INFRASTRUCTURE
PROGRAM 2021-22**
- ATTACHMENT P LIST OF PROJECTS FUNDED**
- ATTACHMENT Q DRAFT AUDIT AND REPORTING FRAMEWORK – NFMIP 2021-
22**
- ATTACHMENT R BACKGROUND ON THE ESTABLISHMENT AND
ADMINISTRATION OF THE NFMIP**

PROTECTED CABINET



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22-000103

Mr Mick Gentleman MLA
Minister for Police and Emergency Services
GPO BOX 1020
CANBERRA ACT 2601

Dear Minister *Mick*.

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as the Australian Capital Territory Minister for Police and Emergency Services.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$5,727,469 in funding under the Program for successful projects within the Australian Capital Territory, specifically, the Throsby Crescent Retardation Basin and Narrabundah Playing Fields Retardation Basin projects.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Australian Capital Territory Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Watt'.

Murray Watt

Encl



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry

Minister for Emergency Management

Senator for Queensland

Ref No: MS22-000103

The Hon Stephanie Anne Cooke MLA
Minister for Emergency Services and Resilience
GPO BOX 5341
SYDNEY NSW 2001

Dear Minister *Steph*

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as New South Wales Minister for Emergency Services and Resilience.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$19,214,500 in funding under the Program for successful projects within New South Wales, specifically, the Young Trunk Drainage Upgrade, Retford Farm Detention Basin, Warren Levee Flood Mitigation Rehabilitation work, Alice Street Levee Re-habitation and Stockdale Detention Basin projects.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the New South Wales Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

Murray Watt

Encl



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22 – 000103

The Hon Kate Worden MLA
Minister for Police, Fire and Emergency Services
PO BOX 232
KARAMA NT 0813

Dear Minister *Kate*

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as Northern Territory Minister for Police, Fire and Emergency Services.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$10,000,000 of funding under the Program for the successful project within the Northern Territory, specifically, the Kulaluk Flood Mitigation Infrastructure project.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Northern Territory Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Watt'.

Murray Watt

Encl



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22-000103

The Hon Steven Miles MP
Deputy Premier
Minister for State Development, Infrastructure, Local Government and Planning
Member for Murrumba
PO Box 15009
CITY EAST QLD 4002

Dear Deputy Premier *Steven*

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as Queensland Minister for State Development, Infrastructure, Local Government and Planning.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$894,000 of funding under the Program for successful projects within Queensland specifically, Charleville Levee Remediation Works and the Ballin Drive Detention Basin.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Queensland Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Watt', written in a cursive style.

Murray Watt

cc The Hon Mark Ryan MP,
Queensland Minister for Police and Corrective Services and Minister for Fire and
Emergency Services

Encl



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22-000103

The Hon Joseph Szakacs MP
Minister for Police, Emergency Services and Correctional Services
GPO BOX 102
WOODVILLE SA 5011

Dear Minister

J Sz

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as South Australia Minister for Emergency Services.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$9,945,000 of funding under the Program for successful projects within South Australia, specifically, the Mt Bold Dam Safety Upgrade Additional Flood Attenuation and Seventh Avenue Flood Mitigation projects.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the South Australian Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

Murray Watt

Encl



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22-000103

The Hon Jacquie Petrusma MP
Minister for Police, Fire and Emergency Management
Member for Franklin
Level 5, 4 Salamanca Place
HOBART TAS 7000

Dear Minister *Jacquie*

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as Tasmania Minister for Emergency Management.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$1,837,031 of funding under the Program for successful projects in Tasmania, specifically, the Devenish Drive and Seventh Avenue Carlton Beach Upgrades in the Sorrell Council Local Government Area.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Tasmanian Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

Murray Watt

Encl

The Australian Capital Territory - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|--------------|---------|-------|-------|--|--|-------------------------------|--------|--------------|--|------|-------------|---|------|-------------|
| Parties | Commonwealth of Australia Australian Capital Territory | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2026. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Throsby Crescent Retardation Basin • Project 2: Narrabundah Playing Fields Retardation Basin <p>An overview of each project is provided at <u>Attachment A</u>.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Australian Capital Territory an estimated total financial contribution of \$5,727,469 (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;">2021-22</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: center;">11.61*</td> <td style="text-align: right;">11.61</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">5.72</td> <td style="text-align: right;">5.72</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">5.89</td> <td style="text-align: right;">5.89</td> </tr> </tbody> </table> <p style="text-align: center; font-size: small;">*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 11.61* | 11.61 | Less estimated National Partnership Payments | 5.72 | 5.72 | Balance of non-Commonwealth contributions | 5.89 | 5.89 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 11.61* | 11.61 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 5.72 | 5.72 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 5.89 | 5.89 | | | | | | | | | | | | | | |
| 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- 4) The Implementation Plan will be developed by the Australian Capital Territory and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- 10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- 11) 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

| | |
|--|---|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>12) 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.</p> |
|--|---|

Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
|---|--|--|-------------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | The Australian Capital Territory agrees and signs the Schedule | Upon signature of Schedule | \$5,727,469 |
| | The Australian Capital Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | The Australian Capital Territory submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the commencement of the Schedule (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | The Australian Capital Territory submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Australian Capital Territory 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/6/2022

Signed for and on behalf of the Australian Capital Territory by

The Honourable Mr Mick Gentleman MLA
Minister for Police and Emergency Services

1/1/2022

Attachment A

Details of the Australian Capital Territory's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the ACT |
|----------------------|--|---|----------------------|-------------------------|
| 1 | Throsby Crescent Retardation Basin | Construction of a retardation basin and associated works. | \$890,000 | \$890,000 |
| 2 | Narrabundah Playing Fields Retardation Basin | Construction of a retardation basin and associated works at the Narrabundah Playing Fields to increase retardation capacity and reinstate the playing fields. | \$4,837,469 | \$5,000,000 |
| Total funding | | | \$ 5,727,469 | \$ 5,890,000 |

New South Wales - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|---------|---------|-------|-------|--|--|------------------------|-------|------|--|------|------|---|-----|-----|
| Parties | Commonwealth of Australia New South Wales | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 31 March 2026. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Young Trunk Drainage Upgrade • Project 2: Retford Farm Detention Basin • Project 3: Warren Levee Flood Mitigation Rehabilitation Work • Project 4: Alice Street Levee Re-habitation • Project 5: Stockdale Detention Basin <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to New South Wales an estimated total financial contribution of \$19,214,500 (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;">2021-22</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: center;">25.6*</td> <td style="text-align: right;">25.6</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">19.2</td> <td style="text-align: right;">19.2</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center; border-top: 1px solid black;">6.4</td> <td style="text-align: right; border-top: 1px solid black;">6.4</td> </tr> </tbody> </table> <p><small>*Amounts may not add to the total due to rounding</small></p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 25.6* | 25.6 | Less estimated National Partnership Payments | 19.2 | 19.2 | Balance of non-Commonwealth contributions | 6.4 | 6.4 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 25.6* | 25.6 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 19.2 | 19.2 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 6.4 | 6.4 | | | | | | | | | | | | | | |
| 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 Attachment A.</p> | | | | | | | | | | | | | | | |

Resolution of terms

- (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.
- 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, auditing and assurance (chapter 12).
 - c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by New South Wales and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- | | |
|--|---|
| | <p>(10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.</p> <p>(11) 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</p> <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|---|

Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
|---|--|--|--------------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | New South Wales agrees and signs the Schedule | Upon signature of Schedule | \$19,214,500 |
| | New South Wales provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | New South Wales submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | New South Wales submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | New South Wales 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/6/2022

Signed for and on behalf of New South Wales by

The Honourable Stephanie Cooke MP
Minister for Emergency Services and Resilience, and
Minister for Flood Recovery

/ / 2022

Attachment A

Details of New South Wales Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by NSW |
|----------------------|---|---|----------------------|---------------------|
| 1 | Young Trunk Drainage Upgrade | The project involves the demolition of a section of existing 1500mm culvert, construction of a 4 x 1.6m concrete channel, construction of twin 1500mm culverts and connection to existing minor drainage networks Young NSW. | \$6,150,000 | \$2,050,000 |
| 2 | Retford Farm Detention Basin | The project was assessed as being good value for money. Documentation supported the majority of claims for eligible infrastructure (detention basement) to reduce flooding to approximately 100 dwellings. The project met the intent of the Program. | \$4,612,500 | \$1,537,000 |
| 3 | Warren Levee Flood Mitigation Rehabilitation Work | Remediation of part of the existing levee bank. | \$5,325,000 | \$1,775,000 |
| 4 | Alice Street Levee Rehabilitation | Targeted rock protection to the toe of the riverbank between Alice Street and Queen Street. | \$802,000 | \$268,000 |
| 5 | Stockdale Detention Basin | Upgrading the existing detention basin with additional flow containment standard and spillway capacity. | \$2,325,000 | \$775,000 |
| Total funding | | | \$ 19,214,500 | \$ 6,405,500 |

Northern Territory - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|------------|---------|-------|--------------|--|--|-------------------------------|-------|------|--|------|------|--|------------|------------|
| Parties | Commonwealth of Australia Northern Territory | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2026. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Kulaluk Flood Mitigation Infrastructure <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Northern Territory an estimated total financial contribution of \$10,000,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>13.4*</td> <td>13.4</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>10.0</td> <td>10.0</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>3.4</td> <td>3.4</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 13.4* | 13.4 | Less estimated National Partnership Payments | 10.0 | 10.0 | Balance of non-Commonwealth contributions | 3.4 | 3.4 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 13.4* | 13.4 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 10.0 | 10.0 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 3.4 | 3.4 | | | | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by the Northern Territory and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- (11) 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

| | |
|--|--|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

| Table 2: Performance requirements, reporting and payment summary | | | |
|---|---|--|--------------|
| Output | Performance milestones | Report due | Payment |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | The Northern Territory agrees and signs the Schedule | Upon signature of Schedule | \$10,000,000 |
| | The Northern Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | The Northern Territory submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | The Northern Territory submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Northern Territory 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
29/6/2022

Signed for and on behalf of the Northern Territory by

The Hon Kate Worden MLA
Minister for Police, Fire and Emergency Services
/ / 2022

Attachment A

Details of the Northern Territory Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the NT |
|----------------------|---|--|----------------------|------------------------|
| 1 | Kulaluk Flood Mitigation Infrastructure | Mitigation of flooding in the Kulak community and surrounding suburbs by formalising drainage, filling land and erecting a sea wall. | \$10,000,000 | \$3,400,000 |
| Total funding | | | \$ 10,000,000 | \$ 3,400,000 |

Schedule

Queensland - National Flood Mitigation Infrastructure Program –
Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

Table 1: Formalities and operation of Schedule

| Parties | Commonwealth of Australia Queensland | | | | | | | | | | | | |
|--|---|------------------|---------|-------|------------------------|------|-----|--|-----|-----|---|-----|-----|
| Duration | This Schedule is expected to expire 30 June 2025. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | |
| Purpose | <p>This Schedule will support the delivery of projects identified through the <i>National Flood Mitigation Infrastructure Program (Program)</i>, 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: Charleville Levee Remediation Works • Project 2: Ballin Drive Detention Basin <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Queensland an estimated total financial contribution of \$894,000 (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 (\$m)</th> <th style="text-align: center;">2021-22</th> <th style="text-align: right;">Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td style="text-align: center;">1.2*</td> <td style="text-align: right;">1.2</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">.89</td> <td style="text-align: right;">.89</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">.30</td> <td style="text-align: right;">.30</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 (\$m) | 2021-22 | Total | Estimated total budget | 1.2* | 1.2 | Less estimated National Partnership Payments | .89 | .89 | Balance of non-Commonwealth contributions | .30 | .30 |
| Table 1 (\$m) | 2021-22 | Total | | | | | | | | | | | |
| Estimated total budget | 1.2* | 1.2 | | | | | | | | | | | |
| Less estimated National Partnership Payments | .89 | .89 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | .30 | .30 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.

(4) The Implementation Plan will be developed by Queensland and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

(10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.

(11) 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

- | | |
|--|--|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
|---|---|--|-----------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and 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 | \$894,000 |
| | Queensland provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | Queensland submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/11/2022

Signed for and on behalf of Queensland by

The Hon Mark Ryan MP
Minister for Police and Corrective Services
Minister for Fire and Emergency Services

/ / 2022

Attachment A

Details of Queensland Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the QLD |
|----------------------|-------------------------------------|--|----------------------|-------------------------|
| 1 | Charleville Levee Remediation Works | Mitigate and improve levee structure including structural defects and erosion protection systems. | \$300,000 | \$100,000 |
| 2 | Ballin Drive Detention Basin | Replacement of two existing chutes structures within the East Creek corridor of Gowrie Creek through Balling Park. | \$594,000 | \$198,000 |
| Total funding | | | \$ 894,000 | \$ 298,000 |

South Australia - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

Table 1: Formalities and operation of Schedule

| Parties | Commonwealth of Australia South Australia | | | | | | | | | | | | |
|--|---|------------------|---------|-------|------------------------|-------|------|--|-----|-----|---|-----|-----|
| Duration | This Schedule is expected to expire 30 June 2028. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | |
| Purpose | <p>This Schedule will support the delivery of projects identified through the <i>National Flood Mitigation Infrastructure Program (Program)</i>, 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: Mt Bold Dam Safety Upgrade Additional Flood Attenuation • Project 2: Seventh Avenue Flood Mitigation <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to South Australia an estimated total financial contribution of \$9,945,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>14.3*</td> <td>14.3</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>9.9</td> <td>9.9</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>4.4</td> <td>4.4</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 (\$m) | 2021-22 | Total | Estimated total budget | 14.3* | 14.3 | Less estimated National Partnership Payments | 9.9 | 9.9 | Balance of non-Commonwealth contributions | 4.4 | 4.4 |
| Table 1 (\$m) | 2021-22 | Total | | | | | | | | | | | |
| Estimated total budget | 14.3* | 14.3 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 9.9 | 9.9 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 4.4 | 4.4 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.

(4) The Implementation Plan will be developed by South Australia and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

(10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.

(11) 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

| | |
|--|--|
| | <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
|---|--|--|-------------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | South Australia agrees and signs the Schedule | Upon signature of Schedule | \$9,945,000 |
| | South Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | South Australia submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | South Australia submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | South Australia 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 Hon Murray Watt
 Minister for Agriculture, Fisheries and Forestry
 Minister for Emergency Management

29/6/2022

Signed for and on behalf of South Australia by

The Hon Joseph Szakacs MP
 Minister for Police, Emergency Services and Correctional Services

/ / 2022

Attachment A

Details of South Australia Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by SA |
|----------------------|---|--|----------------------|---------------------|
| 1 | Mt Bold Dam Safety Upgrade Additional Flood Attenuation | An additional Flood Attenuation system to safely pass the Probable Maximum Flood over its spillways without causing the dam to fail. | \$9,525,000 | \$3,175,000 |
| 2 | Seventh Avenue Flood Mitigation | Construction of new stormwater management infrastructure to capture and detain stormwater. | \$420,000 | \$1,200,000 |
| Total funding | | | \$ 9,945,000 | \$ 4,375,000 |

Tasmania - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|---------|---------|-------|--------------|--|--|------------------------|-------|------|--|-----|-----|---|-----|-----|
| Parties | Commonwealth of Australia Tasmania | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2025. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| Purpose | <p>This Schedule will support the delivery of projects identified through the <i>National Flood Mitigation Infrastructure Program (Program)</i>, 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: Sorell Council - Devenish Drive SW Upgrade • Project 2: Sorell Council - Seventh Avenue - Carlton Beach SW Upgrade <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Tasmania an estimated total financial contribution of \$1,837,031 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>2.44*</td> <td>2.44</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>1.8</td> <td>1.8</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>.61</td> <td>.61</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 2.44* | 2.44 | Less estimated National Partnership Payments | 1.8 | 1.8 | Balance of non-Commonwealth contributions | .61 | .61 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 2.44* | 2.44 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 1.8 | 1.8 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | .61 | .61 | | | | | | | | | | | | | | |
| 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 Attachment A.</p> <p>Resolution of terms</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.

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.

(4) The Implementation Plan will be developed by Tasmania and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

(10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.

- | | |
|--|---|
| | <p>(11) 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</p> <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|---|

| Table 2: Performance requirements, reporting and payment summary | | | |
|---|---|--|-------------|
| Output | Performance milestones | Report due | Payment |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | Tasmania agrees and signs the Schedule | Upon signature of Schedule | \$1,837,031 |
| | Tasmania provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | Tasmania submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | Tasmania submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Tasmania 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

24/6/2022

Signed for and on behalf of Tasmania by

The Hon Jacquie Petrusma MP
Minister for Parks, Police, Fire and Emergency Management, Prevention of Family Violence

/ / 2022

Attachment A

Details of Tasmania Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by TAS |
|----------------------|--|---|----------------------|---------------------|
| 1 | Sorell Council - Devenish Drive SW Upgrade | Replace piping, construct drainage and channels to mitigate future flood risks. | \$787,031 | \$262,344 |
| 2 | Sorell Council - Seventh Avenue - Carlton Beach SW Upgrade | Minimise the flood risk at Carlton Beach Road through construction of new pit inlets, a new outfall and replacement of undersized piping. | \$1,050,000 | \$350,000 |
| Total funding | | | \$ 1,837,031 | \$ 612,344 |



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22-000103

The Hon Lisa Neville MP
Minister for Water
Member for Bellarine
641-659 Bellarine Highway
LEOPOLD VIC 3224

Dear Minister

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as Victorian Minister for Water.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$2,382,000 of funding under the Program for the successful project within Victoria, specifically, the Numurkah Flood Mitigation Project Northern Levee

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Victorian Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

Murray Watt

Encl

Victoria - National Flood Mitigation Infrastructure Program –
Round 2

Schedule

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

Table 1: Formalities and operation of Schedule

| Parties | Commonwealth of Australia Victoria | | | | | | | | | | | | |
|--|---|------------------|---------|-------|------------------------|------|-----|--|-----|-----|---|-----|-----|
| Duration | This Schedule is expected to expire 30 June 2025. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | |
| 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: Numurkah Flood Mitigation Project Northern Levee <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$2,382,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>3.1*</td> <td>3.1</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>2.3</td> <td>2.3</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>.79</td> <td>.79</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 (\$m) | 2021-22 | Total | Estimated total budget | 3.1* | 3.1 | Less estimated National Partnership Payments | 2.3 | 2.3 | Balance of non-Commonwealth contributions | .79 | .79 |
| Table 1 (\$m) | 2021-22 | Total | | | | | | | | | | | |
| Estimated total budget | 3.1* | 3.1 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 2.3 | 2.3 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | .79 | .79 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- (11) 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

| | |
|--|--|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

| Table 2: Performance requirements, reporting and payment summary | | | |
|---|---|--|-------------|
| Output | Performance milestones | Report due | Payment |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | Victoria agrees and signs the Schedule | Upon signature of Schedule | \$2,382,000 |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | Victoria submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Victoria 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

/ / 2022

Signed for and on behalf of Victoria by

The Hon Lisa Neville MP
Minister for Police
Minister for Water

/ / 2022

Attachment A

Details of Victoria Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by Victoria (third party) |
|----------------------|--|---|----------------------|--|
| 1 | Numurkah Flood Mitigation Project Northern Levee | This project will construct the first stage of the Numurkah flood mitigation strategy, which is a levee on the northern bank of the Broken Creek. | \$2,382,000 | \$794,000 |
| Total funding | | | \$ 2,382,000 | \$ 794,000 |

ATTACHMENT R

Background on the establishment and administration of the National Flood Mitigation Infrastructure Program

On 11 December 2020, the former Minister for Agriculture, Drought and Emergency Management, the Hon David Littleproud MP announced the establishment of the National Flood Mitigation Infrastructure Program (NFMIP). The NFMIP provides funding to the states and territories to contribute to or pay for the improvement or construction of flood mitigation infrastructure. This supports local communities mitigate their priority flood risks and reduce the impact of future flood events.

The NFMIP is funded under the Emergency Response Fund (ERF), which was established on the commencement of the *Emergency Response Fund Act 2019* (the ERF Act) on 12 December 2019, allows the Government to draw up to:

- \$50 million each financial year to build resilience to, and prepare for or reduce the risk of future natural disasters.
- \$150 million each financial year to fund emergency response and recovery following natural disasters in Australia that have a significant or catastrophic impact, when the Government determines that existing recovery programs are insufficient to meet the scale of the response required.

The NFMIP program draws on the \$50 million pre-disaster resilience component of the ERF. Two rounds of the NFMIP program have been undertaken, 2020-21 and 2021-22, each drawing on the \$50 million pre-disaster resilience component of the ERF in the relevant year.

Transfer of ERF and NFMIP to the National Recovery and Resilience Agency (NRRA)

On 5 May 2021, the former Prime Minister, the Hon Scott Morrison MP, issued a joint media release with the former Minister Littleproud and the former Minister for the Environment, the Hon Susan Ley MP, announcing the establishment of the NRRA.

On 1 July 2021, policy authority for the ERF, including the NFMIP, transferred from Emergency Management Australia within the Department of Home Affairs to the NRRA. The Department of Finance retains administering authority for the ERF Act.

In accordance with the ERF Act (Section 20 (1)(b),(c) and (f)), the ERF may be used to provide a grant of financial assistance to carry out a project that is directed towards either or both of the following outcomes:

- i. recovery from a natural disaster,
- ii. post disaster resilience an area that has been affected (whether directly or indirectly) by a natural disaster, thereby building resilience to and reducing the risks of a future natural disaster; developing the long-term sustainability of a community at risk of being affected by a natural disaster.

Eligibility

Eligibility requirements are set out in the Program Guidelines for each funding program. State and territory governments, in consultation with local governments and the community, were eligible to apply for funding for improvement of an existing or construction of a new flood mitigation infrastructure. Flood mitigation infrastructure is defined as an essential public asset having the primary purpose of reducing the risk of flood to, and/or impact of flooding on, a community or communities.

Eligible infrastructure included but was not limited to: dams, levees, bridges, culverts and other drainage systems, rainfall and river height measurement systems, weather radar systems and flood warning infrastructure.

Application and Assessment process

The application and assessment processes are set out in the Program Guidelines for each funding program. In each program, State and Territory Governments submitted their application by completing the application form provided in the Program Guidelines, along with endorsement from their respective state or territory government emergency management minister.

Applications were assessed by a Technical Review Panel and Program Review Panel (the Panel) comprised of representatives from the relevant Commonwealth Government agencies and departments. The Panel assessed each application against the eligibility and assessment criteria set out in the Guidelines before funding recommendations were made to the Minister.

Mechanism for delivering funds to States and Territories

Negotiation of grant agreements ('Schedules')

Funding from the NFMIP is supplied to states and territories as a 'grant' under section 32A of the ERF Act. The grant is provided through the Federation Funding Agreements (FFAs) negotiated by Treasury in 2020 to provide a consistent mechanism for payments to the states and territories.

The agreement between the Commonwealth and each jurisdiction is created through the co-signing of Schedules to the FFAs. The Schedules facilitate the transfer of funds to the jurisdictions and set the conditions for the delivery of funded projects as required by the Program Guidelines. The Schedules are co-signed by the Commonwealth and state or territory portfolio ministers responsible for emergency management, and funding can be transferred to the jurisdiction once the Schedules are signed by both parties.

Release of payments

When the Minister responsible for emergency management decides that a grant of financial assistance should be made to a state or territory, that minister issues a direction that provides for the funds to be debited from the Emergency Response Fund Special Account and credited to the COAG Reform Fund, in preparation to be transferred to the jurisdictions.

Funding relating to each Schedule will be transferred to the jurisdictions as a single, upfront payment with the conditions in the Schedule include setting out requirements relating to reporting, milestone payments, and audit and assurance.

NFMIP funding outcomes

Details of projects funded under both funding program are available on the NRRRA's website: [Emergency Response Fund | National Recovery and Resilience Agency](#).



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS22-000051

The Hon Mick Gentleman MLA
Minister for Police and Emergency Services
GPO Box 1020
CANBERRA ACT 2601

Dear Minister *Mick,*

I am writing to thank you for applying to the National Flood Mitigation Infrastructure Program (the Program) 2021-22 and to formally advise you of the successful projects that the Commonwealth has approved for funding. I would also like to acknowledge your continued efforts in preparing for, and mitigating against, the devastating impacts of major rainfall and flood events.

The Australian Government is fully committed to reducing the economic and social harm to Australian communities in flood prone and flood affected areas. The establishment of this Program, made possible through the Australian Government's \$4 billion Emergency Response Fund, is a key initiative in delivering impactful flood mitigation to Australian communities. The Program aligns with the recommendations of the Royal Commission into National Natural Disaster Arrangements, the National Disaster Risk Reduction Framework and findings of the State of the Climate Report 2020.

I am pleased to advise that the Australian Government will provide the Australian Capital Territory Government with financial assistance to support two projects, outlined below.

| Project name | Commonwealth funding | Jurisdiction co-contribution | Total project cost |
|--|----------------------|------------------------------|--------------------|
| Throsby Crescent Retardation Basin | \$890,000 | \$890,000 | \$1,780,000 |
| Narrabundah Playing Fields Retardation Basin | \$4,837,469 | \$5,000,000 | \$9,837,469 |

Please note that within the available funding envelope of \$50 million for the Program, the full contribution requested for the Narrabundah Playing Fields Retardation Basin project proposal was unable to be accommodated. The Commonwealth is able to contribute \$4,837,469 of the requested \$5,000,000.

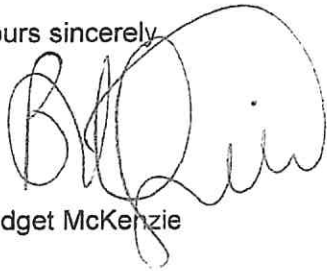
In accordance with the Commonwealth Grant Rules and Guidelines and the Emergency Response Fund legislation, funding for successful projects under the Program will be delivered to your Government under a Schedule to the Federation Funding Agreement – Environment that was negotiated by the Department of Treasury in 2020.

The Schedule outlines the commitments and responsibilities of each party as required by the Program Guidelines. Officials from the National Recovery and Resilience Agency will work closely with officials from the Commonwealth Treasury and the Australian Capital Territory Government to finalise a mutually agreed Schedule. The Schedule will be co-signed between us as the respective Ministers' responsible for emergency management. The funding can then be transferred from the Commonwealth and Australian Capital Territory Government.

I look forward to working with you throughout the implementation of these arrangements and the delivery of these important projects.

I have copied this letter to the Treasurer, the Hon Josh Frydenberg MP, and the Treasurer for the Australian Capital Territory, the Hon Andrew Barr MLA.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget McKenzie', written over a large, faint circular watermark or stamp.

Bridget McKenzie

CC: The Hon Josh Frydenberg MP, Treasurer
The Hon Andrew Barr MLA, Treasurer for Australian Capital Territory



Australian Government

National Flood Mitigation Infrastructure Program 2021-22 Approved Projects

| Project Name | Project Description | Funding Requested | Funding Approved |
|---|---|---------------------|---------------------|
| AUSTRALIAN CAPITAL TERRITORY | | \$5,890,000 | \$5,727,469 |
| Narrabundah Playing Fields Retardation Basin | Construction of a retardation basin and associated works at the Narrabundah Playing Fields to increase retarding capacity and reinstate the playing fields | \$5,000,000 | \$4,837,469 |
| Throsby Crescent Retardation Basin | Construction of a retardation basin and associated works. | \$890,000 | \$890,000 |
| NEW SOUTH WALES | | \$19,214,500 | \$19,214,500 |
| Retford Farm Detention Basin | The Retford Farm Basin will improve community resilience by reducing the frequency and intensity of flooding to existing development as well as to existing roads and infrastructure. | \$4,612,500 | \$4,612,500 |
| Young Trunk Drainage Upgrade (D3) | Works involve the demolition of a section of existing culvert, construction of a concrete channel, construction of twin culverts and connection to existing minor drainage networks. | \$6,150,000 | \$6,150,000 |
| Stockdale Detention Basin | Upgrading the existing detention basin with additional flow containment standard and spillway capacity. | \$2,325,000 | \$2,325,000 |
| Warren Levee Flood Mitigation Rehabilitation Work | Remediation of part of the existing levee bank. Work to be carried out in two stages. Stage one involves major earthworks to allow the installation of sheet piles into the bank of the Macquarie River, reconstruction of the river and levee banks and the installation of rock protection between the sheet piles and the top of the repaired levee bank. Stage two involves the removal and replacement of the flood levee gates located at 47 sites along the 16km of levee banks. | \$5,325,000 | \$5,325,000 |
| Alice Street Levee Rehabilitation | Work involves rock armoring the toe of the riverbank to stabilise it, reinstating some sections of the levee wall to maintain flood protection, and provision of better drainage behind the levee with an improved outlet into the river. | \$802,000 | \$802,000 |
| NORTHERN TERRITORY | | \$10,000,000 | \$10,000,000 |
| Kulaluk Flood Mitigation Infrastructure | Mitigation of flooding in the Kulak community and surrounding suburbs by formalising drainage, filling land and erecting a sea wall. | \$10,000,000 | \$10,000,000 |



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| | | | |
|---|--|--------------------|--------------------|
| QUEENSLAND | | \$894,000 | \$894,000 |
| Charleville Levee Remediation Works | Mitigate and improve levee structure including structural defects and erosion protection systems. | \$300,000 | \$300,000 |
| Ballin Drive Detention Basin | Replacement of two existing chutes structures within the East Creek corridor of Gowrie Creek through Balling Park. | \$594,000 | \$594,000 |
| SOUTH AUSTRALIA | | \$9,945,000 | \$9,945,000 |
| Seventh Avenue Flood Mitigation | Construction of new stormwater management infrastructure to capture and detain stormwater | \$420,000 | \$420,000 |
| Mt Bold Dam Safety Upgrade Additional Flood Attenuation | An additional Flood Attenuation system to safely pass the Probable Maximum Flood over its spillways without causing the dam to fail | \$9,525,000 | \$9,525,000 |
| TASMANIA | | \$1,837,031 | \$1,837,031 |
| Sorell Council - Devenish Drive SW Upgrade | Replace piping, construct drainage and channels to mitigate future flood risks. | \$787,031 | \$787,031 |
| Sorell Council -Seventh Avenue - Carlton Beach SW Upgrade | Minimise the flood risk at Carlton Beach Road through construction of new pit inlets, a new outfall and replacement of undersized piping. | \$1,050,000 | \$1,050,000 |
| VICTORIA | | \$2,382,000 | \$2,382,000 |
| Numurkah flood mitigation project northern levee | The works consist of a 4,500-metre-long levee embankment on the north side of Broken Creek at Numurkah. The levee will be constructed to above the one percent design flood level. | \$2,382,000 | \$2,382,000 |



Australian Government

National **Recovery**
and **Resilience** Agency

Audit and Reporting Framework

National Flood Mitigation Infrastructure Program 2021-22

Version 4.0 – June 2022



Version History

| Version | Date | Change |
|---------|--------------|--|
| 1.0 | 05 May 2022 | Consultation Version |
| 2.0 | 10 May 2022 | Project Logic Template |
| 3.0 | 02 June 2022 | Project Logic Template + Reporting Requirements |
| 4.0 | 21 June 2022 | Addition of metric to measure job/apprenticeships/traineeships |



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Background

PURPOSE OF THIS DOCUMENT

The objectives of this Audit and Reporting Framework (Framework) for the National Flood Mitigation Infrastructure Program (NFMIP) 2021-22 are to:

- provide the National Recovery and Resilience Agency (Agency) with reasonable assurance regarding implementation of each state and territory's NFMIP 2021-22 projects.
- provide the Agency with reasonable assurance regarding state expenditure included in the Financial Statement Form;
- inform the Agency's biannual reporting through Interim and Performance Reporting; and
- direct States and Territories to engage the services of a state or territory appointed auditor to undertake the assurance activities.

This document outlines the reporting requirements States and Territories are expected to meet under NFMIP, including the types of information required and the frequency of reporting.

RELATIONSHIP TO NFMIP 2021-22 PROGRAM GUIDELINES

This document gives effect to *Section 12.2: 'Reporting'* of the NFMIP Program Guidelines. Where there is a discrepancy between the information in the Program Guidelines and this document, this document supersedes the Program Guidelines.

EXPECTATIONS OF STATE AND TERRITORY GOVERNMENTS

State and Territory Governments must have systems in place to meet their data collection and reporting obligations outlined in the Schedule with the Agency for NFMIP 2021-22.

States and Territories must keep an accurate audit trail for seven (7) years. This must include written records that correctly record and explain the state's expenditure claimed for all eligible measures against the Schedule.

State and Territory Governments are expected to submit deliverables on the due dates outlined in the Schedule to the Federal Financial Relations Agreement – Environment via the Agency's online reporting portal. The information to be provided in these reports is summarised in this document.

If there are any changes proposed to project scope or implementation plan during the project period, State and Territory Governments must notify and discuss this with the Agency.

FURTHER INFORMATION

For assistance completing any reports, please contact the Agency by email at National.Flood.Mitigation@recovery.gov.au.



Summary of Reporting Requirements

State and Territory Governments receiving funding for projects under NFMIP 2021-22 are required to provide the below reports. Due dates for the reports are stated in the Schedule to the Federal Financial Relations Agreement – Environment.

REQUIREMENTS

1. **Implementation Plan (refer Appendix A)** – to be provided within 3 months of the commencement of the Schedule.
2. **Performance Reports (refer Appendix B)** – to be provided biannual (twice per year) to report on progress against agreed project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first Performance Report should be submitted approximately 3 months after the Implementation (i.e. around 6 months of the commencement of the Schedule).
3. **Final Report (refer Appendix C)** – to be provided no later than three months from the date that the project was completed. Final reports must identify if and how outcomes have been achieved and identify the total eligible expenditure incurred.
4. **Audit Report** - States and Territories are required to submit to the Agency an audit report of all actual project expenditure at the end of the project, completed by the state appointed auditor. This should be attached to the Final Report (refer Appendix C).
 - This audit must comply with the requirements of ASA 800 Special Considerations-Audits of Financial Reports Prepared in Accordance with Special Purpose Frameworks.
 - The auditor's opinion is to be based on the indicative total actual expenditure that the State or Territory Government has set out in the End of Project Report.
 - The audit report must cover the total actual costs of the project, including any additional costs incurred against the project above the estimated project cost.
 - The report must be submitted no later than nine months from the end of the financial year in which the project was completed.
 - Where more than one project has been completed within the same financial year the state appointed auditor may report on all applicable projects within a single report.

Important Notes regarding financial expenditure

- States and Territories must keep an accurate audit trail for seven (7) years. This must include written records that correctly record and explain expenditure claimed for all eligible measures against the Schedule.
- In the event where efficiencies or overspends are identified, State and Territory governments will need to outline the jurisdiction's approach for determining how to reallocate funds. Section 20 of the Federal Financial Relations Act 2009 provides the Agency with discretion to determine that a State or Territory repay NFMIP Project funding to the Agency where the State or Territory does not meet a condition of the relevant Schedule.



- The Agency will determine whether an amount should be repaid, and if so, how much should be repaid, with regard to the circumstances of each individual matter. The Schedule sets out the circumstances in which the State or Territory must repay amounts to the Agency.

OTHER ITEMS

The Agency also reserves the right to request the following:

Ad hoc reports and meetings – throughout the project period, the Agency may ask States and Territories for ad-hoc reports or updates on their funded projects, or may arrange meetings to discuss the project. This may occur more frequently in the early stages of the project. Ad-hoc reports and meetings provide an opportunity to provide an update on progress, discuss any significant delays or difficulties in completing the project, discuss events and announcements related to the project, or discuss assumptions and objectives of the project(s).

Financial Declaration – on occasion, the Agency may ask States and Territories to provide a declaration that the funding was spent in accordance with the funding agreement and to report on any underspends of the funding.



Appendix A: Implementation Plan

National Flood Mitigation Infrastructure Program 2021-22

Implementation Plans must be submitted through the Agency’s online reporting portal. The example template below provides an overview of the information that will be required to be provided for each project funded under NFMIP 2021-22.

Part 1: Preliminaries

1. The Implementation Plan is a requirement under the Schedule to the Federation Funding Agreement – Environment and should be read in conjunction with both agreements.
2. The Schedule stipulates that states and territories must obtain Agency approval of the required Implementation Plan within three months of the time the Schedule commences.

Part 2: Terms of this Implementation Plan

3. The purpose of the Implementation Plan is to provide an indication of how the project is intended to be delivered under the National Flood Mitigation Infrastructure Program 2021-22.
4. The Implementation Plan expires on completion of the projects, including final performance reporting.
5. The Implementation Plan may be varied by written agreement between the Agency and State and Territory government officials.
6. The Parties do not intend any of the provisions of the Implementation Plan to be legally enforceable. However, this does not lessen the Parties’ commitment to the plan and its full implementation.
7. The estimated overall budget (exclusive of GST) is set out in Section 2. The budget is indicative only and **state/territory** retains flexibility in reallocating funds.

Part 3: Implementation Plan Form (for completion)

Section 1: Project Information Overview

| | |
|--|--------------------------------|
| Date of this report | Free Text |
| Administering body (Agency / Department Name) | Free Text |
| Point of Contact (Name, organisation, email, phone number) | Free Text |
| Project ID | Will be provided by the Agency |
| Project Title | Free Text |
| Project Description Summary (max 100 words) | Free Text |



| | | | |
|--|--------------------------|---------------------------|-----------|
| Project location type | Picklist (single) | | |
| State / territory name | Picklist | | |
| LGA Name | Picklist (multi) or N/A | | |
| Project location (if not LGA or State) | Free text / N/A | | |
| X Co-Ordinates | Decimal Degrees | | |
| Y Co-Ordinates | Decimal Degrees | | |
| Primary Domain | Picklist (single) | | |
| Primary Sub-Domain | Picklist (single) | | |
| Secondary Sub-Domain | Picklist (single) | | |
| Estimated start date | Free Text | Estimated completion date | Free Text |
| Delivery Milestones | | | |
| Milestone Description (<i>Note: there should be at least 1 milestone per 6 month period</i>) | Expected completion date | Expected expenditure | |
| | | | |
| | | | |
| <i>Add more fields as required</i> | | | |
| Project delivery partners | | | |

Section 2: Funding Overview

| | |
|--|-----------|
| Total amount of funding for the Project | Free Text |
| NFMIP 2021-22 contribution to the project | Free Text |
| State contribution to the project | Free Text |
| Local government contribution to the project | Free Text |
| Other contributions to the project | Free Text |



| | | |
|---|----------------------------------|----------------------------------|
| Jobs/apprenticeships/traineeships that have been created that are directly related to the project (estimations) | <input type="checkbox"/> 1 - 5 | <input type="checkbox"/> 26 - 30 |
| | <input type="checkbox"/> 6 - 10 | <input type="checkbox"/> 31+ |
| | <input type="checkbox"/> 11 - 15 | Other [Free Text] |
| | <input type="checkbox"/> 16 - 25 | |
| Please define whether part-time/full-time or contractor (or all) | Free Text | |

Section 3: Itemised Budget

| Item | Commonwealth funding | State / territories / LGAs | Third parties | Total |
|--|----------------------|----------------------------|---------------|-------|
| Project Management Costs | | | | |
| | | | | |
| | | | | |
| <i>Add more as required</i> | | | | |
| Total Project Management | | | | |
| Construction Costs | | | | |
| <i>Material</i> | | | | |
| <i>Labour</i> | | | | |
| <i>Etc</i> | | | | |
| Total Construction | | | | |
| Audit and Assurance Costs | | | | |
| <i>Professional services, etc</i> | | | | |
| | | | | |
| <i>Add more categories as required</i> | | | | |
| Total Audit and Assurance | | | | |
| Total Sum | | | | |



Section 4: Risk Management

Describe the project risks and mitigation strategies below.

| Risk | Mitigation Strategy |
|------|---------------------|
| | |
| | |
| | |

Section 5: Comments

| Comments |
|----------|
| |

Section 6: Declaration

I confirm that that the information provided in this Report is a true and accurate estimate at the time of reporting, and that to the best of my knowledge, the project is being delivered in line with the commitments set out in Schedule agreed with the Australian Government.

I acknowledge that an accurate audit trail relating to the project must be kept for a minimum of seven (7) years from the end of the project, and that the Australian Government may request additional information, or conduct an audit to verify the accuracy of information contained in this Report.

| | |
|------------------|-----------|
| Name | Free Text |
| Title | Free Text |
| Signature | Free Text |
| Date | Free Text |



Appendix B: Performance Report

National Flood Mitigation Infrastructure Program 2021-22

Performance Reports must be submitted through the Agency's online reporting portal. The example template below provides an overview of the information that will be required to be provided for each project funded under NFMIP 2021-22.

Section 1: Project Information Overview

| | | | |
|--|---------------------------------------|-----------------------------------|-----------|
| Administering body (Agency / Department Name) | Free Text | | |
| Point of Contact (Name, organisation, email, phone number) | Free Text | | |
| Project ID | <i>Will be provided by the Agency</i> | | |
| Project Title | Free Text | | |
| Project start date | Free Text | Estimated project completion date | Free Text |
| Status | Picklist (single) | | |

Section 2: Project progress & accountability

| | |
|---|-----------|
| What activities have been delivered for this project during this reporting period? <i>In addition to any construction activity, include any planning, design, consultation, approvals activities etc.</i> | Free Text |
| Which milestones in the implementation plan have been achieved in this reporting period? | Free Text |
| Estimate what proportion of the project is complete (%) | Free Text |
| Is the project on schedule according to the Implementation Plan? If not, describe the delays that have affected the schedule and their respective impact | Free Text |
| Has there been any media or events held in relation to the project during the reporting period? | Free Text |
| What are the next key activities to be delivered for the project? | Free Text |
| Please advise of any project and/or interrelated community risks (current, emerging and/or increasing), including any mitigation strategies being put in place (<i>If applicable</i>) | Free Text |
| Have there been any variations to the activities, including scope or specifications set out in the Implementation Plan? If yes, please describe the variations that occurred. (The state or territory must contact the Agency to discuss variations if it has not already done so). | Free Text |

Section 3: Funding Overview



| | |
|---|--|
| Total amount of funding <u>committed</u> to the Project | Free Text |
| NFMIP 2021-22 funding <u>committed</u> to the Project | Free Text |
| State funding <u>committed</u> to the Project | Free Text |
| Local government funding <u>committed</u> to the Project | Free Text |
| Other funding <u>committed</u> to the Project | Free Text |
| Total amount of funding <u>dispersed</u> for the Project | Free Text |
| NFMIP 2021-22 funding <u>dispersed</u> for the Project | Free Text |
| State funding <u>dispersed</u> for the Project | Free Text |
| Local government funding <u>dispersed</u> for the Project | Free Text |
| Other funding <u>dispersed</u> for the Project | Free Text |
| Has the project incurred costs beyond those estimated at the planning stage? If yes, what is the current estimated value of these additional costs? <i>Note: if the indicative final project cost exceeds the estimated project cost at planning stage, this question should be answered 'yes'</i> | Free Text |
| Have Commonwealth funds identified through efficiencies for other projects funded through NFMIP 2021-22 been used to cover any element of these additional costs? If yes, what is the value of the Commonwealth funds redirected to this project? | Free Text |
| Jobs/apprenticeships/traineeships that have been created that are directly related to the project (estimations) | <input type="checkbox"/> 1 - 5 <input type="checkbox"/> 6 - 10 <input type="checkbox"/> 11 - 15 <input type="checkbox"/> 16 - 25 <input type="checkbox"/> 26 - 30 <input type="checkbox"/> 31+ Other [Free Text] |
| Please define whether part-time/full-time or contractor (or all) | Free Text |

Section 4: Record keeping and evidentiary requirements

| | |
|---|-----------|
| Has the state been maintaining written records that correctly document and explain expenditure of Commonwealth funds relating to the project? If no, please describe what records are missing or unavailable, and what action is proposed to be undertaken? <i>(States are reminded that they must keep an accurate audit trail for seven (7) years).</i> | Free Text |
| Attach any agreed evidence required with this report to demonstrate project progress. | Free Text |



| | |
|---|-----------|
| Attach copies of any published reports and promotional material, relating to the project. | Free Text |
|---|-----------|

Section 5: Comments

| |
|-----------------|
| Comments |
| Free Text |

Section 6: Declaration

| | |
|---|-----------|
| <p>I confirm that that the information provided in this Report is a true and accurate estimate at the time of reporting, and that to the best of my knowledge, the project is being delivered in line with the commitments set out in Schedule agreed with the Australian Government.</p> <p>I acknowledge that an accurate audit trail relating to the project must be kept for a minimum of seven (7) years from the end of the project, and that the Australian Government may request additional information, or conduct an audit to verify the accuracy of information contained in this Report.</p> | |
| Name | Free Text |
| Title | Free Text |
| Signature | Free Text |
| Date | Free Text |



Appendix C: Final Report

National Flood Mitigation Infrastructure Program 2021-22

The Final Report must be submitted through the Agency's online reporting portal. The example template below provides an overview of the information that will be required to be provided for each project funded under NFMIP 2021-22.

Section 1: Project Information Overview

| | | | |
|--|--------------------------------|-------------------------|-----------|
| Administering body (Agency / Department Name) | Free Text | | |
| Point of Contact (Name, organisation, email, phone number) | Free Text | | |
| Project ID | Will be provided by the Agency | | |
| Project Title | Free Text | | |
| Project start date | Free Text | Project completion date | Free Text |
| Status | Completed | | |

Part 2 - Project achievements

| | | | |
|---|---|---|--|
| Where applicable, describe any project activities completed during the reporting period that were not captured in the reporting milestones. | Free Text | | |
| Explain the stakeholder/community support for your project and how you gained and maintained stakeholder/community support during the delivery of your project. | Free Text | | |
| Jobs/apprenticeships/traineeships that have been created that are directly related to the project (estimations) | <input type="checkbox"/> 1 - 5 <input type="checkbox"/> 6 - 10 <input type="checkbox"/> 11 - 15 <input type="checkbox"/> 16 - 25 | <input type="checkbox"/> 26 - 30 <input type="checkbox"/> 31+ Other [Free Text] | |
| Please define whether part-time/full-time or contractor (or all) | Free Text | | |

Part 3 - Project outcomes



| | |
|--|-----------|
| Describe what was delivered through this project. | Free Text |
| Was the project completed according to the description and scope set out in the Implementation Plan? If not, please describe the variations that occurred. | Free Text |
| Was the project completed according to the timeframes, milestones and schedule set out in the Implementation Plan? If not, describe the delays that affected the schedule and their respective impact? | Free Text |
| Explain how your project has reduced flood hazard exposure and/or vulnerability of people and/or assets in the community. | Free Text |

| Part 4 - Project benefits | |
|--|-----------|
| Explain how the project helped to reduce future flood-related hazards and mitigate the impact of future disasters on communities and economies in the area(s). | Free Text |
| What are the benefits (expected and unexpected) the project has achieved for the region and community? | Free Text |
| Will the project have an ongoing impact for the community, including vulnerable people? If so, what? | Free Text |
| Did the project result in any negative impacts? If yes, explain why. | Free Text |
| Have you identified any future activities that could be undertaken to further reduce natural hazards in the community? If so, please specify | Free Text |
| Is there any other information you wish to provide about your project? If yes, provide details. | Free Text |
| Alignment with Program Objectives | |
| <i>The Program sought to deliver on a set of objectives. Please state whether you believe this project delivered on these particular objectives, and to what extent.</i> | |
| reduced future eligible expenditure under the DFRA | Free Text |
| reducing the exposure to hazards | Free Text |
| mitigating against risk that influences insurance affordability | Free Text |
| Part 5 – Financial accountability | |
| Estimated project cost at planning stage (as set out in implementation plan) | Free Text |
| Indicative final project cost | Free Text |
| Commonwealth funding (as set out in the Schedule) | Free Text |
| Indicative final Commonwealth funds expended on project | Free Text |
| Planned State or Territory co-contribution (as set out approved in the Schedule) | Free Text |
| Indicative final State or Territory co-contribution | Free Text |
| Planned third party (local governments or other bodies) co-contributions | Free Text |



| | |
|---|-----------|
| Indicative final third party co-contributions | Free Text |
|---|-----------|

| Part 6 – Efficiencies | |
|--|-----------|
| Were any efficiencies with Commonwealth funds realised against the project? <i>Note: If there is a variance between Commonwealth funding and estimated actual Commonwealth funds expended, this question should be answered 'yes'</i> | Free Text |
| If yes, what is the estimated value of the efficiencies? | Free Text |
| Please describe where the efficiencies have occurred | Free Text |
| Please describe how the funds from these efficiencies have been or will be redirected, or have been managed | Free Text |

| Part 7 – Additional costs | |
|--|-----------|
| Has the project incurred costs beyond those estimated at the planning stage? <i>Note: if the indicative final project cost exceeds the estimated project cost at planning stage, this question should be answered 'yes'</i> | Free Text |
| If yes, what is the value of these additional costs? | Free Text |
| Have Commonwealth funds identified through efficiencies for other projects funded through NFMIP 2021-22 been used to cover any element of these additional costs? | Free Text |
| If yes, what is the value of the Commonwealth funds redirected to this project? | Free Text |
| Provide details of any other funding sources used to cover costs incurred beyond those estimated at the planning stage | Free Text |

| Part 8 – Indicative final project expenditure | | | | |
|---|----------------------|----------------------|---------------|-------|
| Item | Commonwealth funding | State or territories | Third parties | Total |
| Project Management Costs | | | | |
| <i>Component a, etc</i> | <i>Free Text</i> | | | |
| | | | | |
| <i>Add more as required</i> | | | | |
| Total Project Management | | | | |
| Construction Costs | | | | |
| Material | <i>Free Text</i> | | | |
| Labour | | | | |



| | | | | |
|-----------------------------------|------------------|--|--|--|
| <i>Etc</i> | | | | |
| Total Construction | | | | |
| Audit and Assurance Costs | | | | |
| <i>Professional services, etc</i> | <i>Free Text</i> | | | |
| | | | | |
| Total Audit and Assurance | | | | |
| Sum of costs | | | | |
| Sum | <i>Free Text</i> | | | |

| Part 9 – Record keeping and evidentiary requirements | |
|---|------------------|
| <p>Has the state been maintaining written records that correctly document and explain expenditure of Commonwealth funds relating to the project?</p> <p><i>States are reminded that they must keep an accurate audit trail for seven (7) years.</i></p> <p>If no, please describe what records are missing or unavailable, and what action is proposed to be undertaken</p> | Free Text |
| <p>Attach any evidence required with this report to demonstrate progress or successful completion of your project. The Agency reserves the right to make specific requests for relevant evidence during the final reporting process.</p> | Attachment Field |
| <p>Attach copies of any published reports and promotional material, relating to the project.</p> | Attachment Field |
| <p>Attach the Audit Report</p> | Attachment Field |

| Part 10 – Feedback and Comments | |
|--|-----------|
| <p>Do you have any feedback on how the NRRRA could improve the program (either in design or administration) in future years?</p> | Free Text |

| Part 11 – Declaration |
|---|
| <p>I confirm that that the information provided in this Report is a true and accurate estimate at the time of reporting, and that to the best of my knowledge, the project is being delivered in line with the commitments set out in Schedule agreed with the Australian Government.</p> <p>I acknowledge that an accurate audit trail relating to the project must be kept for a minimum of seven (7) years from the end of the project, and that the Australian Government may request additional information, or conduct an audit to verify the accuracy of information contained in this Report.</p> |



Australian Government

National Recovery
and Resilience Agency

| | |
|------------------|-----------|
| Name | Free Text |
| Title | Free Text |
| Signature | Free Text |
| Date | Free Text |

New South Wales - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|---|---|---------------|---------|-------|-------------------------------|-------|--------------|--|-------|--------------|---|------|-------------|
| Parties | Commonwealth New South Wales | | | | | | | | | | | | |
| 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: Yoogali McCormack Levee Upgrades • Project 2: Cessnock Levee (Bund Wall) • Project 3: Holbrook Levee • Project 4: Hanwood Stormwater Pump and Levee • Project 5: Bellambi Gully Channel Improvement • Project 6: Fairfield Golf Course Detention Basin Upgrade <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to New South Wales an estimated total financial contribution of \$13.37m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>20.16</td> <td>20.16</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>13.37</td> <td>13.37</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>6.79</td> <td>6.79</td> </tr> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 20.16 | 20.16 | Less estimated National Partnership Payments | 13.37 | 13.37 | Balance of non-Commonwealth contributions | 6.79 | 6.79 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 20.16 | 20.16 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 13.37 | 13.37 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 6.79 | 6.79 | | | | | | | | | | | |
| 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 Attachment A.</p> <p>Resolution of terms</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.
- 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 New South Wales and provided to the Commonwealth for approval. New South Wales must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

- (10) 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.
- (11) 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 | New South Wales agrees and signs the Schedule | Upon signature of Schedule | \$13.37m |
| | New South Wales provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | New South Wales submits an Interim Report three months from the date at which the Schedule was signed | After the first Interim Report, six monthly until all projects under this Schedule are complete | N/A |
| | New South Wales 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 |
| | New South Wales submits an End of Project report | No later than three months from the date that the project was completed. | N/A |
| | New South Wales 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

21/8/2021

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

The Honourable David Elliott MP
Minister for Police and Emergency Services

/ / 2021

Attachment A

Details of New South Wales' Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Co-contribution |
|----------------------|---|--|----------------------|--------------------|
| 1 | Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$520,000 |
| 2 | Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,900,000 |
| 3 | Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$0 |
| 4 | Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$620,000 |
| 5 | Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$1,070,000 |
| 6 | Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase the basin capacity. | \$1,920,000 | \$1,680,000 |
| Total funding | | | \$13,370,000 | \$6,790,000 |

The Northern Territory - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of schedule | | | | | | | | | | | | | |
|--|---|------------------|---------|-------|-------------------------------|------|-------------|--|-----|------------|---|-----|------------|
| Parties | Commonwealth Northern Territory | | | | | | | | | | | | |
| 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: Katherine Flood Mitigation Levee South <p>An overview of the project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Northern Territory an estimated total financial contribution of \$9.40m (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 (\$m)</th> <th style="text-align: right;">2020-21</th> <th style="text-align: right;">Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td style="text-align: right;">10.0</td> <td style="text-align: right;">10.0</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: right;">9.4</td> <td style="text-align: right;">9.4</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: right;">0.6</td> <td style="text-align: right;">0.6</td> </tr> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 10.0 | 10.0 | Less estimated National Partnership Payments | 9.4 | 9.4 | Balance of non-Commonwealth contributions | 0.6 | 0.6 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 10.0 | 10.0 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 9.4 | 9.4 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 0.6 | 0.6 | | | | | | | | | | | |
| 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 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 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 the Northern Territory and provided to the Commonwealth for approval. The Northern Territory must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

- | | |
|--|---|
| | <p>(10) 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</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
|--|---|

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 | The Northern Territory agrees and signs the Schedule | Upon signature of Schedule | \$9.40m |
| | The Northern Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | The Northern Territory 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 |
| | The Northern Territory 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 |
| | The Northern Territory submits End of Project Report | No later than three months from the date that the project was completed. | N/A |
| | The Northern Territory 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

24/8 2021

Signed for and on behalf of the Northern Territory by

The Honourable Nicole Manison MLA
Minister for Police, Fire and Emergency Services

/ / 2021

Attachment A

Details of the Northern Territory's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the NT |
|----------------------|--|--|----------------------|------------------------|
| 1 | Katherine Flood Mitigation Levee South | This project involves construction of a new flood mitigation levee (3km in length) aligned along the eastern side of Katherine South to the southern tip of Katherine South. | \$9,400,000 | \$600,000 |
| Total funding | | | \$9,400,000 | \$600,000 |

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 Attachment A.</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 border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <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> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | 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 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| 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 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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

24/8 / 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

/ / 2021

Attachment A

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.

South Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|--------------|--------------|--|--|-------------------------------|------|-------------|--|------|-------------|---|-------------|-------------|
| Parties | Commonwealth South Australia | | | | | | | | | | | | | | | |
| 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: Two Wells Township Levee • Project 2: Prospect Drainage Scheme Upgrade – Stage 1 <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to South Australia an estimated total financial contribution of \$3.18m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> <tr> <th>(\$m)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>6.54</td> <td>6.54</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>3.18</td> <td>3.18</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>3.36</td> <td>3.36</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 6.54 | 6.54 | Less estimated National Partnership Payments | 3.18 | 3.18 | Balance of non-Commonwealth contributions | 3.36 | 3.36 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 6.54 | 6.54 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 3.18 | 3.18 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 3.36 | 3.36 | | | | | | | | | | | | | | |
| 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 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> <p>a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines</p> | | | | | | | | | | | | | | | |

- 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 South Australia and provided to the Commonwealth for approval. South Australia must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

| | |
|--|---|
| | <p>(10) 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</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
|--|---|

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 | South Australia agrees and signs the Schedule | Upon signature of Schedule | \$3.18m |
| | South Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | South Australia 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 |
| | South Australia 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 |
| | South Australia submits End of Project Report | No later than three months from the date that the project was completed. | N/A |
| | South Australia 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

[Signature]

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

24/8 2021

Signed for and on behalf of the state of South Australia

The Honourable Vincent Tarzia MP
 Minister for Police, Emergency Services and Correctional Services

/ / 2021

Attachment A

Details of South Australia's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by South Australia |
|----------------------|--|---|----------------------|---------------------------------|
| 1 | Two Wells Township Levee | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Two Wells Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$360,000 |
| 2 | Prospect Drainage Scheme Upgrade – Stage 1 | This project will provide a new, high capacity drainage system by upgrade/replacement of sections of the Prospect Outfall Drain. It will also enable future upstream connections to the new outfall drain to further reduce flood risk. The works are proposed outcomes from the Barker Inlet Central Stormwater Management Plan. | \$1,520,000 | \$3,000,000 |
| Total funding | | | \$3,180,000 | \$3,360,000 |

Tasmania - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

Table 1: Formalities and operation of Schedule

| Parties | Commonwealth Tasmania | | | | | | | | | | | | |
|--|---|------------------|---------|-------|-------------------------------|-------|--------------|--|------|-------------|---|-------|--------------|
| 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: Latrobe Council – Latrobe Flood Levees • Project 2: South Hobart Primary School • Project 3: Kingborough Council – Kingston Rivulet • Project 4: Waratah – Wynyard Council – Port Creek Mitigation <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Tasmania an estimated total financial contribution of \$3.19m (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 (\$m)</th> <th style="text-align: right;">2020-21</th> <th style="text-align: right;">Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td style="text-align: right;">17.46</td> <td style="text-align: right;">17.46</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: right;">3.19</td> <td style="text-align: right;">3.19</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: right;">14.27</td> <td style="text-align: right;">14.27</td> </tr> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 17.46 | 17.46 | Less estimated National Partnership Payments | 3.19 | 3.19 | Balance of non-Commonwealth contributions | 14.27 | 14.27 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 17.46 | 17.46 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 3.19 | 3.19 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 14.27 | 14.27 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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 Tasmania and provided to the Commonwealth for approval. The Tasmania must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

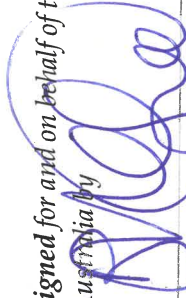
| | |
|--|---|
| | <p>(10) In accordance with s21(4) of the Emergency Response Fund Act, the Commonwealth reserves the right to recover an amount provided under this Schedule, where</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
|--|---|

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 | Tasmania agrees and signs the Schedule | Upon signature of Schedule | \$3.19m |
| | Tasmania provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | Tasmania 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 |
| | Tasmania 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 |
| | Tasmania submits the End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Tasmania 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

24/1 / 2021

Signed for and on behalf of the State of Tasmania by

The Honourable Jacqueline Petrusma MP
Minister for Police, Fire and Emergency Management

/ / 2021

Attachment A

Details of Tasmania's Funded Projects

| # | Project Name | Project Description | Commonwealth funding |
|-----------------------------------|---|---|----------------------|
| 1 | Latrobe Council – Latrobe Flood Levees | This project involves constructing of earth and concrete flood levees, water diversion structures and associated works. | \$1,270,000 |
| 2 | South Hobart Primary School | This project will protect the school from significant rainfall events, and mitigate a high risk of drowning on the site for any rainfall event above a 1 in 20 year or five per cent AEP. | \$648,000 |
| 3 | Kingborough Council – Kingston Rivulet | This project will upgrade the historic Kingston Rivulet to maximise the amount of flood water capable of draining into existing stormwater systems. | \$274,500 |
| 4 | Waratah – Wynyard Council – Port Creek Mitigation | This project involves widening of Port Creek as well as levee banks to hold back floodwaters in Port Creek from the surrounding airport and residential dwellings and floodwater discharge. | \$1,000,000 |
| Total Commonwealth funding | | | \$3,192,500 |

Victoria - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

Table 1: Formalities and operation of schedule

| Parties | Commonwealth Victoria | | | | | | | | | | | | |
|--|--|---------------|---------|-------|-------------------------------|-------|--------------|--|------|-------------|--|------|-------------|
| 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 from the Commonwealth provided to the State and Territory governments (States) under this Schedule will contribute to the delivery of the following projects (Funded Projects):</p> <ul style="list-style-type: none"> • Project 1: Wangaratta Urban Flood Mitigation Infrastructure • Project 2: Castlemaine and Campbell's Creek Levee • Project 3: Carisbrook Township Western Levee <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$6.92m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>10.43</td> <td>10.43</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>6.92</td> <td>6.92</td> </tr> <tr> <td>Balance of non-Commonwealth contributions*</td> <td>3.51</td> <td>3.51</td> </tr> </tbody> </table> <p><i>*Non-Commonwealth contributions are provided by a third party</i></p> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 10.43 | 10.43 | Less estimated National Partnership Payments | 6.92 | 6.92 | Balance of non-Commonwealth contributions* | 3.51 | 3.51 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 10.43 | 10.43 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 6.92 | 6.92 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions* | 3.51 | 3.51 | | | | | | | | | | | |
| 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 the States will apportion funding to projects as determined through the Program, and as shown at Attachment A.</p> <p>Resolution of terms</p> | | | | | | | | | | | | |

- (2) The Commonwealth and States will work together to resolve any conflicts arising through the Bilateral Agreements, using the approach set out below.
- a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines
 - b. The Emergency Response Fund Guidelines and the National Flood Mitigation Infrastructure Program(NFMIP) 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) States must deliver the Program in accordance with the agreed Implementation Plan. This Implementation Plan will be finalised after the commencement of this Schedule.
- a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework
- (4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. Victoria 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 greater.

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. The frequency and timing of reporting under this Schedule is set out at Table 2.
- (6) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework
- (7) The Audit and Reporting Framework supersedes and replaces chapter 7 (Monitoring and reporting), chapter 8 (Audit and assurance) and Attachment B of the NFMIP Program Guideline.

Third parties

- (8) In line with the NFMIP Program Guidelines, States 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, the States 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.

Repayment of amounts to the Commonwealth

- (10) 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 delivered as part of this Program cannot be delivered in accordance with the relevant Implementation Plan and the project cannot be appropriately scaled, and
 - b. the Commonwealth and States cannot reach an agreement on how to reallocate the funds, or
 - c. another condition of this Schedule is not met.
- (11) In accordance with clause 6, and with regard to the circumstances of each matter, the Commonwealth will determine whether part or all of the funding provided under this Schedule should be repaid.

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 | Victoria agrees and signs the schedule | Upon signature of schedule | \$6.92m |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2021, whichever is later. | N/A |
| | Victoria provides 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 |
| | Victoria 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 |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Australian Capital Territory 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

24/8 2021

Signed for and on behalf of the State of Victoria by

The Honourable Richard Wynne MP
 Acting Minister for Water

/ / 2021

Attachment A

Details of Victoria's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Non-Commonwealth contributions |
|----------------------|--|--|----------------------|--------------------------------|
| 1 | Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$1,800,000 |
| 2 | Castlemaine and Campbell's Creek Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$1,109,000 |
| 3 | Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$600,000 |
| Total funding | | | \$6,917,000 | \$3,509,000 |

Western Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

Table 1: Formalities and operation of Schedule

| Parties | Commonwealth Western Australia | | | | | | | | | | | | | | | |
|--|---|----------------|----------------|--------------|--------------|--|--|-------------------------------|------|-------------|--|------|-------------|---|---|----------|
| Duration | This Schedule is expected to expire 30 June 2031. | | | | | | | | | | | | | | | |
| 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: Warmun Community Risk Mitigation – Flood warning system | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Western Australia an estimated total financial contribution of \$0.70m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>0.70</td> <td>0.70</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>0.70</td> <td>0.70</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>0</td> <td>0</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 0.70 | 0.70 | Less estimated National Partnership Payments | 0.70 | 0.70 | Balance of non-Commonwealth contributions | 0 | 0 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 0.70 | 0.70 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 0.70 | 0.70 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 0 | 0 | | | | | | | | | | | | | | |
| 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 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"> The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines The Emergency Response Fund Guidelines and NFMIP Program Guidelines will prevail over the Schedule, <u>except</u> 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 Western Australia and provided to the Commonwealth for approval. Western Australia must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.
- (5) Western Australia must notify the Commonwealth as soon as practicable if the project timeframes set out in the Implementation Plan change.

Performance monitoring and reporting

- (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 these reporting obligations required by this Schedule.
- (7) The frequency and timing of reporting under this Schedule is set out at Table 2: Performance requirements, reporting and payment summary
- (8) 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

- (9) 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.
- (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, the Emergency Response Fund Guideline, NFMIP Program Guidelines and the conditions of this Schedule.

Repayment of amounts to the Commonwealth

(11) 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.

(12) 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 | Western Australia agrees and signs the Schedule | Upon signature of Schedule | \$700,000 |
| | Western Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | Western Australia submits an Interim Update three months from the project commencement date set out in the Implementation Plan | After the first Interim Update, six monthly until all projects under this Schedule are complete | N/A |
| | Western Australia submits a Performance Report six months from the project commencement date set out in the Implementation Plan. | After the first Performance Report, six monthly until all projects under this Schedule are complete. | N/A |
| | Western Australia submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Western Australia 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

24 / 8 / 2021

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

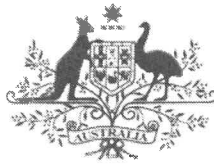
The Honourable Reece Whitby MLA
Minister for Emergency Services

/ / 2021

Attachment A

Details of Western Australia's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by jurisdiction |
|----------------------|----------------------------------|---|----------------------|------------------------------|
| 1 | Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$0 |
| Total funding | | | \$700,000 | \$0 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
 Minister for Regionalisation, Regional Communications and Regional Education
 Leader of the Nationals in the Senate
 Senator for Victoria

Emergency Response Fund – Ministerial Direction to draw down funds

I, Bridget McKenzie, Minister for Emergency Management and National Recovery and Resilience, acting in accordance with section 32A of the *Emergency Response Fund Act 2019* (the Act), hereby declare that:

- 1) I have approved the projects to be funded from the full \$50 million pre-disaster resilience component of the Emergency Response Fund for 2021-22.
- 2) arrangements have been or will be made with each state and territory government in Table 1 to carry out projects directed towards achieving resilience and preparedness to future natural disasters, or reduction of the risk of a future natural disaster, or long-term sustainability of a community or communities in an area that is at risk of being affected (whether directly or indirectly) by a future natural disaster for the purposes of subsection 20(1A) of the Act;
- 3) the terms and conditions on which that financial assistance is granted are or will be set out in a written agreement between the Commonwealth and each recipient; and
- 4) on account of these arrangements, the committed amounts shown in Table 1 are payable by the Commonwealth.

Table 1: Committed Amounts by Jurisdiction

| Jurisdiction | Funding Approved from ERF |
|---|----------------------------------|
| Australian Capital Territory | \$5,727,469 |
| Throsby Crescent Retardation Basin | \$890,000 |
| Narrabundah Playing Fields Retardation Basin | \$4,837,469 |
| New South Wales | \$19,214,500 |
| Young Trunk Drainage Upgrade | \$6,150,000 |
| Retford Farm Detention Basin | \$4,612,500 |
| Warren Levee Flood Mitigation Rehabilitation Work | \$5,325,000 |
| Alice Street Levee Re-habitation | \$802,000 |
| Stockdale Detention Basin | \$2,325,000 |
| Northern Territory | \$10,000,000 |
| Kulaluk Flood Mitigation Infrastructure | \$10,000,000 |

| Jurisdiction (cont'd) | Funding Approved from ERF |
|--|----------------------------------|
| Queensland | \$894,000 |
| Charleville Levee Remediation Works | \$300,000 |
| Ballin Drive Detention Basin | \$594,000 |
| South Australia | \$9,945,000 |
| Mt Bold Dam Safety Upgrade Additional Flood Attenuation | \$9,525,000 |
| Seventh Avenue Flood Mitigation | \$420,000 |
| Tasmania | \$1,837,031 |
| Sorell Council - Devenish Drive SW Upgrade | \$787,031 |
| Sorell Council - Seventh Avenue - Carlton Beach SW Upgrade | \$1,050,000 |
| Victoria | \$2,382,000 |
| Numurkah Flood Mitigation Project Northern Levee | \$2,382,000 |
| TOTAL FUNDING | \$50,000,000 |

In accordance with section 32A of the *Emergency Response Fund Act 2019*, I direct that \$50,000,000.00 is to be:

- a) debited from the Emergency Response Fund Special Account; and
- b) credited to the COAG Reform Fund

on 9 May 2022.

The purpose of this direction is to enable the amount to be credited to the COAG Reform Fund, which will then be debited for the purpose of making the grants to the states and territories.

Dated the 22 day of March 2022

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

The Australian Capital Territory - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|-------------|---------|-------|-------|--|--|------------------------|------|-------------|--|------|-------------|---|------|-------------|
| Parties | Commonwealth Australian Capital Territory | | | | | | | | | | | | | | | |
| 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: Goliath Court Flood Mitigation • Project 2: Mawson Stormwater Improvements <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Australian Capital Territory an estimated total financial contribution of \$3.34m (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;">2020-21</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: center;">4.35</td> <td style="text-align: right;">4.35</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">3.34</td> <td style="text-align: right;">3.34</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">1.01</td> <td style="text-align: right;">1.01</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 4.35 | 4.35 | Less estimated National Partnership Payments | 3.34 | 3.34 | Balance of non-Commonwealth contributions | 1.01 | 1.01 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 4.35 | 4.35 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 3.34 | 3.34 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 1.01 | 1.01 | | | | | | | | | | | | | | |
| 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 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 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 the Australian Capital Territory and provided to the Commonwealth for approval. The Australia Capital Territory must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.

Repayment of amounts to the Commonwealth

(10) 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.

(11) 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 | The Australian Capital Territory agrees and signs the Schedule | Upon signature of Schedule | \$3-34,m |
| | The Australian Capital Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | The Australian Capital Territory 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 |
| | The Australian Capital Territory 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 |
| | The Australian Capital Territory submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Australian Capital Territory 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 Australian Capital Territory by



The Honourable Mr Mick Gentleman MLA
Minister for Police and Emergency Services

17/9 / 2021

Attachment A

Details of the Australian Capital Territory's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the ACT |
|----------------------|--------------------------------|--|----------------------|-------------------------|
| 1 | Goliath Court Flood Mitigation | The work involves constructing raised vehicle crossings, storm water pipes, and additional inlets at Goliath Court. It also involves constructing a new discharge pipe along the Sullivan's Creek. | \$1,220,000 | \$0 |
| 2 | Mawson Stormwater Improvements | The work involves constructing new drainage to prevent flooding in the commercial precinct of Mawson. | \$2,120,000 | \$1,010,000 |
| Total funding | | | \$3,340,000 | \$1,010,000 |

NATIONAL RECOVERY AND RESILIENCE AGENCY

To: Minister for Emergency Management and National Recovery and Resilience (for decision by 26 November 2021 to align with announcement of the National Flood Mitigation Infrastructure Program 2021-22 and Program Guidelines).

PROGRAM GUIDELINES - NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2021-22

Recommendations - that you:

- 1. Note your decision for the \$50 million component of the National Flood Mitigation Infrastructure Program (NFMIP) 2021-22 is to fund levees, levee systems, infrastructure to promote floodplain restoration, and specific green infrastructure projects that mitigate flood risks (MS-000954 refers).

Noted/ Please discuss

- 2. Agree to the NFMIP 2021-22 Guidelines that have been updated as agreed in MS21-000594 at Attachment A.

Agreed/Not Agreed

- 3. Note the National Recovery and Resilience Agency (NRRRA) will work with your office on arrangements for announcing the Program, publication of the 2021-22 Guidelines and the opening of the applications.

Noted/Please discuss

[Handwritten signature]

BRIDGET MCKENZIE

Date:

25/11/2021

Comments:

Key Points:

- 1. In line with your decision for the National Flood Mitigation Infrastructure Program (NFMIP) 2021-22 (MS-000954 refers), the \$50 million component of the Emergency Response Fund will fund levees, levee systems, infrastructure to promote floodplain restoration and specific green infrastructure projects.
2. The Australian Government is investing \$100 million over 2020-21 and 2021-22 in the NFMIP to target high priority locally and nationally significant flood mitigation priorities in all states and territories. The 2021-22 NFMIP commitment demonstrates the Australian Government's strong leadership and positive commitment to reducing the high impact of the most costly natural disaster – floods.

NRRA Mr Stone Mr Padovan s 47F MO s 47F [CoS] Advisors s 47F

OFFICIAL: Sensitive

3. This proposal seeks your endorsement of the 2021-22 Guidelines to announce another \$50 million in funding for flood mitigation infrastructure under the Emergency Response Fund (Attachment A refers).
4. Publication by mid-November on the National Recovery and Resilience Agency (NRRA) website of the 2021-22 Guidelines will maximise the time available for jurisdictions to work with local governments and other key stakeholders to prepare quality, evidence based applications.
5. The Agency has notified states and territories on the changes to the 2021-22 Guidelines at Attachment B noting jurisdictions need to provide their top 10 projects under the one application.
6. Applications for NFMIP 2021-22 closes 4 February 2022. Pending the number of applications received, flexibility may be required around timeframes in relation to the assessment period. The NRRA will work with your office on arrangements for announcing the successful projects under the program in April 2022 (MS21-000594 refers).

NFMIP Program Guidelines

7. The NRRA has developed the Program Guidelines that outline eligibility criteria, application process requirements and the assessment and decision making framework for the NFMIP.
8. Key improvements for the 2021-22 NFMIP include:
 - a. Refining the eligibility criteria in line with your agreement in MS-000954 (Attachment B refers).
 - b. Funding recipients must have systems in place to meet their data collection and reporting obligations outlined in their funding agreement:
 - i. Quarterly reports provided in line with the funding agreement.
 - qualitative and quantitative progress against agreed project milestones and outcomes,
 - expenditure of the funding and contributions of participants directly related to the project set out in the 2021-22 Guidelines,
 - ii. Ad-hoc reports on funded projects on request that:
 - update on progress,
 - report any significant delays, or
 - difficulties in completing the project.
 - iii. A final report on completion of the project.
 - c. Mandating that applicants co-contribute to projects to ensure state and territory governments are committed to the projects as a flood mitigation priority for the region in question.
 - d. Minimum co-contribution (financial and/or in-kind) per project set at 25 per cent of total estimated project costs, to maximise the impact and equitable spread of Program outcomes.
 - e. Reliable and detailed evidence of co-contribution commitment to be submitted at time of application.

OFFICIAL: Sensitive

OFFICIAL: Sensitive

9. The 2021-22 Program additionally retains best practice elements of the 2020-21 Program, reconfigured to suit the 2021-22 Program as follows:
 - States and territories are the sole eligible applicants for the 2021-22 Program, at benefit to program governance and accountability, since states and territories are responsible for program delivery and audit and assurance, subject to NRRA oversight.
 - States and territories will work with local government to identify and assist in the development of project applications.
 - In compliance with the *Emergency Response Fund Act 2019*, (the Act) the Commonwealth will develop, with each state and territory, separate Schedules under the Federation Funding Arrangements Framework (FFAF) to support accountable delivery of 2021-22 Program outcomes.
 - Under the Act, the annual ERF allocation expires at 30 June 2021. Funded projects must be determined by April 2022, to provide the estimated six week period required for funds drawdown from the ERF to the COAG Reform Fund.
 - Following execution of a state or territory FFAF Schedule for the 2021-22 Program, Treasury will disburse nominated ERF funds from the COAG Reform Fund to that state or territory as a single upfront payment.

Critical timing and next steps

10. Once you approve the 2021-22 Guidelines at [Attachment A](#), arrangements will be made with your office on announcement opportunities. To coincide with the opening of the NFMIP, guidelines will be available on the NRRA website on the same day as the announcement. Prior to the announcement the NRRA will advise the Department of the Prime Minister and Cabinet (PM&C) Web Services who require a three working days to upload the Guidelines and application form. On completion of the upload, an announcement can be made with Guidelines and the application form going live on the same day.
11. Once the NFMIP is announced, the NRRA will write to states and territories enclosing the Guidelines and advising they:
 - provide documentary evidence that they have consulted with the Australian Local Government Association about the availability of the NFMIP, and
 - prioritise the ranking of their projects to align with those in the National Disaster Risk Reduction Framework, which will allow a national-level assessment of relative priority across states and territories.

Background

12. Flood mitigation in Australia suffers currently from under investment, and the Government recognises that floods are the most costly natural disaster, and flood mitigation is a high impact investment which aligns with the recommendations of both:
 - the Royal Commission into National Natural Disaster Arrangements, and
 - the Productivity Commission Report on Disaster Recovery Funding Arrangements.

OFFICIAL: Sensitive

OFFICIAL: Sensitive

13. NFMIP 2020-21 was heavily subscribed with over \$231 million in (74) applications received. The second round of the NFMIP will build on the success of the program last financial year. The commitment for further funding demonstrates the Commonwealth's strong leadership while adopting a collaborative approach with the states and territories, noting that states, territories, and local governments retain primary responsibility for ensuring flood mitigation preparedness.

Consultation

14. NRRA Media and Finance, the Department of Finance, the Treasury, the Department of Infrastructure, Transport, Regional Development and Communications, the Department of Home Affairs, PM&C, the Department of Agriculture, Water and Environment and the Bureau of Meteorology have been consulted on the development of the 2021-22 Guidelines.

Financial/systems/legislation/deregulation/media implications

15. Under the Act, ERF funds must be accessed within the financial year and therefore transferred to the COAG Reform Fund or the relevant Special Account by the end of the financial year; 30 June 2022. The process to drawdown ERF funds requires six weeks approximately and can only be initiated upon final determination of projects to be funded under the 2021-22 Program.
16. The NRRA will work with your office on arrangements for announcing the Program, publication of the 2021-22 Guidelines and the opening of the applications.

Viv Johnson
Executive Manager
Policy and Programs
25 November 2021

Policy Officer:
Phone no:

s 47F



ATTACHMENTS

ATTACHMENT A PROGRAM GUIDELINES 2021-22

**ATTACHMENT B AGREED IMPROVEMENTS TO THE NATIONAL FLOOD
MITIGATION INFRASTRUCTURE PROGRAM (NFMIP) 2021-2022**

NATIONAL RECOVERY AND RESILIENCE AGENCY

NRRA
Mr Stone
Mr Padovan
s 47F

To: Minister for Emergency Management and National Recovery and Resilience for signature by 1 December 2021 to align with announcement of the National Flood Mitigation Infrastructure Program 2021-22 and Program Guidelines.

MO
s 47F
[CoS]

LETTER TO STATE AND TERRITORY EMERGENCY MANAGEMENT COUNTERPARTS ADVISING THE ANNOUNCEMENT OF THE NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2021-22

Advisors
s 47F

Recommendation - that you:

- 1. Sign the letter at Attachment A to your state and territory counterparts responsible for emergency management advising of the opening of the National Flood Mitigation Infrastructure Program 2021-22.

BRIDGET MCKENZIE

Noted/Please discuss

Date:

1/12/2021

Comments:

Key Points:

- 1. In line with your decision for the National Flood Mitigation Infrastructure Program (NFMIP) 2021-22 (MS-000954 refers), the \$50 million component of the Emergency Response Fund will fund levees, levee systems, infrastructure to promote floodplain restoration and specific green infrastructure projects.
- 2. Letters are provided at Attachment A to state and territory Ministers responsible for emergency management advising them of the opening of the NFMIP 2021-22.

Sophie Cartwright
Executive Director
Resilience Programs
30 November 2021

Policy Officer: s 47F
Phone no: [Redacted]

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ATTACHMENTS

ATTACHMENT A:

**LETTER TO STATE AND TERRITORY EMERGENCY
MANAGEMENT COUNTERPARTS ADVISING THE
ANNOUNCEMENT OF THE NATIONAL FLOOD
MITIGATION INFRASTRUCTURE PROGRAM 2021-22**

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NATIONAL RECOVERY AND RESILIENCE AGENCY

NRRA
Mr Stone
Mr Padovan

CoS
S 47F

Advisors
S 47F

To: Minister for Emergency Management and National Recovery and Resilience (for decision by 14 March 2022 to ensure funds can be drawn down from the Emergency Response Fund prior to caretaker period).

NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2021-22 - PROJECT FUNDING RECOMMENDATIONS

Recommendations - that you:

1. Note the National Recovery and Resilience Agency (NRRA) received a total of 37 applications from states and territories for funding under the National Flood Mitigation Infrastructure Program 2021-22 (the Program), for a total funding request of \$86.35 million (Attachment A refers). All applications have been assessed by an interdepartmental Technical Advisory Panel and a Program Review Panel to inform the advice to you on the projects from the Coordinator-General.

Noted / Please discuss

2. Agree to the proposed funding allocations for fifteen (15) projects under the Program (Attachment A refers).

Agreed / Not agreed

3. **Sign** the letter to the Minister for Finance at Attachment B and the Ministerial Direction at Attachment C which approves the release of the \$50 million in Program funds from the Emergency Response Fund in line with the project funding allocations and the legislation.

Signed / Not Signed

4. Note that following your approval of the projects, the National Recovery and Resilience Agency will work with your office to finalise arrangements to:
a. announce the successful projects under the National Flood Mitigation Infrastructure Program 2021-22; a draft media release is provided at Attachment D.
b. prepare letters for your signature to state and territory emergency management ministers to inform them of the successful projects in their jurisdiction.

Noted / Please discuss

BRIDGET MCKENZIE

Date:

22/3/2022.

Comments:

PROTECTED: CABINET

Key Points:

1. On Tuesday, 30 November 2021, you announced the opening of the National Flood Mitigation Infrastructure Program (the Program) 2021-22. The Program is funded by the full \$50 million pre-disaster resilience component of the Emergency Response Fund available in 2020-21.
2. State and territory governments, in consultation with local governments and the community, were eligible to apply. The application period opened on 30 November 2021 and closed 4 February 2022.
3. 37 applications were received, for a total funding request of \$86.35 million, with representation from all states and territories. Where applications included prioritisation of the projects this information is included in Attachment A.

s 47B, s 47E(d)

5. On Monday 21 February 2022, a Technical Advisory Panel comprised of experts from CSIRO, the Bureau of Meteorology and the Australian Climate Service conducted a technical review of applications against Assessment Criteria 2 and 6. The Panel was chaired by the National Recovery and Resilience Agency.

s 47B, s 47C, s 47E(d)

7. On Thursday 24 February 2022, the Program Review Panel comprised of representatives from the Department of Agriculture, Water and Environment, Department of Infrastructure, Transport, Regional Development and Communications, the Bureau of Metrology and the National Recovery and Resilience Agency (Chair) who assessed, rated and ranked the 18 projects against the Program Guidelines and Assessment Criteria as per the following:

| Rating | Description | Score |
|--------------|--|-------|
| Excellent | Demonstrates excellent flood mitigation infrastructure impact. | 7-10 |
| Good | Demonstrates good flood mitigation infrastructure impact. | 4-6 |
| Satisfactory | Demonstrates satisfactory flood mitigation infrastructure impact. | 0-3 |

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PROTECTED: CABINET

Project Funding Recommendation

8. On 25 February 2022 the eligible projects were endorsed by the Coordinator-General and are provided for your consideration and approval, as the decision maker for grants made from the Emergency Response Fund under the *Emergency Response Fund Act 2019* (see Attachment B).
9. The Program Guidelines provide for consideration of the equitable distribution of funding. As the funding requested for approved projects is \$162,531 above the \$50 million allocation for the Program, the National Recovery and Resilience Agency is proposing to s 47B, s 47C, s 47E(d) [REDACTED]. The rationale for reducing funding for this project takes into account the following:
 - a. only applying any funding reduction to applications rated ‘Satisfactory’;
 - b. overall equity of funding spread across all projects; and
 - c. ensuring any reduction would not jeopardise implementation of the project. The reduction of 3 per cent for the ACT project would not jeopardise implementation of the project, however, a 27 per cent reduction for either of the two Queensland Satisfactory projects is expected to impact project implementation.

Critical timing on decision making

10. The NRRA is seeking your decision on which projects to fund under this Program before the 14 March 2022 to ensure the timeframes under the *Emergency Response Fund Act 2019* are met ahead of the expected caretaker period. This timing also aligns with your preference to announce the projects by April 2022 (MS21-000594 refers).
11. Following approval of the projects, the legislation requires that you write to the Minister for Finance, Senator the Hon Simon Birmingham, providing a direction to initiate the drawdown of the funds. A letter to the Minister for Finance and the Direction to Drawdown Funds have been drafted for your signature at Attachments B and Attachment C.
 - a. The drawdown process takes approximately six weeks but can occur during the caretaker period if the Minister for Finance has given the direction to the Department of Finance before this time.
 - b. The drawdown from the Emergency Response Fund must occur by 30 June 2022 or access to the funding allocation for this financial year will expire and the Program therefore cannot be delivered.
 - c. The funding agreements with the jurisdictions do not need to be finalised before the drawdown occurs. The \$50 million in funding will remain in the Council of Australian Governments Account until agreements have been negotiated and finalised with each of the states and territories that is receiving program funding. The negotiations with the states and territories will be managed by the National Recovery and Resilience Agency and can continue during the caretaker period.
12. Once you have approved the projects you wish to fund under this Program, the National Recovery and Resilience Agency will prepare letters for your signature to state and territory emergency management ministers to inform them of the successful projects in their jurisdictions.

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13. The National Recovery and Resilience Agency will then work with state and territory governments to develop bilateral agreements and determine project specific timeframes, including: funding delivery, estimated dates of completion, project delivery milestones, and audit and assurance mechanisms.

Risks and sensitivities

14. There is significant risk to the Program if an election is called and the Government enters a caretaker period before you have made a decision on the projects approved for funding and before the direction is given to the Minister for Finance to initiate the drawdown as the funds available from the Emergency Response Fund in 2021-22 expire on 30 June 2022.
15. It is important that the states and territories are notified of the successful projects in a coordinated manner to ensure they are all informed within the same timeframes. Applicants may have technical questions about the terms of their offer, including where the amount awarded is different from the amount requested.

Viv Johnson
Executive Manager
Policies and Programs
10 March 2022

Contact Officer: s 47F
Phone no: s 47F

PROTECTED: CABINET

PROTECTED: CABINET

ATTACHMENTS

**ATTACHMENT A SUCCESSFUL PROJECTS UNDER NATIONAL FLOOD
MITIGATION INFRASTRUCTURE PROGRAM 2021-22**

**ATTACHMENT B LETTER TO THE MINISTER FOR FINANCE PROVIDING
MINISTERIAL DIRECTION TO DRAW DOWN FUNDS FROM
THE ERF**

**ATTACHMENT C MINISTERIAL DIRECTION TO RELEASE FUNDS FROM THE
ERF IN LINE WITH PROJECT ALLOCATIONS UNDER THE
PROGRAM**

ATTACHMENT D DRAFT MEDIA RELEASE

PROTECTED: CABINET

NRRA
Mr Stone
Mr Padovan

NATIONAL RECOVERY AND RESILIENCE AGENCY

CoS
s 47F

To: Minister for Emergency Management and National Recovery and Resilience (for signature by 14 March 2022 to advise states and territories of the outcome of their applications under the National Flood Mitigation Infrastructure Program 2021-22)

Advisors
s 47F

NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2021-22 - INFORMING STATES AND TERRITORIES OF SUCCESSFUL PROJECTS

Recommendations - that you:

- 1. Note that you approved the final funding allocations for 15 projects under the National Flood Mitigation Infrastructure Program 2021-22 (the Program) in March 2022 (MS22-000028 refers).

Noted/ Please Discuss

- 2. Sign the letters at Attachment A to State and Territory Ministers responsible for Emergency Management to inform them of the successful projects in their jurisdiction under the Program (Attachment B refers).

Signed/Not Signed

- 3. Note the National Recovery and Resilience Agency (the Agency) will negotiate the terms of the seven Schedules to the Federation Funding Agreements Framework with successful States and Territories to deliver funding as a single, upfront grant.

Noted/ Please Discuss

BRIDGET MCKENZIE

Date: 30/3/2022

Comments:

Key Points:

- 1. As the decision maker for grants made from the Emergency Response Fund under the *Emergency Response Fund Act 2019*, you approved the Agency's proposed funding allocations for 15 projects under the National Flood Mitigation Infrastructure Program 2021-22 (the Program) in March 2022 (MS21-000528 refers).

s. 47B(a), s. 47C(1)



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2. This submission seeks your signature of letters at Attachment A to State and Territory Ministers' responsible for Emergency Management to inform them of the successful projects in their jurisdictions under the Program (Attachment B refers).
3. Following your announcement of the successful projects under the Program, officer-level staff at the Agency propose to advise State and Territory agencies of successful projects by email, including offering feedback sessions with officer-level contacts of each State and Territory to strengthen future applications.

Next Steps – Execution of Schedules with each State and Territory

4. The Agency will work with state and territory governments to develop Schedules to facilitate the transfer of funds to jurisdictions and set the conditions for the delivery of funded projects as required by the Program Guidelines.
5. Funding for each state and territory will be provided under the Federation Funding Agreements Framework, negotiated by Treasury in 2020. The agreements between the Commonwealth and each jurisdiction are created as Schedules to the Federation Funding Agreements Framework.
6. Once the co-signed Schedules are returned to the Commonwealth, Treasury will transfer the funds to states and territories through normal payment mechanisms. The funding will be transferred to each jurisdiction as a single, upfront payment and the funding will then be managed by the state or territory government with the entity responsible for delivering the project.

Viv Johnson
Executive Manager
Policies and Programs
4 March 2022

Policy Officer: s 47F
Phone no: s 47F

PROTECTED CABINET

PROTECTED CABINET

ATTACHMENTS

**ATTACHMENT A LETTERS TO EMERGENCY MANAGEMENT MINISTERS
ADVISING OF SUCCESSFUL NFMIP 2021-22 PROJECTS**

ATTACHMENT B FINAL LIST OF PROJECTS FUNDED UNDER NFMIP 2021-22

PROTECTED CABINET

NATIONAL RECOVERY AND RESILIENCE AGENCY

NRRA
Mr Stone
Mr Padovan
s 47F

MO
s 47F
[CoS]

Advisors
s 47F

To: Minister for Emergency Management and National Recovery and Resilience (for signature by 25 October 2021, to provide states and territories with funds for approved projects)

NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2020-21 – CO-SIGNING STATE AND TERRITORIES SCHEDULES FOR FUNDS TRANSFER

Recommendations - that you:

- 1. Note that on 20 August 2021, you wrote to your state and territory ministerial counterparts, providing their respective Schedules to the Federation Funding Agreements regarding the National Flood Mitigation Infrastructure Program 2020-21 (MS21-000571 refers) Noted / Please discuss
- 2. Note that four Schedules; Australian Capital Territory, Queensland, South Australia, and Western Australia have been returned with the respective state and territory minister's signature. Noted / Please discuss
- 3. Sign the Schedules, confirming the Commonwealth's commitment to each agreement so that the funds can be transferred and these jurisdictions can commence work on their funded projects (Attachments A through D). Signed / Not signed / Please discuss
- 4. Note that if the Schedules are not signed by 25 October 2021 it is unlikely that Treasury will be able to transfer the funds in November, risking further delays. Noted / Please discuss
- 5. Note that the four outstanding Schedules New South Wales, Northern Territory, Tasmania, and Victoria will be provided to your office as they are received. Noted / Please discuss

BRIDGET MCKENZIE

Date:

25/10/2021

Comments:

Key Points:

- 1. On 21 June 2021, \$50 million was debited from the Emergency Response Fund (ERF) and credited to the COAG Reform Fund to fund the 22 projects approved for Commonwealth funding or co-funding under the National Flood Mitigation Infrastructure Program 2020-21 (MS21-000528 and MS21-000571 refer).
- 2. The funding will be delivered under Schedules to the Federation Funding Agreements – Environment which require co-signature by you and the relevant minister from each state

OFFICIAL

and territory. Once the bilateral arrangements for the delivery of the projects are finalised through the co-signature of Schedules, Treasury will transfer the funds to jurisdictions.

3. On 20 August 2021, copies of the Schedules and a signed covering letter were sent from your office to the relevant states and territories seeking ministerial co-signatures. This submission seeks your signature on the Schedules received to date in order to deliver the grants under the program for 2020-21.
4. As at 20 October 2021, four of the eight Schedules have been returned for your signature (Attachments A through D) including:
 - ACT: received by National Recovery and Resilience Agency (NRRA) from your office 27 September 2021
 - QLD: received by National Recovery and Resilience Agency (NRRA) from your office 19 October 2021
 - SA: received by your office on 30 September 2021 and received by NRRA from your office on 8 October 2021
 - WA: received by NRRA from your office on 7 October 2021.
5. The Schedules will commence as soon as they are co-signed by you once Treasury has transferred funds to states and territories through normal payment mechanisms. In order to meet the November 2021 pay run, these Schedules must be signed by no later than 25 October 2021 or risk a further delay in transferring the funds.
6. The Schedules will expire on completion of the project, including final performance reporting and processing of final payments against milestones.
7. The remaining four Schedules (New South Wales, Northern Territory, Tasmania and Victoria) will be provided to your office as they are received to ensure expedited transfer of funds to jurisdictions and to avoid further delays with this program. The NRRA is continuing to engage with counterparts in these jurisdictions on the status of the Schedules.

Sensitivities

8. The approved projects were announcement in May 2021. Signing of the Schedules was impeded due to an administrative oversight. This delayed the original date for the payment of the funding under this program to the jurisdictions. Payment could not occur on or around 9 September 2021 as originally planned and discussed with jurisdictions.
9. Further delays in co-signature of the four Schedules provided may not meet the deadlines for the November pay run to states and territories. This will invite scrutiny and further delay the commencement and delivery of the projects funded under this program.

Sophie Cartwright
Executive Director
Resilience Programs Branch
Phone no: s 47F
15 October 2021

Policy Officer: s 47F
Phone no: s 47F

OFFICIAL

OFFICIAL

ATTACHMENTS

- ATTACHMENT A** **FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN AUSTRALIAN
CAPITAL TERRITORY**
- ATTACHMENT B** **FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN QUEENSLAND
FEDERATION**
- ATTACHMENT C** **FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN SOUTH AUSTRALIA
FEDERATION**
- ATTACHMENT D** **FINANCIAL AGREEMENTS SCHEDULE RELATING TO
PROJECTS FUNDED IN THE WESTERN AUSTRALIA**

PROTECTED CABINET

PDR: MS21-000594

NRRA
Mr Stone
Mr Padovan
Ms Johnson

NATIONAL RECOVERY AND RESILIENCE AGENCY

To: Minister for Emergency Management and National Recovery and Resilience (for decision by 15 October 2021 to allow sufficient time to open the program for applications.)

MO
s 47F
[CoS]

EMERGENCY RESPONSE FUND - ALLOCATION OF \$50M COMPONENT FOR FLOOD MITIGATION INFRASTRUCTURE IN 2021-22

Advisors
s 47F

Recommendations - that you:

s 34(3)
[Redacted]

Noted/Please Discuss

2. Agree that with a second tranche of the NFMIP, necessary improvements will be made to the program guidelines as outlined in paragraph 5 of this submission.

Agreed/Not Agreed/Please Discuss

3. Agree to one of the program options below to enable targeted and streamlined expenditure of the \$50m component for flood mitigation infrastructure in 2021-22 by circling the agreed option below:

- **Option 1:** Storm surge and cyclone-related flooding, and storm water drainage; or
- **Option 2:** Levees, levee systems, infrastructure to promote floodplain restoration and specific green infrastructure projects that mitigate flood risk.

Option 1 / Option 2 / Please Discuss

4. Note that following your selection of the preferred option for the 2021-22 program, draft guidelines will be provided to you shortly for endorsement.

Noted/Please Discuss

5. Note that the application process for the program will be opened for three months (from November 2021 to January 2022) to allow jurisdictions sufficient time to collate the required evidence to support their applications, consult with local governments and communities noting the timing overlaps with disaster season and the Christmas holiday period. Assessment of the applications by the Program Review Panel will be undertaken over a two month period (February 2022 to March 2022).

Noted/Please Discuss

6. Note the National Recovery and Resilience Agency (the Agency) will work with your office on arrangements for announcing the successful projects under the program from April 2022.

Noted / Please Discuss

BRIDGET MCKENZIE

Date:

19/10/2021

Comments:

Key Points:

s. 34(3)

2. The National Flood Mitigation Infrastructure Program (NFMIP) in 2020-21 was heavily subscribed with over \$231m in applications received. Not all applications were funded, in part due to the \$50m cap on the program, the large number of applications received, and lack of evidence to support application claims.

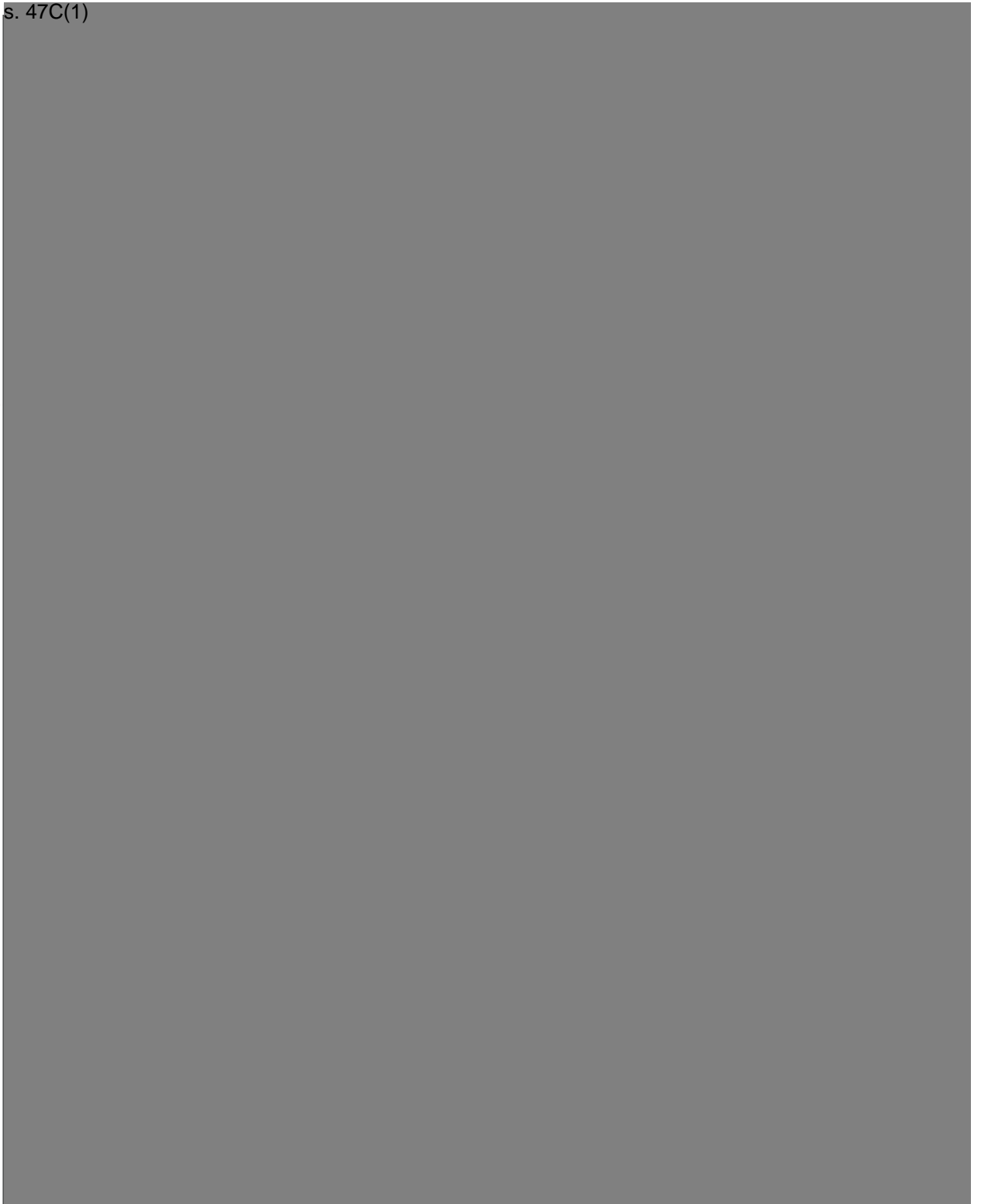
s. 47C(1)

4. Of the projects not shortlisted, some were ineligible under the Program Guidelines as projects that had alternate sources of funding, such as road funding programs administered by the Department of Infrastructure, Transport, Regional Development and Communications. Other projects were assessed by the Program Review Panel as not sufficiently demonstrating flood mitigation benefits to existing communities.

Recommended improvements to the NFMIP 2021-2022

s. 47C(1)

s. 47C(1)



Overview of the recommended options for NFMIP 2021-22

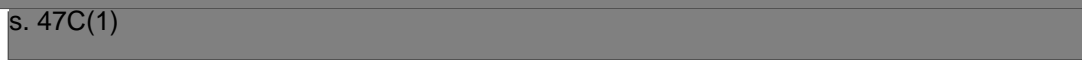
s. 47C(1)



s. 47C(1)



s. 47C(1)



s. 47C(1)



Critical timing for delivery of programs under the ERF

16. There is an expectation from jurisdictions that this program will open for applications shortly. An announcement in November will provide sufficient time for the application and assessment processes (scheduled for February 2022), and the approval and announcement of projects from April 2022. It is important that jurisdictions have sufficient time to collate and compile applications and consult with local governments and communities, noting that the applications will be open over disaster season and the Christmas period.
17. Finalisation of the process at this time is critical as the annual allocation accessible under the ERF expires at the end of the financial year, and the process to drawdown the funds takes approximately six weeks. Consequently funding for successful projects from the 2021-22 NFMIP must be approved by no later than early May 2022 to enable sufficient time to drawdown the funds from the ERF.
18. While the approval of the projects must occur by this time, the funds only need to be held in the Treasury COAG Reform Fund by 30 June 2022. The funding will be transferred to states and territories once the Schedules to the Federation Funding Agreements Framework are agreed between the Commonwealth and each state or territory approved to receive funding for projects.
19. The states and territories will spend the funding within the specific project timeframe, with milestones and reporting requirements outlined through the Schedule. This timing will vary between projects depending on the project complexity.

Background

20. The Emergency Response Fund is an investment fund that has legislated annual spending limits, including \$50 million for achieving resilience, preparedness, or reduction of risk for a future natural disaster or building the long-term sustainability of communities in an area at risk of being affected by a future natural disaster.
21. The decision of the ERC to continue funding national flood mitigation infrastructure priorities was announced in parliament by the former Minister for Emergency Management, the Hon David Littleproud MP. States and territories are aware of this announcement and are expecting program applications to open in the second half of 2021.
22. Since floods are the most costly natural disaster, flood mitigation is a high impact investment. Reducing flood related risks through pre-disaster mitigation measures aligns with the recommendations of both the Royal Commission into National Natural Disaster

PROTECTED: CABINET

Arrangements and the Productivity Commission Report on Natural Disaster Funding and the Guiding Principles of the National Disaster Risk Reduction Framework.

- 23. Currently disaster-related expenditure is largely focused on the post disaster recovery phase. Effective mitigation and risk reduction expenditure is proven to reduce the long-term impacts and costs associated with natural disasters. As such, the construction or improvement of flood mitigation infrastructure under the ERF is a valuable investment and reduces the risks to Australian communities.
- 24. The Bureau of Meteorology has advised that Australia is currently experiencing the effects of La Niña. This is the phase of the El Niño Southern Oscillation (ENSO) over the Pacific Ocean that often leads to wetter-than-average conditions for eastern Australia and can pose a flood risk. A continued focus on flood mitigation infrastructure projects is therefore timely in the current context.
- 25. The Agency will work with your office to announce the projects from April 2022.

Viv Johnson
Executive Manager
Policy and Programs
29 September 2021

Contact Officer:
Phone no:



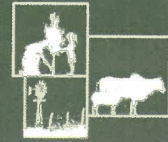
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ATTACHMENTS

ATTACHMENT A NFMIP 2020-21 PROJECTS APPROVED

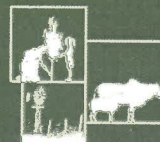
ATTACHMENT B STATISTICS FROM 2020-21 NFMIP PROGRAM

PROTECTED: CABINET



NFMIP 2020-21 PROJECTS APPROVED

| Project Name | Project Description | Requested amount | Funded amount |
|---|--|---------------------|---------------------|
| AUSTRALIAN CAPITAL TERRITORY | | \$3,340,000 | \$3,340,000 |
| Goliath Court Flood Mitigation | The work involves constructing raised vehicle crossings, storm water pipes, and additional inlets at Goliath Court. It also involves constructing a new discharge pipe along the Sullivan's Creek. | \$1,220,000 | \$1,220,000 |
| Mawson Stormwater Improvements | The work involves constructing new drainage to prevent flooding in the commercial precinct of Mawson. | \$2,120,000 | \$2,120,000 |
| NEW SOUTH WALES | | \$13,370,000 | \$13,370,000 |
| Yoogali McCormack Levee Upgrades | This project involves construction of a levee along the northern side of McCormack Road and raising Burley Griffin Way to protect the Yoogali community. | \$1,040,000 | \$1,040,000 |
| Cessnock Levee (Bund Wall) | This project involves construction of a bund wall (levee) on the east of South Cessnock on a flat land overlying a former underground coalmine. | \$2,440,000 | \$2,440,000 |
| Holbrook Levee | The project involves levee construction on the south of Holbrook to divert floodwater and eliminate future flood damage to properties and businesses in the town in the design event. | \$4,580,000 | \$4,580,000 |
| Hanwood Stormwater Pump and Levee | The project involves construction of a levee and raising Kidman Way to prevent water from flowing back from drains. Flooding of Hanwood village is mainly due to the backwater effect. | \$1,240,000 | \$1,240,000 |
| Bellambi Gully Channel Improvement | The project involves improving the existing channel alignment, culvert reconfiguration and piping some flood flow directly to the lagoon. | \$2,150,000 | \$2,150,000 |
| Fairfield Golf Course Detention Basin Upgrade | Dam Safety NSW has declared Fairfield Golf Course detention basin as a 'high flood consequence category', which carries the highest risk of the eight declared detention basins within the Fairfield local government area. This project will upgrade the existing detention basin to increase capacity. | \$1,920,000 | \$1,920,000 |
| NORTHERN TERRITORY | | \$9,400,000 | \$9,400,000 |
| Katherine Flood Mitigation Levee South | This project involves construction of a new 3km flood mitigation levee aligned along the eastern side to the southern tip of Katherine South. | \$9,400,000 | \$9,400,000 |
| QUEENSLAND | | \$12,981,096 | \$9,900,500 |
| Armstrong Creek Causeway, Normanton to Burketown | 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 | \$793,339 |
| Floraville and Truganini Roads Upgrades, Burketown to Normanton | 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. | \$3,353,494 | \$3,353,494 |
| Dutton Street Bridge (Palm Creek Crossing), Ingham | 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. | \$8,834,263 | \$5,753,667 |



| | | | |
|---|---|--------------------|--------------------|
| SOUTH AUSTRALIA | | \$3,180,000 | \$3,180,000 |
| Stormwater Management Plan for Two Wells (2017) | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$1,660,000 |
| Prospect Drainage Scheme Upgrade – Stage 1 | This project will provide a new, high capacity drainage system by upgrade/replacement of sections of the Prospect Outfall Drain. It will also enable future upstream connections to the new outfall drain to further reduce flood risk. The works are proposed outcomes from the Barker Inlet Central Stormwater Management Plan. | \$1,520,000 | \$1,520,000 |
| TASMANIA | | \$3,192,500 | \$3,192,500 |
| Latrobe Council – Latrobe Flood Levees | This project involves constructing of earth and concrete flood levees, water diversion structures and associated works. | \$1,270,000 | \$1,270,000 |
| South Hobart Primary School | This project will protect the school from significant rainfall events, and mitigate a high risk of drowning on the site for any rainfall event above a 1 in 20 year or five per cent AEP. | \$648,000 | \$648,000 |
| Kingsborough Council – Kingston Rivulet | This project will upgrade the historic Kingston Rivulet to maximise the amount of flood water capable of draining into existing stormwater systems. | \$274,500 | \$274,500 |
| Waratah – Wynyard Council – Port Creek Mitigation | This project involves widening of Port Creek as well as levee banks to hold back floodwaters in Port Creek from the surrounding airport and residential dwellings and floodwater discharge. | \$1,000,000 | \$1,000,000 |
| VICTORIA | | \$6,917,000 | \$6,917,000 |
| Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$3,500,000 |
| Castlemaine and Campbell's Creek Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$2,217,000 |
| Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$1,200,000 |
| WESTERN AUSTRALIA | | \$700,000 | \$700,000 |
| Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$700,000 |

NRRA
Mr Stone
Mr Padovan

NATIONAL RECOVERY AND RESILIENCE AGENCY

MO
S 47F
[CoS]

To: Minister for Emergency Management and National Recovery and Resilience (for signature by 26 October 2021, to provide states and territories with funds for approved projects)

Advisors
S 47F

NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM 2020-21 – CO-SIGNING VICTORIA SCHEDULE FOR FUNDS TRANSFER

Recommendations - that you:

- 1. Note that on 20 August 2021, you wrote to your state and territory ministerial counterparts, providing their respective Schedules to the Federation Funding Agreements regarding the National Flood Mitigation Infrastructure Program 2020-21 (MS21-000571 refers)

Noted / Please discuss

- 2. Note that you have signed four Schedules; Australian Capital Territory, Queensland, South Australia, and Western Australia.

Noted / Please discuss

- 3. Sign the Schedule for Victoria, confirming the Commonwealth's commitment to the agreement so that the funds can be transferred to commence work on their funded projects (Attachments A).

Signed / Not signed / Please discuss

- 4. Note the signed Schedule for Victoria will enable Treasury to transfer the funds in November with the above Schedules.

Noted / Please discuss

- 5. Note that the three outstanding Schedules New South Wales, Northern Territory, and Tasmania, will be provided to your office as they are received.

Noted / Please discuss

BRIDGET MCKENZIE

Date:

27/10/2021

OFFICIAL

Comments:

MO COMMENT - ENSURE PROJECTS
are appropriately
announced (ie Ch
funded)

Key Points:

1. On 21 June 2021, \$50 million was debited from the Emergency Response Fund (ERF) and credited to the COAG Reform Fund to fund the 22 projects approved for Commonwealth funding or co-funding under the National Flood Mitigation Infrastructure Program 2020-21 (MS21-000528 and MS21-000571 refer).
2. The funding will be delivered under Schedules to the Federation Funding Agreements – Environment which require co-signature by you and the relevant minister from each state and territory. Once the bilateral arrangements for the delivery of the projects are finalised through the co-signature of Schedules, Treasury will transfer the funds to jurisdictions.
3. On 20 August 2021, copies of the Schedule and a signed covering letter were sent from your office to the relevant states and territories seeking ministerial co-signatures.
4. On 25 October 2021, you signed Schedules for Australian Capital Territory, Queensland, South Australia, and Western Australia.
5. This submission seeks your signature on the Victorian Schedule in order to be included in the November 2021 pay run.
6. The remaining Schedules (New South Wales, Northern Territory, and Tasmania) will be provided to your office as they are received to ensure expedited transfer of funds to jurisdictions and to avoid further delays with this program. The NRRA is continuing to engage with counterparts in these jurisdictions on the status of the Schedules.

Sensitivities

7. The approved projects were announcement in May 2021. Signing of the Schedules was impeded due to an administrative oversight. This delayed the original date for the payment of the funding under this program to the jurisdictions. Payment could not occur on or around 9 September 2021 as originally planned and discussed with jurisdictions.
8. Further delays in co-signature of the Schedule provided may not meet the deadlines for the November pay run to states and territories. This will invite scrutiny and further delay the commencement and delivery of the projects funded under this program.

Sophie Cartwright
Executive Director
Resilience Programs Branch
Phone no: s 47F

Policy Officer: s 47F
Phone no: s 47F

OFFICIAL

OFFICIAL

26 October 2021

ATTACHMENTS

**ATTACHMENT A FEDERATION FINANCIAL AGREEMENTS SCHEDULE
RELATING TO PROJECTS FUNDED IN VICTORIA**

OFFICIAL

Victoria - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

Table 1: Formalities and operation of schedule

| Parties | Commonwealth Victoria | | | | | | | | | | | | |
|--|---|------------------|---------|-------|------------------------|-------|--------------|--|------|-------------|--|------|-------------|
| 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 (Program)</i>, which help local communities mitigate their priority flood risks and reduce the impact of flood events.</p> <p>Funding from the Commonwealth provided to the State and Territory governments (States) under this Schedule will contribute to the delivery of the following projects (Funded Projects):</p> <ul style="list-style-type: none"> • Project 1: Wangaratta Urban Flood Mitigation Infrastructure • Project 2: Castlemaine and Campbell's Creek Levee • Project 3: Carisbrook Township Western Levee <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$6.92m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>10.43</td> <td>10.43</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>6.92</td> <td>6.92</td> </tr> <tr> <td>Balance of non-Commonwealth contributions*</td> <td>3.51</td> <td>3.51</td> </tr> </tbody> </table> <p><i>*Non-Commonwealth contributions are provided by a third party</i></p> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 10.43 | 10.43 | Less estimated National Partnership Payments | 6.92 | 6.92 | Balance of non-Commonwealth contributions* | 3.51 | 3.51 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 10.43 | 10.43 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 6.92 | 6.92 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions* | 3.51 | 3.51 | | | | | | | | | | | |
| 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 the States will apportion funding to projects as determined through the Program, and as shown at Attachment A.</p> <p>Resolution of terms</p> | | | | | | | | | | | | |

- (2) The Commonwealth and States will work together to resolve any conflicts arising through the Bilateral Agreements, using the approach set out below.
- a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines
 - b. The Emergency Response Fund Guidelines and the National Flood Mitigation Infrastructure Program (NFMIP) 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) States must deliver the Program in accordance with the agreed Implementation Plan. This Implementation Plan will be finalised after the commencement of this Schedule.
- a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework
- (4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. Victoria 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 greater.

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. The frequency and timing of reporting under this Schedule is set out at Table 2.
- (6) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework
- (7) The Audit and Reporting Framework supersedes and replaces chapter 7 (Monitoring and reporting), chapter 8 (Audit and assurance) and Attachment B of the NFMIP Program Guideline.

Third parties

- (8) In line with the NFMIP Program Guidelines, States 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, the States 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.


Repayment of amounts to the Commonwealth

- (10) 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 delivered as part of this Program cannot be delivered in accordance with the relevant Implementation Plan and the project cannot be appropriately scaled, and
 - b. the Commonwealth and States cannot reach an agreement on how to reallocate the funds, or
 - c. another condition of this Schedule is not met.
- (11) In accordance with clause 6, and with regard to the circumstances of each matter, the Commonwealth will determine whether part or all of the funding provided under this Schedule should be repaid.

Table 2: Performance requirements, reporting and payment summary

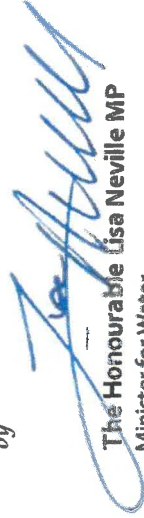
| Output | Performance milestones | Report due | Payment |
|---|---|--|---------|
| Flood mitigation infrastructure projects that assist communities to prepare for future flood events to reduce the risk of flood to, and/or impact of flooding on, local communities | Victoria agrees and signs the schedule | Upon signature of schedule | \$6.92m |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2021, whichever is later. | N/A |
| | Victoria provides 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 |
| | Victoria 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 |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Victoria 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

29/10/2021

Signed for and on behalf of the State of Victoria by


The Honourable Lisa Neville MP
 Minister for Water

21/10/2021

Details of Victoria's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Non-Commonwealth contributions |
|----------------------|--|--|----------------------|--------------------------------|
| 1 | Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$1,800,000 |
| 2 | Castlemaine and Campbell's Creek Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$1,109,000 |
| 3 | Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$600,000 |
| Total funding | | | \$6,917,000 | \$3,509,000 |



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon David Elliott MP
Minister for Police and Emergency Services
GPO Box 5341
SYDNEY NSW 2001

Dear Minister

David

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

The second round of the Program builds on the success of the 2020-21 Program, with a renewed focus in targeting levees, levee systems, infrastructure to promote flood plain restoration and specific green infrastructure initiatives that mitigate flood risk.

It highlights the Australian Government's commitment to supporting state, territory and local governments to fund high priority flood mitigation infrastructure to assist communities to better prepare for extreme weather events and flooding. Investment in this infrastructure will provide additional benefits through the reduction in disaster recovery expenditure and improved insurance affordability while also supporting local job creation.

In line with the Program Guidelines, I remind states and territories of the importance of working with local governments and ensuring documentary evidence of these consultations is provided throughout the application process.

The Guidelines for the 2021-22 Program are available on the National Recovery and Resilience Agency's website and applications for funding are now open to states and territories.

Applications close on 4 February 2022. I encourage you to work with your local governments in submitting your application.

Yours sincerely

Bridget McKenzie

Bridget McKenzie

2 DEC 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Jaclyn Symes MP
Minister for Emergency Services
121 Exhibition Street
MELBOURNE VIC 3000

Dear Minister *Jac,*

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

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Applications close on 4 February 2022. I encourage you to work with your local governments in submitting your application.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to read 'Bridget McKenzie'.

2 DEC 2021

Bridget McKenzie



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Jacqueline Petrusma MP
Minister for Police, Fire and Emergency Management
3/90 Clarence Street
BELLRIVE TAS 7018

Dear Minister

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

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Yours sincerely

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2 DEC 2021

Bridget McKenzie



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Mick Gentleman MLA
Minister for Police and Emergency Services
GPO BOX 1020
CANBERRA ACT 2601

Dear Minister *Mick*,

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

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Yours sincerely

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Bridget McKenzie

2 DEC 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Nicole Manison MLA
Minister for Police and Emergency Services
PO Box 3146
DARWIN NT 0801

Dear Minister

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

The second round of the Program builds on the success of the 2020-21 Program, with a renewed focus in targeting levees, levee systems, infrastructure to promote flood plain restoration and specific green infrastructure initiatives that mitigate flood risk.

It highlights the Australian Government's commitment to supporting state, territory and local governments to fund high priority flood mitigation infrastructure to assist communities to better prepare for extreme weather events and flooding. Investment in this infrastructure will provide additional benefits through the reduction in disaster recovery expenditure and improved insurance affordability while also supporting local job creation.

In line with the Program Guidelines, I remind states and territories of the importance of working with local governments and ensuring documentary evidence of these consultations is provided throughout the application process.

The Guidelines for the 2021-22 Program are available on the National Recovery and Resilience Agency's website and applications for funding are now open to states and territories.

Applications close on 4 February 2022. I encourage you to work with your local governments in submitting your application.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to read 'Bridget McKenzie'.

Bridget McKenzie

2 DEC 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Reece Whitby MLA
Minister for Emergency Services
7th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Minister

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

The second round of the Program builds on the success of the 2020-21 Program, with a renewed focus in targeting levees, levee systems, infrastructure to promote flood plain restoration and specific green infrastructure initiatives that mitigate flood risk.

It highlights the Australian Government's commitment to supporting state, territory and local governments to fund high priority flood mitigation infrastructure to assist communities to better prepare for extreme weather events and flooding. Investment in this infrastructure will provide additional benefits through the reduction in disaster recovery expenditure and improved insurance affordability while also supporting local job creation.

In line with the Program Guidelines, I remind states and territories of the importance of working with local governments and ensuring documentary evidence of these consultations is provided throughout the application process.

The Guidelines for the 2021-22 Program are available on the National Recovery and Resilience Agency's website and applications for funding are now open to states and territories.

Applications close on 4 February 2022. I encourage you to work with your local governments in submitting your application.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to be 'Bridget McKenzie'.

2 DEC 2021

Bridget McKenzie



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Dr Steven Miles
Deputy Premier and Minister for State Development,
Infrastructure, Local Government and Planning
1 William Street
BRISBANE QLD 4000

Dear Minister *Steven*,

On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

The second round of the Program builds on the success of the 2020-21 Program, with a renewed focus in targeting levees, levee systems, infrastructure to promote flood plain restoration and specific green infrastructure initiatives that mitigate flood risk.

It highlights the Australian Government's commitment to supporting state, territory and local governments to fund high priority flood mitigation infrastructure to assist communities to better prepare for extreme weather events and flooding. Investment in this infrastructure will provide additional benefits through the reduction in disaster recovery expenditure and improved insurance affordability while also supporting local job creation.

In line with the Program Guidelines, I remind states and territories of the importance of working with local governments and ensuring documentary evidence of these consultations is provided throughout the application process.

The Guidelines for the 2021-22 Program are available on the National Recovery and Resilience Agency's website and applications for funding are now open to states and territories.

Applications close on 4 February 2022. I encourage you to work with your local governments in submitting your application.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to read 'Bridget McKenzie'.

Bridget McKenzie

2 DEC 2021



Senator the Hon Bridget McKenzie

Minister for Emergency Management and National Recovery and Resilience
Minister for Regionalisation, Regional Communications and Regional Education
Leader of the Nationals in the Senate
Senator for Victoria

Ref No: MS21-000654

The Hon Vincent Tarzia MP
Minister for Police, Emergency Services and Correctional Services
GPO Box 6446
ADELAIDE SA 5000.

Dear Minister

Vince,
On Tuesday 30 November 2021, I announced the opening of a second round of the National Flood Mitigation Infrastructure Program (the Program) for 2021-22, providing \$50 million of pre-disaster resilience funding from the Emergency Response Fund.

The Program will now deliver \$100 million over two years for projects that will prepare and protect Australian communities from future devastating flood events.

The second round of the Program builds on the success of the 2020-21 Program, with a renewed focus in targeting levees, levee systems, infrastructure to promote flood plain restoration and specific green infrastructure initiatives that mitigate flood risk.

It highlights the Australian Government's commitment to supporting state, territory and local governments to fund high priority flood mitigation infrastructure to assist communities to better prepare for extreme weather events and flooding. Investment in this infrastructure will provide additional benefits through the reduction in disaster recovery expenditure and improved insurance affordability while also supporting local job creation.

In line with the Program Guidelines, I remind states and territories of the importance of working with local governments and ensuring documentary evidence of these consultations is provided throughout the application process.

The Guidelines for the 2021-22 Program are available on the National Recovery and Resilience Agency's website and applications for funding are now open to states and territories.

Applications close on 4 February 2022. I encourage you to work with your local governments in submitting your application.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to read 'Bridget McKenzie'.

Bridget McKenzie

12 DEC 2021

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 (Program)</i>, 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 Attachment A.</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 border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <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> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | 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 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| 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 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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.

South Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|--|---|---------------|---------|-------|------------------------|------|------|--|------|------|---|------|------|
| Parties | Commonwealth South Australia | | | | | | | | | | | | |
| 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: Two Wells Township Levee • Project 2: Prospect Drainage Scheme Upgrade – Stage 1 <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to South Australia an estimated total financial contribution of \$3.18m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>6.54</td> <td>6.54</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>3.18</td> <td>3.18</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>3.36</td> <td>3.36</td> </tr> </tbody> </table> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 6.54 | 6.54 | Less estimated National Partnership Payments | 3.18 | 3.18 | Balance of non-Commonwealth contributions | 3.36 | 3.36 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 6.54 | 6.54 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 3.18 | 3.18 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 3.36 | 3.36 | | | | | | | | | | | |
| 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 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"> 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 South Australia and provided to the Commonwealth for approval. South Australia must obtain Commonwealth approval (which will not be unreasonably withheld by the Commonwealth) within three months of the time this agreement commences.

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 Guideline.

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.


Repayment of amounts to the Commonwealth


| | |
|--|---|
| | <p>(10) 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</p> <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(11) 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.</p> |
|--|---|

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 | South Australia agrees and signs the Schedule | Upon signature of Schedule | \$3.18m |
| | South Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule. | N/A |
| | South Australia 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 |
| | South Australia 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 |
| | South Australia submits End of Project Report | No later than three months from the date that the project was completed. | N/A |
| | South Australia 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 Honorable Bridget McKenzie
 Minister for Emergency Management and National Recovery and Resilience
 15/10/2021

Signed for and on behalf of the state of South Australia 
The Honourable Vincent Tarzia MP
 Minister for Police, Emergency Services and Correctional Services
 28/11/2021

Attachment A

Details of South Australia's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by South Australia |
|----------------------|---|---|----------------------|---------------------------------|
| 1 | Two Wells Township Levee | This project will construct a flood protection levee around the eastern and southern boundaries of the Two Wells township. The levee will provide protection to the township in a 1 in 100 Annual Exceedance Probability event. The works are proposed outcomes from Two Wells Stormwater Management Plan for Two Wells (2017). | \$1,660,000 | \$360,000 |
| 2 | Prospect Drainage Scheme Upgrade -- Stage 1 | This project will provide a new, high capacity drainage system by upgrade/replacement of sections of the Prospect Outfall Drain. It will also enable future upstream connections to the new outfall drain to further reduce flood risk. The works are proposed outcomes from the Barker Inlet Central Stormwater Management Plan. | \$1,520,000 | \$3,000,000 |
| Total funding | | | \$3,180,000 | \$3,360,000 |

Victoria - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

Table 1: Formalities and operation of schedule

| Parties | Commonwealth Victoria | | | | | | | | | | | | |
|--|---|------------------|---------|-------|-------------------------------|-------|--------------|--|------|-------------|--|------|-------------|
| 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 (Program)</i>, which help local communities mitigate their priority flood risks and reduce the impact of flood events.</p> <p>Funding from the Commonwealth provided to the State and Territory governments (States) under this Schedule will contribute to the delivery of the following projects (Funded Projects):</p> <ul style="list-style-type: none"> • Project 1: Wangaratta Urban Flood Mitigation Infrastructure • Project 2: Castlemaine and Campbell's Creek Levee • Project 3: Carisbrook Township Western Levee <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$6.92m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>10.43</td> <td>10.43</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>6.92</td> <td>6.92</td> </tr> <tr> <td>Balance of non-Commonwealth contributions*</td> <td>3.51</td> <td>3.51</td> </tr> </tbody> </table> <p><i>*Non-Commonwealth contributions are provided by a third party</i></p> | Table 1 (\$m) | 2020-21 | Total | Estimated total budget | 10.43 | 10.43 | Less estimated National Partnership Payments | 6.92 | 6.92 | Balance of non-Commonwealth contributions* | 3.51 | 3.51 |
| Table 1 (\$m) | 2020-21 | Total | | | | | | | | | | | |
| Estimated total budget | 10.43 | 10.43 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 6.92 | 6.92 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions* | 3.51 | 3.51 | | | | | | | | | | | |
| 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 the States will apportion funding to projects as determined through the Program, and as shown at Attachment A.</p> <p>Resolution of terms</p> | | | | | | | | | | | | |

(2) The Commonwealth and States will work together to resolve any conflicts arising through the Bilateral Agreements, using the approach set out below.

- a. The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines
- b. The Emergency Response Fund Guidelines and the National Flood Mitigation Infrastructure Program (NFMIP) 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) States must deliver the Program in accordance with the agreed Implementation Plan. This Implementation Plan will be finalised after the commencement of this Schedule.

- a. The requirements of the Implementation Plan are set out in the Audit and Reporting Framework

(4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. Victoria 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 greater.

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. The frequency and timing of reporting under this Schedule is set out at Table 2.

(6) The content requirements of reporting under this Schedule are set out in the Audit and Reporting Framework

(7) The Audit and Reporting Framework supersedes and replaces chapter 7 (Monitoring and reporting), chapter 8 (Audit and assurance) and Attachment B of the NFMIP Program Guideline.

Third parties

(8) In line with the NFMIP Program Guidelines, States 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, the States 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.


Repayment of amounts to the Commonwealth

- (10) 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 delivered as part of this Program cannot be delivered in accordance with the relevant implementation Plan and the project cannot be appropriately scaled, and
 - b. the Commonwealth and States cannot reach an agreement on how to reallocate the funds, or
 - c. another condition of this Schedule is not met.
- (11) In accordance with clause 6, and with regard to the circumstances of each matter, the Commonwealth will determine whether part or all of the funding provided under this Schedule should be repaid.

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 | Victoria agrees and signs the schedule | Upon signature of schedule | \$6.92m |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2021, whichever is later. | N/A |
| | Victoria provides 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 |
| | Victoria 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 |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Victoria 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

29/10 2021

Signed for and on behalf of the State of Victoria by


The Honourable Lisa Neville MP
 Minister for Water

21/10 2021

Details of Victoria's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Non-Commonwealth contributions |
|----------------------|--|--|----------------------|--------------------------------|
| 1 | Wangaratta Urban Flood Mitigation Infrastructure | This project involves refurbishing and upgrading levees to a one percent Annual Exceedance Probability flood level. | \$3,500,000 | \$1,800,000 |
| 2 | Castlemaine and Campbell's Creek Levee | The project will construct a new levee in Castlemaine near the Castlemaine Caravan Park, and refurbish existing levees at Elizabeth St, National School Ln & Campbell's Creek Township. | \$2,217,000 | \$1,109,000 |
| 3 | Carisbrook Township Western Levee | This project involves construction of levees and associated drainage and culvert works to protect 25 properties from flooding in the event of a one percent annual exceedance probability flood. | \$1,200,000 | \$600,000 |
| Total funding | | | \$6,917,000 | \$3,509,000 |

Western Australia - National Flood Mitigation Infrastructure Program

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

Table 1: Formalities and operation of Schedule

| Parties | Commonwealth Western Australia | | | | | | | | | | | | | | | |
|--|--|----------------|----------------|--------------|--------------|--|--|-------------------------------|------|-------------|--|------|-------------|---|---|----------|
| Duration | This Schedule is expected to expire 30 June 2031. | | | | | | | | | | | | | | | |
| 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: Warmun Community Risk Mitigation – Flood warning system | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Western Australia an estimated total financial contribution of \$0.70m (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2020-21</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>0.70</td> <td>0.70</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>0.70</td> <td>0.70</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>0</td> <td>0</td> </tr> </tbody> </table> | Table 1 | 2020-21 | Total | (\$m) | | | Estimated total budget | 0.70 | 0.70 | Less estimated National Partnership Payments | 0.70 | 0.70 | Balance of non-Commonwealth contributions | 0 | 0 |
| Table 1 | 2020-21 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 0.70 | 0.70 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 0.70 | 0.70 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 0 | 0 | | | | | | | | | | | | | | |
| 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> <ol style="list-style-type: none"> The Federal Financial Relations Act and the Emergency Response Fund Act will prevail over any guidelines The Emergency Response Fund Guidelines and NFMIP Program Guidelines will prevail over the Schedule, <u>except</u> 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 Western Australia and provided to the Commonwealth for approval. Western Australia 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 greater.
- (5) Western Australia must notify the Commonwealth as soon as practicable if the project timeframes set out in the Implementation Plan change.

Performance monitoring and reporting

- (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 these reporting obligations required by this Schedule.
- (7) The frequency and timing of reporting under this Schedule is set out at Table 2: Performance requirements, reporting and payment summary
- (8) 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

- (9) 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.
- (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, the Emergency Response Fund Guideline, NFMIP Program Guidelines and the conditions of this Schedule.

Repayment of amounts to the Commonwealth

(11) 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.

(12) 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 | Western Australia agrees and signs the Schedule | Upon signature of Schedule | \$700,000 |
| | Western Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2021, whichever is later. | N/A |
| | Western Australia submits an Interim Update three months from the project commencement date set out in the Implementation Plan | After the first Interim Update, six monthly until all projects under this Schedule are complete | N/A |
| | Western Australia submits a Performance Report six months from the project commencement date set out in the Implementation Plan. | After the first Performance Report, six monthly until all projects under this Schedule are complete. | N/A |
| | Western Australia submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Western Australia 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 Honorable Bridget McKenzie
Minister for Emergency Management and National Recovery and Resilience

25 Oct 2021

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



The Honourable Reece Whitby MLA
Minister for Emergency Services

31/8/2021

Attachment A

Details of Western Australia's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by jurisdiction |
|----------------------|----------------------------------|---|----------------------|------------------------------|
| 1 | Warmun Community Risk Mitigation | In 2011, the Warmun Community experienced a major flood. The community has been rebuilt, however the flood warning system is not fit for purpose and will be addressed. | \$700,000 | \$0 |
| Total funding | | | \$700,000 | \$0 |



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22-000103

The Hon Jaclyn Symes MP
Minister for Emergency Services
Level 26, 121 Exhibition Street
MELBOURNE VIC 3000

Dear Minister

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as Victorian Minister for Water.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$2,382,000 of funding under the Program for the successful project within Victoria, specifically, the Numurkah Flood Mitigation Project Northern Levee

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Victorian Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Watt', written in a cursive style.

Murray Watt

Encl

Victoria - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|----------------|----------------|--------------|--------------|--|--|-------------------------------|------|-----|--|-----|-----|---|------------|------------|
| Parties | Commonwealth of Australia Victoria | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2025. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Numurkah Flood Mitigation Project Northern Levee <p>An overview of each project is provided at <u>Attachment A</u>.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$2,382,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2021-22</th> <th>Total</th> </tr> <tr> <th>(\$m)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>3.1*</td> <td>3.1</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>2.3</td> <td>2.3</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>.79</td> <td>.79</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 3.1* | 3.1 | Less estimated National Partnership Payments | 2.3 | 2.3 | Balance of non-Commonwealth contributions | .79 | .79 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 3.1* | 3.1 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 2.3 | 2.3 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | .79 | .79 | | | | | | | | | | | | | | |
| 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- (11) 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

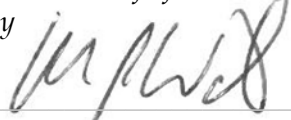
| | |
|--|--|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
|---|--|--|----------------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | Victoria agrees and signs the Schedule | Upon signature of Schedule | \$2,382,000 |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | Victoria submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Victoria 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

20 / 07 / 2022

Signed for and on behalf of Victoria by

The Hon Jaclyn Symes MP
Minister for Emergency Services

/ / 2022

Attachment A

Details of Victoria Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by Victoria (third party) |
|----------------------|--|---|----------------------|--|
| 1 | Numurkah Flood Mitigation Project Northern Levee | This project will construct the first stage of the Numurkah flood mitigation strategy, which is a levee on the northern bank of the Broken Creek. | \$2,382,000 | \$794,000 |
| Total funding | | | \$ 2,382,000 | \$ 794,000 |

The Australian Capital Territory - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|---------|---------|-------|-------|--|--|------------------------|--------|-------|--|------|------|---|------|------|
| Parties | Commonwealth of Australia Australian Capital Territory | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2026. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Throsby Crescent Retardation Basin • Project 2: Narrabundah Playing Fields Retardation Basin <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Australian Capital Territory an estimated total financial contribution of \$5,727,469 (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;">2021-22</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: center;">11.61*</td> <td style="text-align: right;">11.61</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">5.72</td> <td style="text-align: right;">5.72</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">5.89</td> <td style="text-align: right;">5.89</td> </tr> </tbody> </table> <p style="font-size: small; text-align: center;">*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 11.61* | 11.61 | Less estimated National Partnership Payments | 5.72 | 5.72 | Balance of non-Commonwealth contributions | 5.89 | 5.89 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 11.61* | 11.61 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 5.72 | 5.72 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 5.89 | 5.89 | | | | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- 4) The Implementation Plan will be developed by the Australian Capital Territory and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- 10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- 11) 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

| | |
|--|---|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>12) 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.</p> |
|--|---|

| Table 2: Performance requirements, reporting and payment summary | | | |
|---|---|--|-------------|
| Output | Performance milestones | Report due | Payment |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | The Australian Capital Territory agrees and signs the Schedule | Upon signature of Schedule | \$5,727,469 |
| | The Australian Capital Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | The Australian Capital Territory submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | The Australian Capital Territory submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Australian Capital Territory 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/6/2022

Signed for and on behalf of the Australian Capital Territory by



The Honourable Mr Mick Gentleman MLA
Minister for Police and Emergency Services

8/9/2022

Attachment A

Details of the Australian Capital Territory's Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the ACT |
|----------------------|--|---|----------------------|-------------------------|
| 1 | Throsby Crescent Retardation Basin | Construction of a retardation basin and associated works. | \$890,000 | \$890,000 |
| 2 | Narrabundah Playing Fields Retardation Basin | Construction of a retardation basin and associated works at the Narrabundah Playing Fields to increase retarding capacity and reinstate the playing fields. | \$4,837,469 | \$5,000,000 |
| Total funding | | | \$ 5,727,469 | \$ 5,890,000 |



Hon Harriet Shing MP

Minister for Water
Minister for Regional Development
Minister for Equality

8 Nicholson Street
East Melbourne, Victoria 3002
DX210098

Ref: MIN097564

The Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator.watt@aph.gov.au

Dear Minister

VICTORIA - NATIONAL FLOOD MITIGATION INFRASTRUCTURE PROGRAM

Thank you for your letter of 2 August 2022, to the Hon Jaclyn Symes, Minister for Emergency Services, including a Schedule to the Federation Funding Agreement, confirming approval of \$2.382 million funding from the National Flood Mitigation Infrastructure Program. As the appropriate Portfolio Minister, I have signed the enclosed copy of the schedule on behalf of Victoria.

The Numurkah flood mitigation project receiving funding under the schedule represents one of Victoria's highest priorities for flood mitigation infrastructure implementation, determined through consultation with local communities.

Thank you for making this important program available. Victoria looks forward to collaborating with the Australian Government in supporting communities to increase their resilience to the impacts of floods as part of this and future programs.

Yours sincerely

Hon Harriet Shing MP
Minister for Water

6, 10, 22

encl.



Victoria - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|---|--|----------------|---------|-------|------------------------|------|-----|--|-----|-----|---|-----|-----|
| Parties | Commonwealth of Australia Victoria | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2025. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | |
| 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: Numurkah Flood Mitigation Project Northern Levee <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Victoria an estimated total financial contribution of \$2,382,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1- (\$m)</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>3.1*</td> <td>3.1</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>2.3</td> <td>2.3</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>.79</td> <td>.79</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1- (\$m) | 2021-22 | Total | Estimated total budget | 3.1* | 3.1 | Less estimated National Partnership Payments | 2.3 | 2.3 | Balance of non-Commonwealth contributions | .79 | .79 |
| Table 1- (\$m) | 2021-22 | Total | | | | | | | | | | | |
| Estimated total budget | 3.1* | 3.1 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 2.3 | 2.3 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | .79 | .79 | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by Victoria and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

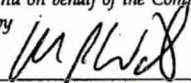
- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- (11) In accordance with s21(4) of the Emergency Response Fund Act, the Commonwealth reserves the right to recover an amount provided under this Schedule, where

| | |
|--|--|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

| Output | Performance milestones | Report due | Payment |
|---|---|--|----------------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | Victoria agrees and signs the Schedule | Upon signature of Schedule | \$2,382,000 |
| | Victoria provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | Victoria submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | Victoria submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Victoria 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

20 / 07 / 2022

Signed for and on behalf of Victoria by



~~The Hon Harriet Shing MP~~
~~Minister for Emergency Services~~ Hon Harriet Shing MP
Minister for Water

6 / 01 / 2022

Attachment A

Details of Victoria Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by Victoria (third party) |
|----------------------|--|---|----------------------|--|
| 1 | Numurkah Flood Mitigation Project Northern Levee | This project will construct the first stage of the Numurkah flood mitigation strategy, which is a levee on the northern bank of the Broken Creek. | \$2,382,000 | \$794,000 |
| Total funding | | | \$ 2,382,000 | \$ 794,000 |



**SENATOR THE HON MURRAY WATT
MINISTER FOR AGRICULTURE, FISHERIES AND FORESTRY
MINISTER FOR EMERGENCY MANAGEMENT**

Ref No: MS22-000103

Mr Felix Ellis MP
Minister for Police, Fire and Emergency Management
Shop 4/21 Alexandra Road
ULVERSTONE TAS 7315

Dear Minister *Felix*

It was a pleasure to see you in Brisbane on 19 September at the first in person National Emergency Management Ministers' Meeting in several years.

I am writing regarding your application for funding under the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP). I'm pleased to advise that a total of \$1,837,031, has been approved for projects in Tasmania, specifically for the Devenish Drive and Seventh Avenue Carlton Beach Upgrades in the Sorrell Council Local Government Area.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Tasmanian Government from the Commonwealth.

I look forward to working with you, on this and other priority issues in emergency management.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Watt'.

Murray Watt

Encl

Tasmania - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|---|----------------|----------------|--------------|--------------|--|--|-------------------------------|-------|------|--|-----|-----|--|------------|------------|
| Parties | Commonwealth of Australia Tasmania | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2025. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Sorell Council - Devenish Drive SW Upgrade • Project 2: Sorell Council - Seventh Avenue - Carlton Beach SW Upgrade <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to Tasmania an estimated total financial contribution of \$1,837,031 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>(\$m)</td> <td></td> <td></td> </tr> <tr> <td>Estimated total budget</td> <td>2.44*</td> <td>2.44</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>1.8</td> <td>1.8</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>.61</td> <td>.61</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 2.44* | 2.44 | Less estimated National Partnership Payments | 1.8 | 1.8 | Balance of non-Commonwealth contributions | .61 | .61 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 2.44* | 2.44 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 1.8 | 1.8 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | .61 | .61 | | | | | | | | | | | | | | |
| 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 Attachment A.</p> <p>Resolution of terms</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.
- 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, auditing and assurance (chapter 12).
 - c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by Tasmania and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.

(11) 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

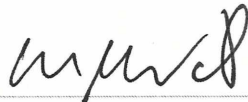
- a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, and
- b. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, or
- c. another condition of this Schedule is not met.

(12) 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 |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | Tasmania agrees and signs the Schedule | Upon signature of Schedule | \$1,837,031 |
| | Tasmania provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | Tasmania submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | Tasmania submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | Tasmania 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

4/10/ 2022

Signed for and on behalf of Tasmania by



Mr Felix Ellis MP
Minister for Police, Fire and Emergency Management

18/11/ 2022

Attachment A

Details of Tasmania Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by TAS |
|----------------------|---|---|----------------------|---------------------|
| 1 | Sorell Council - Devenish Drive SW Upgrade | Replace piping, construct drainage and channels to mitigate future flood risks. | \$787,031 | \$262,344 |
| 2 | Sorell Council - Seventh Avenue - Carlton Beach SW Upgrade | Minimise the flood risk at Carlton Beach Road through construction of new pit inlets, a new outfall and replacement of undersized piping. | \$1,050,000 | \$350,000 |
| Total funding | | | \$ 1,837,031 | \$ 612,344 |

New South Wales - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Parties | Commonwealth of Australia New South Wales | | | | | | | | | | | | |
|--|---|------------------|---------|-------|------------------------|-------|------|--|------|------|---|-----|-----|
| Duration | This Schedule is expected to expire 31 March 2026. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | |
| Purpose | <p>This Schedule will support the delivery of projects identified through the <i>National Flood Mitigation Infrastructure Program (Program)</i>, 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: Young Trunk Drainage Upgrade • Project 2: Retford Farm Detention Basin • Project 3: Warren Levee Flood Mitigation Rehabilitation Work • Project 4: Alice Street Levee Re-habitation • Project 5: Stockdale Detention Basin <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to New South Wales an estimated total financial contribution of \$19,214,500 (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 (\$m)</th> <th style="text-align: center;">2021-22</th> <th style="text-align: right;">Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td style="text-align: center;">25.6*</td> <td style="text-align: right;">25.6</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td style="text-align: center;">19.2</td> <td style="text-align: right;">19.2</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td style="text-align: center;">6.4</td> <td style="text-align: right;">6.4</td> </tr> </tbody> </table> <p><small>*Amounts may not add to the total due to rounding</small></p> | Table 1 (\$m) | 2021-22 | Total | Estimated total budget | 25.6* | 25.6 | Less estimated National Partnership Payments | 19.2 | 19.2 | Balance of non-Commonwealth contributions | 6.4 | 6.4 |
| Table 1 (\$m) | 2021-22 | Total | | | | | | | | | | | |
| Estimated total budget | 25.6* | 25.6 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 19.2 | 19.2 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 6.4 | 6.4 | | | | | | | | | | | |
| 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 Attachment A.</p> | | | | | | | | | | | | |

Resolution of terms

- (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.
 - 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, auditing and assurance (chapter 12).
 - c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by New South Wales and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

| | |
|--|---|
| | <p>(10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.</p> <p>(11) 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</p> <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|---|

| Table 2: Performance requirements, reporting and payment summary | | | |
|---|--|--|--------------|
| Output | Performance milestones | Report due | Payment |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | New South Wales agrees and signs the Schedule | Upon signature of Schedule | \$19,234,500 |
| | New South Wales provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | New South Wales submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | New South Wales submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | New South Wales 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/6/2022

Signed for and on behalf of New South Wales by



The Honourable Stephanie Cooke MP
Minister for Emergency Services and Resilience, and
Minister for Flood Recovery

7/9/2022

Attachment A

Details of New South Wales Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by NSW |
|----------------------|---|---|----------------------|---------------------|
| 1 | Young Trunk Drainage Upgrade | The project involves the demolition of a section of existing 1500mm culvert, construction of a 4 x 1.6m concrete channel, construction of twin 1500mm culverts and connection to existing minor drainage networks Young NSW. | \$6,150,000 | \$2,050,000 |
| 2 | Retford Farm Detention Basin | The project was assessed as being good value for money. Documentation supported the majority of claims for eligible infrastructure (detention basement) to reduce flooding to approximately 100 dwellings. The project met the intent of the Program. | \$4,612,500 | \$1,537,000 |
| 3 | Warren Levee Flood Mitigation Rehabilitation Work | Remediation of part of the existing levee bank. | \$5,325,000 | \$1,775,000 |
| 4 | Alice Street Levee Rehabilitation | Targeted rock protection to the toe of the riverbank between Alice Street and Queen Street. | \$802,000 | \$268,000 |
| 5 | Stockdale Detention Basin | Upgrading the existing detention basin with additional flow containment standard and spillway capacity. | \$2,325,000 | \$775,000 |
| Total funding | | | \$ 19,214,500 | \$ 6,405,500 |



Senator the Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management
Senator for Queensland

Ref No: MS22 – 000103

The Hon Kate Worden MLA
Minister for Police, Fire and Emergency Services
PO BOX 232
KARAMA NT 0813

Dear Minister *Kate*

On 1 June 2022, I was appointed the Minister for Emergency Management. It is a great privilege and I am looking forward to fostering a collaborative relationship with you in your role as Northern Territory Minister for Police, Fire and Emergency Services.

In my capacity as Minister for Emergency Management, I have responsibility for the National Recovery and Resilience Agency (NRRRA) and the National Flood Mitigation Infrastructure Program 2021-22 (NFMIP) which provides support to state and territory governments to improve existing or construct new flood mitigation infrastructure.

Thank you for applying to the Program, demonstrating your commitment to assisting Australian communities better prepare for extreme weather events and flooding. As detailed in correspondence of 30 March 2022 from the former Minister for Emergency Management and National Recovery and Resilience, Senator the Hon Bridget McKenzie, the Commonwealth has approved \$10,000,000 of funding under the Program for the successful project within the Northern Territory, specifically, the Kulaluk Flood Mitigation Infrastructure project.

I have enclosed the Schedule to the second round of the NFMIP with my signature, ready for your co-signature. Once co-signed, the arrangement will be finalised and funding will be transferred to the Northern Territory Government from the Commonwealth.

I look forward to working with you, and will be in touch soon to discuss the priorities of the Albanese Government to boost our nation's resilience to natural disasters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Watt'.

Murray Watt

Encl

Northern Territory - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT - ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | | | | |
|---|--|---------|---------|-------|-------|--|--|------------------------|-------|------|--|------|------|---|-----|-----|
| Parties | Commonwealth of Australia Northern Territory | | | | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2026. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | | | | |
| 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: Kulaluk Flood Mitigation Infrastructure <p>An overview of each project is provided at Attachment A.</p> | | | | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to the Northern Territory an estimated total financial contribution of \$10,000,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1</th> <th>2021-22</th> <th>Total</th> </tr> <tr> <th>(\$m)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>13.4*</td> <td>13.4</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>10.0</td> <td>10.0</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>3.4</td> <td>3.4</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 | 2021-22 | Total | (\$m) | | | Estimated total budget | 13.4* | 13.4 | Less estimated National Partnership Payments | 10.0 | 10.0 | Balance of non-Commonwealth contributions | 3.4 | 3.4 |
| Table 1 | 2021-22 | Total | | | | | | | | | | | | | | |
| (\$m) | | | | | | | | | | | | | | | | |
| Estimated total budget | 13.4* | 13.4 | | | | | | | | | | | | | | |
| Less estimated National Partnership Payments | 10.0 | 10.0 | | | | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 3.4 | 3.4 | | | | | | | | | | | | | | |
| 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 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> | | | | | | | | | | | | | | | |

- 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at **Attachment B**.
- (4) The Implementation Plan will be developed by the Northern Territory and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- (11) 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

| | |
|--|--|
| | <ul style="list-style-type: none">a. a project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

| Table 2: Performance requirements, reporting and payment summary | | | |
|---|---|--|--------------|
| Output | Performance milestones | Report due | Payment |
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | The Northern Territory agrees and signs the Schedule | Upon signature of Schedule | \$10,000,000 |
| | The Northern Territory provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | The Northern Territory submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | The Northern Territory submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | The Northern Territory 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/6/2022

Signed for and on behalf of the Northern Territory by



The Hon Kate Worden MLA
Minister for Police, Fire and Emergency Services

1/9/2022

Attachment A

Details of the Northern Territory Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by the NT |
|----------------------|---|--|----------------------|------------------------|
| 1 | Kulaluk Flood Mitigation Infrastructure | Mitigation of flooding in the Kulak community and surrounding suburbs by formalising drainage, filling land and erecting a sea wall. | \$10,000,000 | \$3,400,000 |
| Total funding | | | \$ 10,000,000 | \$ 3,400,000 |

South Australia - National Flood Mitigation Infrastructure Program – Round 2

FEDERATION FUNDING AGREEMENT – ENVIRONMENT

| Table 1: Formalities and operation of Schedule | | | | | | | | | | | | | |
|---|---|------------------|---------|-------|------------------------|-------|------|--|-----|-----|---|-----|-----|
| Parties | Commonwealth of Australia South Australia | | | | | | | | | | | | |
| Duration | This Schedule is expected to expire 30 June 2028. This Schedule is expected to expire on the completion of the project. | | | | | | | | | | | | |
| Purpose | <p>This Schedule will support the delivery of projects identified through the <i>National Flood Mitigation Infrastructure Program (Program)</i>, 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: Mt Bold Dam Safety Upgrade Additional Flood Attenuation • Project 2: Seventh Avenue Flood Mitigation <p>An overview of each project is provided at <u>Attachment A</u>.</p> | | | | | | | | | | | | |
| Estimated financial contributions | <p>The Commonwealth will provide to South Australia an estimated total financial contribution of \$9,945,000 (GST exclusive) in respect of this Schedule (see Table 1).</p> <table border="1"> <thead> <tr> <th>Table 1 (\$m)</th> <th>2021-22</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Estimated total budget</td> <td>14.3*</td> <td>14.3</td> </tr> <tr> <td>Less estimated National Partnership Payments</td> <td>9.9</td> <td>9.9</td> </tr> <tr> <td>Balance of non-Commonwealth contributions</td> <td>4.4</td> <td>4.4</td> </tr> </tbody> </table> <p>*Amounts may not add to the total due to rounding</p> | Table 1 (\$m) | 2021-22 | Total | Estimated total budget | 14.3* | 14.3 | Less estimated National Partnership Payments | 9.9 | 9.9 | Balance of non-Commonwealth contributions | 4.4 | 4.4 |
| Table 1 (\$m) | 2021-22 | Total | | | | | | | | | | | |
| Estimated total budget | 14.3* | 14.3 | | | | | | | | | | | |
| Less estimated National Partnership Payments | 9.9 | 9.9 | | | | | | | | | | | |
| Balance of non-Commonwealth contributions | 4.4 | 4.4 | | | | | | | | | | | |
| 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, auditing and assurance (chapter 12).
- c. Terms relating to monitoring and reporting, and auditing and assurance are set out in this Schedule and the Audit and Reporting Framework.

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 at Attachment B.
- (4) The Implementation Plan will be developed by South Australia and provided to the Commonwealth for approval. The Commonwealth must provide 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 2022, 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 the 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.

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.

Repayment of amounts to the Commonwealth

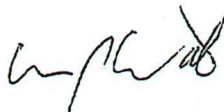
- (10) If efficiencies are realised on completion of the project funding may be put to other projects under this program in that jurisdiction.
- (11) In accordance with s21(4) of the Emergency Response Fund Act, the Commonwealth reserves the right to recover an amount provided under this Schedule, where

Table 2: Performance requirements, reporting and payment summary

| Output | Performance milestones | Report due | Payment |
|---|--|--|-------------|
| Completion of the flood mitigation infrastructure projects at attachment A in order to assist communities to prepare for future flood events and to reduce the risk of flood to, and/or impact of flooding on, local communities. | South Australia agrees and signs the Schedule | Upon signature of Schedule | \$9,945,000 |
| | South Australia provides the approved Implementation Plan to the Commonwealth | Within three months of the commencement of this Schedule or no later than 30 September 2022, whichever is later. | N/A |
| | South Australia submits performance reports biannually on the progress against project milestones and outcomes in the implementation plan. These reports will also include details of expenditure to date. The first performance report should be submitted approximately 6 months after the implementation plan has been signed (i.e. 6 months after the commencement of the Schedule). | Twice per year (biannual) | N/A |
| | South Australia submits End of Project report | No later than three months from the date that the project was completed. | N/A |
| | South Australia 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 Hon Murray Watt
Minister for Agriculture, Fisheries and Forestry
Minister for Emergency Management

29/6/2022

Signed for and on behalf of South Australia by



The Hon Joseph Szakacs MP
Minister for Police, Emergency Services and
Correctional Services

5/9/2022

| | |
|--|--|
| | <ul style="list-style-type: none">a. A project cannot be delivered according to the specifications in the relevant implementation plan and the project cannot be appropriately scaled, andb. the Commonwealth and State and Territory cannot reach an agreement on how to reallocate the funds, orc. another condition of this Schedule is not met. <p>(12) 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.</p> |
|--|--|

Attachment A

Details of South Australia Funded Projects

| # | Project Name | Project Description | Commonwealth funding | Contribution by SA |
|----------------------|---|--|----------------------|---------------------|
| 1 | Mt Bold Dam Safety Upgrade Additional Flood Attenuation | An additional Flood Attenuation system to safely pass the Probable Maximum Flood over its spillways without causing the dam to fail. | \$9,525,000 | \$3,175,000 |
| 2 | Seventh Avenue Flood Mitigation | Construction of new stormwater management infrastructure to capture and detain stormwater. | \$420,000 | \$1,200,000 |
| Total funding | | | \$ 9,945,000 | \$ 4,375,000 |