

**From:** [NSW Government](#)  
**To:** [Flood Inquiry](#)  
**Subject:** Floods Inquiry  
**Date:** Wednesday, 18 May 2022 8:13:38 PM  
**Attachments:** [nsw-disaster-assistance-guidelines-dag-2021.pdf](#)

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## Your details

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**Title** Mr

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**First name** Lewis

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**Last name** King

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**Email**

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**Postcode** 2480

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## Submission details

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**I am making this submission as** A resident in a flood-affected area

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**Submission type** I am making a personal submission

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**Consent to make submission public** I give my consent for this submission to be made public

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## Share your experience or tell your story

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### Terms of Reference (optional)

The Inquiry welcomes submissions that address the particular matters identified in its [Terms of Reference](#)

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**1.5 Recovery from floods** I'm writing this submission regarding the inadequate response from government in

providing assistance to those affected by landslides during the recent flood events in the Northern Rivers. I have come across a document titled NSW Disaster Assistance Guidelines 2021 (see attached) which sets out the framework for providing grants for clearing access on private property. Please see page 29, Section A.9 Grants for Essential Access Ways on Private Property.

So far we have seen grants for structural damage to homes, for essential household contents, and now the Back Home grant. I can't understand why the activation of DRFA has not included Section A.9 Grants for Essential Access Ways on Private Property. So many people have been affected by landslides, and more often than not it is driveways and essential access that are impacted. There are many people who have a perfectly good home to return to but they cannot get there. Not including this grant in the DRFA puts increased pressure on the already inadequate and slow moving effort to house flood affected people in temporary accommodation in the short-medium term. I struggle to understand why this grant has not been made available at a time like this, when the worst landslides in our recent history have occurred, with major damage and hundreds of people severely affected. What is the point of having the framework there if it doesn't get activated in a natural disaster such as this? If not now, when? How bad does it have to get? Does the government and Resilience NSW not know about this issue, with all the focus on Lismore? I'm not meaning to take away from the enormity of what has happened in Lismore and other urban centres, Coraki, Woodburn and elsewhere, it is so incredibly huge and overwhelming and there is so much trauma and loss everywhere. But for those of us who live in the hills, we feel forgotten. If you cannot tick the right box, you are left to fend for yourself, and pay the price.

The framework is there.  
Activate the funding.

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## **Supporting documents or images**

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### **Attach files**

- [nsw-disaster-assistance-guidelines-dag-2021.pdf](#)
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# NSW Disaster Assistance Guidelines 2021



Resilience  
NSW



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## **Document Manager**

Resilience NSW

## **Authorisation**

The *NSW Disaster Assistance Guidelines* are authorised by the Minister for Police and Emergency Services who has responsibility for ensuring that adequate measures are taken by government agencies to assist recovery from emergencies.

## **Currency of Version**

The information contained in the *NSW Disaster Assistance Guidelines* is subject to change. Readers are advised to ensure that they have the most recent edition by checking the Resilience NSW website at [www.nsw.gov.au/resilience](http://www.nsw.gov.au/resilience)

## Introduction

1. The NSW Government is responsible for ensuring that adequate measures are taken by its agencies to prevent, prepare for, respond to and assist recovery from natural disasters and other emergencies.
2. To support relief and recovery from disasters and emergencies, the NSW Government provides a diverse range of financial and non-financial assistance measures through the NSW Disaster Assistance Arrangements ('the Arrangements'). These include assistance for individuals and households, local government, non-profit organisations, primary producers and small businesses.
3. The *NSW Disaster Assistance Guidelines* describe the Arrangements. The purpose of the Guidelines is to inform the community, business, government, emergency services, councils, functional areas and those working in disaster recovery of the assistance available.
4. These Guidelines support the NSW Recovery Plan and assist the development and implementation of a planned recovery following a natural disaster or other emergency.
5. The Australian Government's *Disaster Recovery Funding Arrangements* (DRFA) provide a mechanism for the Australian Government to assist States and Territories in meeting the costs of disaster relief and recovery. The DRFA provides partial reimbursement of actual State expenditure under some circumstances. Further information about the DRFA is contained in Appendix 1 of these Guidelines.
6. The NSW Disaster Assistance Arrangements described in these Guidelines are consistent with the DRFA.

## Principles

7. The broad principle behind the disaster assistance measures is to provide relief to individuals and communities, essential public asset restoration, and assistance to primary producers, small business, voluntary not-for-profit organisations and sporting clubs.
8. The measures are designed to help meet the immediate needs of safety, sustenance and shelter and the longer-term recovery.
9. Disaster assistance should complement and provide incentive, wherever possible, to promote the principle of resilience.
10. Assistance is not to supplant or operate as a disincentive for self-help, by way of commercial insurance arrangements and/or other appropriate strategies for disaster mitigation.
11. Assistance is not provided as compensation for commercial damage or revenue loss (whether for private or public sector operations).
12. Assistance is not provided with intention of exempting emergency response and recovery activities from regulatory compliance requirements.

## Availability of Assistance

13. The *NSW Disaster Assistance Guidelines* describe a range of financial and non-financial assistance measures that are administered by a variety of NSW Government agencies. These agencies include:



- Resilience NSW
  - Department of Communities and Justice
  - Transport for NSW
  - Public Works Advisory
  - NSW Rural Assistance Authority
  - NSW Department of Primary Industries
  - NSW Treasury
  - Department of Regional NSW
  - NSW Environment Protection Authority
14. Each measure is subject to its own set of eligibility criteria and may only become available when a specific eligible event occurs. Further information about eligibility criteria and eligible events for each assistance measure is shown in the guideline for each assistance measure.
  15. The majority of measures in the *NSW Disaster Assistance Guidelines* are only available upon the declaration of a Natural Disaster by the NSW Government. Further information about Natural Disaster Declarations is provided below.
  16. A number of measures may also become available upon the declaration of an Agricultural Natural Disaster by the NSW Government. Further information about Agricultural Natural Disaster Declarations is also provided below.
  17. Where applicable, any assistance that is available to local councils under these guidelines is also available to the following organisations, subject to the same eligibility criteria as for local councils, as far as practicable:
    1. Local Aboriginal Land Councils established under the Aboriginal Land Rights Act 1983
    2. County Councils established under the Local Government Act 1993
    3. Private Water Trusts operating under the Water Management Act 2000
    4. Statutory organisations responsible for Essential Public Assets in the Unincorporated Area of NSW

## Natural Disasters

18. A Natural Disaster is defined in the DRFA as:  
*‘One or a combination of the following rapid onset events:*
- *bushfire*
  - *earthquake*
  - *flood*
  - *storm*
  - *cyclone*
  - *storm surge*
  - *landslide*
  - *tsunami*
  - *meteorite strike*
  - *tornado*
19. This definition is accepted by the NSW Government for the purposes of the NSW Disaster Assistance Arrangements.
20. Droughts, frosts, heatwaves and epidemics are not defined as Natural Disasters. Drought assistance may be provided to farmers, their families, rural communities and certain small businesses through a range of other government programs.
21. In NSW, the Minister for Emergency Services is responsible for Natural Disaster Declarations. A declaration is recommended to the Minister if an event meets both the definition of a Natural Disaster (as described above) and the requirements of an *eligible disaster*, as defined in the DRFA. To meet the definition of an *eligible disaster*, the following conditions must be met:
- a) a coordinated multi-agency response was required, and
  - b) *state expenditure* (as defined by the DRFA) exceeds the *small disaster criterion* (currently \$240,000).
22. The small disaster criterion applies to the whole disaster event, whether it has occurred within one Local Government Area or over a number of Local Government Areas.
23. The Natural Disaster Declaration will specify the Local Government Areas impacted by the event.
24. Following a Natural Disaster Declaration, a range of standard assistance measures described in these Guidelines will become available to communities and individuals impacted by the event.
25. In some circumstances the Premier and Prime Minister may agree to activate additional assistance measures depending on the needs of the impacted community.
26. A list of current Natural Disaster Declarations and declarations from recent years is published on the Resilience NSW website at [www.nsw.gov.au/resilience](http://www.nsw.gov.au/resilience)

## Agricultural Natural Disasters Declarations

27. The Minister for Agriculture may also declare specific events such as storms, floods and bush fires as Agricultural Natural Disasters.
28. Agricultural Natural Disasters were introduced to fill a gap in assistance to primary producers who suffer damage to primary production or assets but are not eligible for other forms of disaster assistance because all the criteria for a conventional natural disaster declaration cannot be met.

29. The declaration of an Agricultural Natural Disaster enables primary producers to access transport subsidies and loans from the NSW Rural Assistance Authority (RAA). These loans and subsidies are the same as those available from RAA for Natural Disaster Declarations.
30. An Agricultural Natural Disaster may be declared by the Minister for Agriculture if the assessed value of damage to primary production assets (including stock, inventory, fencing and other plant and equipment) exceeds the small disaster criterion, which is currently set at \$240,000.
31. The Australian Government does not recognise Agricultural Natural Disasters as eligible events for providing NSW with reimbursements for actual expenditure under the DRFA.

## **Document Structure**

32. The *NSW Disaster Assistance Guidelines* contain an introduction to disaster assistance in NSW and detailed guidelines covering a range of the assistance measures.
33. The Guidelines are not intended to replace the range of policy documents developed by various NSW Government agencies for the administration of each assistance measure. Further information about each assistance measure can be obtained from the relevant Administering Agency.
34. The assistance measures have been presented in five parts and grouped according to the broad section of the community they are designed to assist. These parts are:
  - Part A – Assistance to Households and Individuals
  - Part B – Assistance to Local Councils and Statutory Organisations
  - Part C – Assistance to Not for Profit Organisations
  - Part D – Assistance to Primary Producers
  - Part E – Assistance to Small Business
35. The guidelines have been designed in a consistent format and can be read individually, with minimal need to cross-reference other sections.

## **Part A - Assistance to Households and Individuals**

## **A.1 Immediate Assistance**

### **Description**

Immediate assistance including food, clothing, personal items and emergency accommodation, may be provided to meet the essential emergency needs of people who are directly affected by a disaster. The assistance may be provided during and in the first days after a disaster.

### **Eligible Events**

This assistance measure may be provided in the event of any disaster or other emergency to individuals who are affected by the event and meet the eligibility criteria.

### **Who is eligible**

Individuals who are directly affected by a disaster and have no other means of meeting their immediate needs (such as evacuees who are unable to access their personal finances or arrange alternative forms of assistance).

### **Eligibility Criteria**

Eligibility is based on an assessment of an individual's immediate needs.

Applicants must demonstrate that they have been adversely affected by the disaster and have no means of meeting their immediate needs. Factors such as the severity of the impact, ability to organise safe alternative accommodation and access to support from friends or family are taken into account when assessing need.

Immediate assistance is not means tested.

### **Exclusions**

This assistance measure does not provide for goods and services that are not essential to ensuring a disaster-affected person's immediate safety and well-being.

### **Amounts Available and Mode of Delivery**

Assistance is provided through direct material aid, e.g. emergency accommodation, food hampers or small cash payments to purchase essential items. Immediate assistance is generally provided from evacuation centres, disaster welfare assistance points or recovery centres.

### **Conditions of Assistance**

Nil.

### **Administering Agency**

Immediate assistance is mostly administered at the local level by the Department of Communities and Justice in evacuation centres.

Resilience NSW has state level oversight of this assistance measure and can also administer immediate assistance when required via other methods.

### Claim Process

Assistance is provided to disaster-affected people as soon as practicable, based on an assessment of demonstrated essential needs.

### Period for Claiming

Immediate assistance is provided during or in the first days after a disaster.

### Appeals Process

This assistance measure is provided immediately based on an assessment of essential needs and is generally not subject to appeal.

However, any concerns about this assistance measure should be directed to Service NSW on: 13 77 88.

Concerns can also be submitted in writing to the Director, Disaster Welfare Services, Resilience NSW, GPO Box 5434, Sydney, NSW 2001.

### Related Assistance

Immediate assistance is often provided during an evacuation (see *A.2 Emergency Evacuation of Individuals and Companion Animals*, *A.3 Care and Safe Keeping of Companion Animals*).

A number of assistance measures may be provided to meet the immediate needs of animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*).

### Additional Comments

This assistance is designed to meet the immediate essential needs of people during or immediately after a disaster.

Assistance is provided directly to disaster-affected people to meet their immediate essential needs e.g. food, shelter and clothing.

## A.2 Emergency Evacuation of Individuals and Companion Animals

### Description

Resources and services may be provided to facilitate the emergency evacuation of individuals and/or companion animals in response to an actual or impending disaster or emergency.

If evacuation is not feasible, essential goods or services may be provided to support the well-being of individuals and/or companion animals until evacuation can occur, or until the risk to health and safety subsides.

### Eligible Events

This assistance measure may be provided in the event of any disaster or other emergency to individuals and/or companion animals that are affected by the event and meet the eligibility criteria.

### Who is eligible

Individuals and their companion animals.

### Eligibility Criteria

Assistance may be provided to people and/or companion animals that are at risk of injury, unsustainable periods of isolation, hardship or distress if they remain at a location, even if the disaster has not reached that locality.

### Exclusions

Assistance does not provide for the additional costs incurred by private or public organisations evacuating employees and/or persons in their care or responsibility, whether those organisations were ordered to evacuate the area or chose to leave the area themselves. Organisations should plan for evacuations using their Business Continuity Plans.

For State agencies and local councils involved in facilitating evacuations, assistance does not provide for the purchase of capital items; or for the normal salary, maintenance and administration costs that would have been incurred even if no evacuation had occurred.

Assistance does not generally provide for the costs incurred by individuals in self - evacuations, whether they were ordered to evacuate the area or chose to leave the area themselves. However, limited assistance, such as transport, fuel, alternate accommodation and meals may be provided under the *A.1 Immediate Assistance* relief program or other relief programs.

## Amounts Available and Mode of Delivery

Resources and services that may be provided include:

- land, air or water transport authorised by a response agency or a relevant functional area
- provision of essential goods or services to stranded individuals including essential medical personnel and technicians, equipment (e.g. generators and pumps) and other goods (e.g. food, water, groceries, shelter, fuel) and
- establishing, operating, decommissioning and restoring assembly areas and/or evacuation centres including lighting, food, water, toilets, temporary shelter, bedding, office and communication equipment.

Under limited circumstances the additional resources required by State agencies and local councils in establishing, operating and decommissioning evacuation centres may be reimbursed. These may include employee related costs that are not currently paid (including payroll tax, overtime and backfilling), additional plant and equipment hire and operating costs.

## Conditions of Assistance

Nil.

## Administering Agency

This assistance measure may be coordinated by relevant emergency services agencies. The nature of this assistance measure means that a number of agencies may be involved in its delivery.

## Claim Process

State agencies and local councils can claim for reimbursement of costs through the normal arrangements with the relevant emergency services agencies.

## Period for Claiming

State agencies and local councils should submit claims within three months of the expenditure being incurred.

## Appeals Process

For information on appeals, contact the relevant emergency services or other agency to discuss the outcomes of any applications and options available for review.

## Related Assistance

During evacuations immediate assistance may be provided including food, clothing, personal items and emergency accommodation (see *A.1 Immediate Assistance*).

Support for transport may be provided as part of an evacuation (see *A.4 Transport Services to Help Individuals and Communities*).



## Additional Comments

The decision to evacuate persons or animals is not a decision which should be taken lightly. Evacuation necessitates a coordinated approach to ensure that all of the evacuees' needs are met.

The requirement to evacuate or stay should ideally be identified during the emergency planning process, however, on occasions immediate evacuation may become necessary.

An Evacuation Centre is a centre set up to meet the immediate needs of disaster-affected people and animals following evacuation from an emergency situation. This may include travellers (commuters and tourists), who are unable to complete their journey.

In some circumstances, animals may need to be accommodated at a location that is separate to the evacuation centre.

Reimbursement for eligible costs incurred by State agencies and local councils may become available if the emergency is declared a disaster.

## A.3 Care and Safe Keeping of Animals

### Description

Safe keeping may be provided for animals including pets and non-production animals (e.g. horses) in the event of an emergency where there is a threat to their safety and welfare.

### Eligible Events

This assistance measure may be provided in the event of any disaster or other emergency to companion animals that are affected by the event and meet the eligibility criteria.

### Who is eligible

Animals including pets and other non-production animals (e.g. horses) that cannot be appropriately accommodated.

### Eligibility Criteria

Animals including pets and other non-production animals (e.g. horses) may require care and safe keeping if their owners:

- cannot return home due to isolation or exclusion from the affected area
- have moved to an evacuation centre
- are in temporary accommodation that excludes animals or
- cannot safely accommodate animals due to a disaster.

### Exclusions

Reimbursement is not provided for privately arranged care of animals.

Long term accommodation and care beyond the time of operation of the emergency evacuation centre or temporary accommodation is not provided. Exceptional circumstances are considered on a case-by-case basis up to a maximum of four weeks accommodation and care from the date of initial assessment.

### Amounts Available and Mode of Delivery

Assistance can be in the form of:

- accommodation or kennelling - this can be at showgrounds, local vet clinics, kennels, council pounds or other suitable facilities
- the construction of temporary accommodation in remote locations where suitable facilities do not exist
- emergency veterinarian treatment and
- emergency feed and water for animals after which it is expected that the owners will be able to take responsibility.

### Conditions of Assistance

It is the owner's responsibility to care for their animals, although emergency feed can be provided for up to three days if required. This includes feeding, watering, exercising, cleaning up waste and bedding and attending to animals.

### Administering Agency

NSW Department of Primary Industries.

### Claim Process

Individuals are to register their companion animals at the evacuation centre when emergency accommodation is being sought.

Prior approval for the application of this assistance must be given by NSW Department of Primary Industries. Staff at evacuation centres or relevant emergency services personnel (e.g. NSW Police, NSW State Emergency Service, and NSW Rural Fire Service) may liaise with NSW Department of Primary Industries representatives to activate the assistance.

### Period for Claiming

Claims from service providers should be finalised as soon as possible after an event.

### Appeals Process

For information on appeals, contact NSW Department of Primary Industries to discuss the outcomes of any applications and options available for review.

### Related Assistance

As a last resort, aerial support may be provided to transport affected animals to a safe area (see *D.2 Aerial Support to Livestock and Companion Animals*).

### Additional Comments

The assistance is for temporary care. Owners who find long term accommodation away from their homes should also consider its suitability for their animals.

In the longer term, owners may need to find alternative arrangements where possible. If the owner cannot arrange suitable emergency accommodation, NSW Department of Primary Industries may assist in identifying suitable service providers.

## **A.4 Transport Services to Help Individuals and Communities**

### **Description**

If required, temporary emergency public transport services (e.g. bus/coach services) may be provided in regions where the regular passenger transport services have been interrupted.

Urgent transport may be provided for essential personnel (e.g. health care workers), equipment (e.g. generators and pumps) and goods (e.g. food, water, groceries, shelter and fuel) to sustain and maintain isolated towns, communities or individuals until normal services resume.

If local transport services are disrupted, additional means of transport may be provided for travel of an essential nature (e.g. to recovery centres and medical appointments).

### **Eligible Events**

This assistance measure may be provided in the event of any disaster or other emergency to communities and/or individuals that are affected by the event and meet the eligibility criteria.

### **Who is eligible**

Individuals and communities.

### **Eligibility Criteria**

This assistance may be provided in situations where:

- transport dependent persons have an urgent need for transport assistance
- existing passenger transport services have been interrupted
- where additional transport is needed to assist the community or
- the supply of essential goods and/or services is disrupted, and additional transport is required to sustain and/or maintain the harmony and well-being of a community.

### **Exclusions**

This assistance measure does not provide for goods and services that are not essential to the sustainability, harmony and well-being of a community.

### **Amounts Available and Mode of Delivery**

Reimbursement of approved expenditure incurred in providing temporary transport services will be coordinated by Transport for NSW.

### **Conditions of Assistance**

Nil.

### **Administering Agency**

Transport for NSW.

## Claim Process

Transport providers may claim for costs in accordance with the usual arrangements of Transport for NSW.

## Period for Claiming

Transport providers should submit claims on a regular basis and finalise claims within one month of the end of the service.

## Appeals Process

Contact Transport for NSW at [emdutyofficer@transport.nsw.gov.au](mailto:emdutyofficer@transport.nsw.gov.au).

## Related Assistance

Land, air or water transport may also be provided in the course of an evacuation (see A.2 *Emergency Evacuation of Individuals and Companion Animals*).

Assistance to restore road access for essential services may be available (see B.1 *Emergency Works* and B.2 *Immediate Reconstruction Works*).

## Additional Comments

Emergency transport services are intended to assist transport-dependent people with the highest needs.

Transport services will be coordinated between Transport for NSW and local providers.

If regular passenger services have been interrupted, alternative temporary emergency services may be provided to:

- replace regular commuter services between towns or communities
- replace bus services on routes to hospitals, schools, retail centres or employment centres.

The supply of essential goods and services may be by land, air or water transport and the choice may depend on the circumstances.

## **A.5 Maintenance of Tarpaulins**

### **Description**

In special circumstances, residences may be eligible for assistance to tighten and maintain tarpaulins that have been installed by the NSW State Emergency Service (SES) on damaged roofs.

### **Eligible Events**

This assistance measure is only provided to eligible residences following the declaration of a Natural Disaster by the NSW Government.

### **Who is eligible**

Owners and occupants of residential dwelling.

### **Eligibility Criteria**

The assistance may be provided if ongoing maintenance is beyond the resource capacity of the local NSW SES unit.

### **Exclusions**

This assistance measure does not extend to insured residential dwellings, unless special arrangements have been agreed with insurance companies.

Sheds, garages, carports or other buildings on residential property are not eligible.

Commercial, industrial and local council buildings are not eligible.

### **Amounts Available and Mode of Delivery**

If ongoing maintenance is beyond the resource capacity of the local NSW SES unit then NSW SES would request NSW Public Works Advisory to arrange and manage a maintenance contract with a private contractor.

### **Conditions of Assistance**

Nil.

### **Administering Agency**

The NSW State Emergency Service liaises with affected residents and determines eligibility for this assistance measure.

NSW Public Works Advisory engages and manages maintenance contractors to deliver assistance to eligible residents.

### **Claim Process**

All requests by households for assistance are to be made through one point of contact, (e.g. a Recovery Centre hot desk or the NSW SES 132 500 number). There are to be no direct requests by households to NSW Public Works Advisory or its private contractor.

### Period for Claiming

Tarpaulin maintenance may be provided until the measure is no longer required for uninsured houses. For insured houses, until insurance companies make suitable arrangements to protect or repair insured properties.

Requests for assistance would continue until no longer required or substitute arrangements were put in place by insurers or owners.

### Appeals Process

For information on appeals, contact the relevant agency to discuss the outcome of any applications and options available for review.

### Related Assistance

Grants are provided to eligible households affected by specific disaster events for essential household contents (see *A.7 Grants for Essential Household Contents*) and essential structural repairs (*A.8 Grants for Essential Structural Repairs to Homes*).

### Additional Comments

Contractors are not provided to either temporarily or permanently repair or restore dwellings.

If the building includes a place of residence and a business (e.g. a corner store), the building is eligible.

## A.6 Stamp Duty Relief for Replacement of Motor Vehicles

### Description

Stamp duty relief may be provided on the replacement of motor vehicles written off due to loss caused by a declared disaster.

### Eligible Events

This assistance measure is only provided to eligible vehicle owners following the declaration of a Natural Disaster by the NSW Government.

### Who is eligible

Vehicle owners (private and commercial).

### Eligibility Criteria

For the owner to be eligible for assistance, the vehicle must be comprehensively insured and written off due to damage caused by a declared disaster that occurs in NSW.

Reimbursement may only be made for duty paid in NSW.

### Exclusions

Reimbursement will not be provided for duty paid outside of NSW. Only vehicles written off as a result of a declared disaster within NSW are eligible.

### Amounts Available and Mode of Delivery

The amount of reimbursement will be the stamp duty payable on the lower of either:

- the value of the replacement of a vehicle or
- the value of the insurance payout for the vehicle that has been written off.

Once approved, Revenue NSW will reimburse by way of Electronic Funds Transfer, the amount of duty refund entitled.

### Conditions of Assistance

The written off vehicle must have been comprehensively insured.

### Administering Agency

Revenue NSW.

### Claim Process

Applicants must submit to Revenue NSW the form, "Request for Refund of Duty on Registration of Replacement Motor Vehicle", which can be obtained from its website ([www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au)) or by contacting Revenue NSW on 1300 139 817.

Applicants must provide the following evidence for their application to be considered:

- a settlement letter from the relevant insurance company
- evidence of the cost of the replacement vehicle and



- evidence of payment of stamp duty on the replacement vehicle.

#### Period for Claiming

Refunds may be provided for up to five years after the date of payment of the stamp duty on a replacement vehicle.

#### Appeals Process

Anyone whose application for a refund is denied may lodge an objection within 60 days of the date of the decision to have the matter reviewed.

#### Related Assistance

Nil.

#### Additional Comments

Nil.

## A.7 Grants for Essential Household Contents

### Description

Essential Household Contents Grants may be provided to assist with the cost of re-establishing essential household items considered necessary to maintain a basic standard of living. Examples of essential household contents include bedding, furniture, clothing, and essential electrical items (e.g. refrigerator, washing machine, stove).

These grants assist low income residents who have no other means of restoring their homes to a safe and habitable condition following a disaster event.

### Eligible Events

This assistance measure is only provided to eligible households that are affected by any one, or a combination, of the following natural hazards: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike; or tornado.

### Who is eligible

Households (including owner occupied and rental properties).

### Eligibility Criteria

Eligible applicants must demonstrate that:

- household contents are not covered by insurance
- the affected house is their principal place of residence
- the damage was caused by the natural hazard and
- they are a low-income household, as determined by the income and assets test.

### Exclusions

Grants are not provided for household contents that are not essential to making a home safe and habitable.

This assistance measure does not provide for replacement of food that has been spoiled as a result of the Natural Disaster (for example, as a result of power outages).

Grants are not provided to meet the cost of insurance excess.

### Amounts Available and Mode of Delivery

The amount granted depends on the assessed needs of the affected household and the number and type of items that have been damaged.

### Conditions of Assistance

Approval is subject to confirmation of eligibility and an assessment of household damage through an “in home” inspection.

Successful applicants are advised that grants are provided on the basis that they are only used for the purpose shown in the approved application and must not be used for any other purpose.

## Administering Agency

Resilience NSW.

## Claim Process

Information about the grants can be found at <https://www.nsw.gov.au/resilience-nsw/disaster-financial-assistance-for-individuals-and-families> or by calling Service NSW on 13 77 88.

To apply for this grant, applicants must call Service NSW on 13 77 88 and ask about the Disaster Relief Grant administered by Resilience NSW or seek out NSW Government disaster assistance personnel at a Disaster Welfare Assistance Point, Recovery Centre, during outreach or through an arranged appointment.

Applicants are required to complete an application form and include supporting documentation.

The following documents are needed when applying for this grant:

- proof of income including, but not limited to: a Centrelink payment summary, statement of income from employer or evidence of taxable income for self-employed
- proof of assets: bank statements, proof of investments and council rate notice
- verification of home loan repayments or rent: either the last normal weekly rent receipt or a statement from the lending authority
- insurance details: policy numbers and insurance company correspondence.

Provision of photos of damage also assist with the assessment process.

Assessment of applications involves an “in home” inspection of the damaged items claimed, confirmation of eligibility (including income and assets test) and an insurance status check.

## Period for Claiming

Up to four months after the date of the natural hazard. This period may be extended by Resilience NSW for applicants who are not able to meet the application deadline for valid reasons.

## Appeals Process

Information on the appeals process is available by calling Service NSW on 13 77 88.

Appeals can be submitted in writing to the Director, Disaster Welfare Services, Resilience NSW GPO Box 5434, Sydney, NSW 2001.

## Related Assistance

Grants are also provided to eligible households for the repair of homes (see *A.8 Grants for Essential Structural Repairs to Homes*), private access ways (see *A.9 Grants for Essential Access Ways on Private Property*), and assistance with clean up (see *A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property for the Elderly or Infirm*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### **Additional Comments**

The grant is targeted at low income households that have no other means available to restore their home to a habitable condition.

### **Income and Assets Test**

The income and assets test involves an assessment of the household's disposable income at the time of the disaster. The household's disposable income is the amount of money left each week after rent or home mortgage repayments are paid.

The maximum allowable weekly disposable income (after mortgage or rental payments) is based on the current Centrelink Aged Pension and any additional income allowed by Centrelink to enable retention of the full basic Pension and allowances for each dependent child.

The assessment of assets is based on the household's other financial resources such as bank savings, shares or a second property. If households have realisable assets above \$10,000 (single person) or \$20,000 (couple), these will be included in the assessment of eligibility and eligible clients may be required to co-contribute any assets in excess of these amounts. The primary place of residence is not counted.

The purpose of the grants is to provide eligible households with a basic standard of living. The grants are not provided as compensation and items may not be replaced to their previous value, size, quality or other specification on a like for like basis.

The grants are not designed as an alternative to insurance cover.

## A.8 Grants for Essential Structural Repairs to Homes

### Description

Structural Repairs Grants may be provided as a contribution toward essential structural repairs to homes for households unable to meet the cost of repairs.

The grants may assist low income home owners who have no other means of restoring their homes to a safe and habitable condition.

### Eligible Events

This assistance measure is only provided to eligible households that are affected by any one, or a combination, of the following natural hazards: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike; or tornado.

### Who is eligible

Low income home owners.

### Eligibility Criteria

Eligible applicants must be the home owner and demonstrate that:

- the affected home is not covered by insurance
- the affected home is their principal place of residence at the time of the event
- the damage was caused by the natural hazard and
- they are a low-income earner, as determined by the income and assets test.

### Exclusions

Grants are not provided for structures within the property that are not essential to restoring the home to a safe and habitable condition, such as fences, retaining walls, pools, sheds, sunrooms, outdoor living areas or awnings. Garages and carports are excluded from the grants, unless they are essential to restoring the safety of the home.

Grants are not provided to meet the cost of insurance excess.

### Amounts Available and Mode of Delivery

Grants vary depending on the assessment of structural repairs required to ensure the home is safe and habitable. Depending on the scale of the repairs, grant amounts for approved applications may be based on quotes or an appropriate building cost guide as recommended by NSW Public Works Advisory (such as the Cordell Building Cost Guide).

Where a home has been totally destroyed, a grant can be provided for the rebuild of a basic home. The amount provided is capped according to the appropriate building cost guide recommended by NSW Public Works Advisory.

Depending on the scale of the repairs, Resilience NSW pays instalments either directly to the contractor undertaking the repair work or directly to the applicant. Documentation is completed by the applicant and the contractor to certify that the agreed work has been completed.

## Conditions of Assistance

Successful applicants are advised that grants are provided on the basis that they are only used for the purpose shown in their approved application, and must not be used for any other purpose.

## Administering Agency

Resilience NSW.

## Claim Process

Information about the grants can be found at <https://www.nsw.gov.au/resilience-nsw/disaster-relief-grant-for-individuals> or by calling Service NSW on 13 77 88.

To apply for this grant, applicants must call Service NSW on 13 77 88 and ask about the grants administered by Resilience NSW or seek out NSW Government disaster assistance personnel at a Disaster Welfare Assistance Point, Recovery Centre, during outreach or through an arranged appointment.

Applicants are required to complete an application form and include supporting documentation.

Assessment of applications involves an “in home” inspection of the structural damage, confirmation of eligibility (including income and assets test) and an insurance status check.

The following documents are needed when applying for this grant:

- proof of income, including but not limited to: a Centrelink payment summary, statement of income from employer or evidence of taxable income for self-employed
- proof of assets: bank statements, proof of investments and council rate notice
- verification of home loan repayments or rent: either the last normal weekly rent receipt or a statement from the lending authority
- insurance details: policy numbers and insurance company correspondence.

Provision of photos of damage also assist with the assessment process.

## Period for Claiming

Up to four months after the date of the natural hazard. This period may be extended by Resilience NSW for applicants who are not able to meet the application deadline for valid reasons.

## Appeals Process

Information on the appeals process is available by calling Service NSW on 13 77 88.

Appeals can be submitted in writing to the Director, Disaster Welfare Services, Resilience NSW, GPO Box 5434, Sydney, NSW 2001.

## Related Assistance

Grants are also provided to eligible households for essential household contents (see *A.7 Grants for Essential Household Contents*), essential access ways (*A.9 Grants for Essential*

*Access Ways on Private Property*) and assistance with clean up (*A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property for the Elderly or Infirm*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### **Additional Comments**

The grant is targeted at low income households that have no other means available to restore their homes to a safe and habitable condition.

### **Income and Assets Test**

The income and assets test involves an assessment of the household's disposable income at the time of the disaster. The household's disposable income is the amount of money left each week after rent or home mortgage repayments are paid.

The maximum allowable weekly disposable income (after mortgage or rental payments) is based on the current Centrelink Aged Pension and any additional income allowed by Centrelink to enable retention of the full basic Pension and allowances for each dependent child.

The assessment of assets is based on the household's other financial resources such as bank savings, shares or a second property. If households have realisable assets above \$10,000 (single person) or \$20,000 (couple), these will be included in the assessment of eligibility and eligible clients may be required to co-contribute any assets in excess of these amounts. The primary place of residence is not counted.

The purpose of the grants is to assist home owners to restore their home to a safe and habitable condition. The grants are not provided as compensation, and structural repairs may not restore homes to their previous value, size, quality or other specification on a like for like basis. The grants are not an alternative to insurance cover.

## A.9 Grants for Essential Access Ways on Private Property

### Description

Access way grants may be provided as a contribution towards essential repairs to impassable privately-owned access ways to the home.

The grants assist low income home owners who have no means of repairing damaged private access ways and have no safe alternate access route to their home.

Access ways may include private roads, bridges and culverts. The access way must be impassable due to damage caused by a disaster event.

### Eligible Events

This assistance measure is only provided to eligible households that are affected by any one, or a combination, of the following natural hazards: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike; or tornado.

### Who is eligible

Low income home owners.

### Eligibility Criteria

Eligible applicants must demonstrate that:

- they are the home owner
- they are a low-income earner, as determined by an income and assets test
- the access way is not covered by insurance
- the home on the affected property is the applicant's primary place of residence
- the access way is on the property and privately owned by the home owner and
- the access way has been rendered impassable by the natural hazard and there are no safe alternate routes (permanent or temporary) to the home.

### Exclusions

Assistance is not provided to meet the cost of insurance excess.

### Amounts Available and Mode of Delivery

The amount provided for a grant for access way repairs will be considered on a case by case basis. Grants may be provided for a basic level of essential repair work only.

Resilience NSW pays instalments directly to the contractor undertaking the repair work. Documentation is completed by the applicant and the contractor to certify that the agreed work has been completed.



## Conditions of Assistance

Successful applicants are advised that financial assistance is provided on the basis that it is only used for the purpose shown in their approved application, and must not be used for any other purpose.

## Administering Agency

Resilience NSW.

## Claim Process

Information on how to apply can be obtained by calling Service NSW on 13 77 88.

To apply for this grant, applicants must call Service NSW on 13 77 88 and ask about the grants administered by Resilience NSW or seek out NSW Government disaster assistance personnel at a Recovery Centre or by an appointment.

Applicants are required to complete an application form and include supporting documentation.

The following documents are needed when applying for this grant:

- proof of income, including but not limited to: a Centrelink payment summary, statement of income from employer or evidence of taxable income for self-employed
- proof of assets: bank statements; proof of investments and council rate notice
- verification of home loan repayments or rent: either the last normal weekly rent receipt or a statement from the lending authority
- insurance details: policy numbers and insurance company correspondence .

Assessment of applications involve:

- confirmation of eligibility including income and assets test and insurance status check
- NSW Public Works Advisory inspection of the access way, including confirmation that there are no alternate routes that provides safe access to the home and
- assessment of repair work that is required to ensure safe access to the home.

## Period for Claiming

Up to four months after the date of the natural hazard. This period may be extended by the Resilience NSW for applicants who are not able to meet the application deadline for valid reasons.

## Appeals Process

Information on the appeals process is available by calling Service NSW on 13 77 88.

Appeals can be submitted in writing to the Director, Disaster Welfare Services, Resilience NSW, GPO Box 5434, Sydney, NSW 2001.

## Related Assistance

Grants are also provided to eligible households for essential household contents (see *A.7 Grants for Essential Household Contents*), essential structural repairs (*A.8 Grants for Essential Structural Repairs to Homes*) and assistance with clean up (*A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property for the Elderly or Infirm*).

## Additional Comments

Damage to the access way must totally prevent safe access to the home, and there must be no alternative access ways available to reach the home.

Grants are not provided as compensation for losses and do not replace insurance cover.

The income and assets test involves an assessment of the household's disposable income at the time of the disaster. The household's disposable income is the amount of money left each week after home mortgage repayments are paid.

The maximum allowable weekly disposable income (after mortgage or rental payments) is based on the current Centrelink Aged Pension and any additional income allowed by Centrelink to enable retention of the full basic Pension and allowances for each dependent child.

The assessment of assets is based on the household's other financial resources such as bank savings, shares or a second property. If households have realisable assets above \$10,000 (single person) or \$20,000 (couple), these will be included in the assessment of eligibility and eligible clients may be required to co-contribute any assets in excess of these amounts. The primary place of residence is not counted.

## **A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property for the Elderly or Infirm**

### **Description**

In extraordinary circumstances, elderly and/or infirm residents may be eligible for practical assistance to remove damaged household contents such as carpets, fridges and stoves and other debris in and around the home.

This assistance is only available where damaged household contents and debris prevents restoration of the home to a safe and habitable condition or prevents safe access to the home.

### **Eligible Events**

This assistance measure is only provided to eligible households that are affected by any one, or a combination, of the following natural hazards: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike; or tornado.

### **Who is eligible**

Vulnerable residents such as the elderly or infirm who are not physically able to remove, or organise for the removal of damaged household contents or debris from within or around their home and have no other resources available to assist them.

### **Eligibility Criteria**

Assistance may be provided to residents who are not physically able to remove or organise the removal of the damaged contents and/or debris and have no other resources available to assist them.

Eligible applicants must demonstrate that:

- they are not covered by insurance
- the affected house is their principal place of residence and
- they are a low-income household, as determined by the income and asset test.

OR

- in extraordinary circumstances where a resident does not have the physical or psychological capacity to organise the removal of the debris themselves, they may also be eligible for assistance.

### **Exclusions**

Assistance is only provided for the removal of damaged household contents and debris which prevents residents from restoring their home to a safe and habitable condition or accessing their home. This assistance does not provide for the removal of damaged household contents and debris that restricts access to non-living areas of the home such as garages, sheds or backyards.

### **Amounts Available and Mode of Delivery**

Arrangements are made with public or private sector contracted services to undertake the removal of debris or damaged household contents.

Cash grants are not provided to householders for this type of assistance.

### Conditions of Assistance

Nil.

### Administering Agency

Resilience NSW.

### Claim Process

All requests by households for assistance are to be made through one point of contact, e.g. by calling Service NSW on 13 77 88 or by attending a recovery centre. There are to be no direct requests by households to NSW Public Works Advisory or its private contractors.

Applications are received and assessed by Resilience NSW. Eligible applicants are referred to NSW Public Works Advisory who organise contractors to complete the work.

Approval is subject to confirmation of eligibility and assessment of household/property damage through an “in home” inspection.

### Period for Claiming

Up to four months after the damage has occurred.

### Appeals Process

Information on the appeals process is available by calling Service NSW on 13 77 88.

Appeals can be submitted in writing to the Director, Disaster Welfare Services, Resilience NSW, GPO Box 5434, Sydney, NSW 2001.

### Related Assistance

Grants may be provided to eligible households for essential household contents (see *A.7 Grants for Essential Household Contents*), essential structural repairs to the home (see *A.8 Grants for Essential Structural Repairs to Homes*) or essential access ways on private property (see *A.9 Grants for Essential Access ways on Private Property*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### Additional Comments

Nil.

## **A.11 Clean-up of Green Waste and General Debris from Residential Property for Public Health and Safety**

### **Description**

In extraordinary circumstances, where the scale and severity of the disaster event threatens public health and safety or prevents members of the community from assisting themselves, assistance may be provided to assist residents to remove debris from private property.

In these circumstances, green waste and debris removal is provided to eligible residents by local councils or a nominated contractor, and the NSW Government provides a reimbursement for the additional resources incurred by councils / contractors in providing this assistance.

### **Eligible Events**

This assistance measure is only provided to eligible residents following the declaration of a Natural Disaster by the NSW Government and following specific authorisation by the NSW Government.

### **Who is eligible**

When activated, this assistance is provided to occupants of residential properties that have been affected by the disaster. Residents will receive services associated with the clean-up of green waste and general debris from their residential property.

These services are provided by either the local council or by contractors engaged by the NSW Government.

A reimbursement or payment for these services is subsequently provided to the council or the contractor by the NSW Government.

### **Eligibility Criteria**

Assistance to remove debris from residential properties may be provided if the scale and severity of the event threatens public health and safety or prevents members of the community from assisting themselves.

### **Exclusions**

Assistance for clean-up is not provided to commercial and industrial properties or the non-residential component of rural properties.

Local council costs for normal operating salaries and wages are not eligible for reimbursement. The purchase and maintenance of equipment and non-statutory council on-costs are also not eligible.

### **Amounts Available and Mode of Delivery**

Local councils are fully reimbursed for actual expenditure on the additional resources used for residential property clean-ups.

Additional resources include employee related costs that are not currently paid by councils or agencies e.g. overtime hours, extra shifts, on-costs of workers compensation insurance and payroll tax, backfilling positions, additional external plant and equipment hire including operating costs and contracted services.

If specialised private sector contracted services clean-up properties, their costs are fully reimbursed.

### Conditions of Assistance

The conditions of assistance are set at the time that the measure is activated.

### Administering Agency

In circumstances where this assistance measure is provided, the NSW Government will designate an appropriate agency or authority to administer clean-up arrangements and provision of assistance to councils.

### Claim Process

Arrangements for this assistance measure will be tailored to address the nature, scale and severity of the disaster event. The NSW Government will advise local councils of the coordination and claims process.

Councils should be prepared to submit documentation demonstrating that the costs are additional to normal operating costs.

### Period for Claiming

Final claims from councils must be submitted to the relevant NSW Government agency within 12 months of the disaster.

### Appeals Process

For information on appeals, contact the relevant agency or authority to discuss the outcomes of any applications and options available for review.

### Related Assistance

In some circumstances, clean-up assistance may be provided to the elderly or infirm (see *A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property for the Elderly or Infirm*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### Additional Comments

This assistance is not provided for every disaster. It is only provided if the scale of the event threatens public health and safety or prevents the community from helping themselves.

## **A.12 Clean-up and Removal of Asbestos Containing Material from Residential Property for Public Health and Safety**

### **Description**

In extraordinary circumstances, assistance may be provided to render safe, clean-up and remove Asbestos Containing Materials (ACM) from residential properties, if the following conditions are met:

1. the NSW Government has declared or is likely to declare a Natural Disaster
2. the risk of ACM is identified in private residential properties impacted by the Natural Disaster and
3. the scale and incidence of ACM is assessed as an unacceptable risk to public health and safety by the Asbestos Advisory Committee (AAC).

Assistance may be provided in two phases:

- Phase 1 assistance may include assessment of the ACM situation and urgent works to render safe the ACM on private residential properties affected by a Natural Disaster.
- Phase 2 assistance may include clean-up and removal of ACM from residential property as per the eligibility criteria below.

### **Eligible Events**

This assistance measure is only provided where the scale and incidence of ACM on eligible private residential properties presents an unacceptable risk to public health and safety.

Phase 1 assistance may be activated when a Natural Disaster has been declared by the NSW Government or when the State Emergency Recovery Controller (SERCON) determines that such a declaration is likely. Phase 2 assistance may only be considered when a Natural Disaster has been declared by the NSW Government.

### **Who is eligible**

This assistance measure is only provided for eligible private residential properties which meet the eligibility criteria noted below.

When activated, this assistance is provided to occupants of residential properties that have been affected by the disaster. Residents will receive services associated with the clean-up of ACM from their residential property.

These services are provided by either the local council or by contractors engaged by the NSW Government.

A reimbursement or payment for these services is subsequently provided to the council or the contractor by the NSW Government.

### **Eligibility Criteria**

As a matter of principle, it is expected that home owners will take out adequate building insurance to enable them to clean-up, repair or rebuild their homes in accordance with its present form and current building and planning control requirements. This practice is to be encouraged by insurers, the Government and community stakeholders. That said, there may be circumstances where this is not the case and either the scale and incidence of ACM on

private residential properties presents an unacceptable risk to public health and safety or it may be expeditious to take coordinated action and hence warrant government assistance.

When Phase 1 assistance is activated, private residential properties in the disaster-declared area are eligible for render safe works if they have ACM present, and the presence of this ACM is assessed by the AAC as being an unacceptable risk to public health and safety.

Activation of Phase 2 clean-up and removal assistance requires consideration of the current insurance cover for private residential properties affected. Phase 2 assistance may be provided where:

1. the private residential property is totally destroyed and has no insurance
2. the private residential property is totally destroyed and is under-insured or
3. the private residential properties contaminated by ACM that may not be totally destroyed but where ACM has been transferred by natural causes (e.g. wind) in the same area or nearby the same area impacted by the same Natural Disaster.

For damaged and insured properties, it would be expected that the ACM clean-up and removal will be funded from the owner's insurance policy and if necessary recouped from the insurer following any government-funded clean-up operation. These arrangements are subject to the parameters agreed to by the NSW Government at the time of approving any assistance package. Where clean-up and removal of ACM forms part of the insurance cover, insurers are expected to fully honour their obligations under their policies.

### Exclusions

The clean-up and removal of debris from private residential properties not containing ACM is covered under guideline A.11 and is therefore excluded under this Guideline unless specifically authorised by NSW Public Works Advisory.

Render safe, clean-up and removal works that do not mitigate the risk to public health and safety are excluded unless there is an overriding public interest concern or the works are deemed by NSW Public Works Advisory to be expeditious, and the works are authorised by Resilience NSW.

Render safe, clean-up and removal works related to undeclared or human-caused events are excluded under this Guideline given there is often recourse to utilise other instruments to address public health and safety or other public interest concerns. The Government may provide separate assistance in such circumstances.

### Amounts Available and Mode of Delivery

Where ACM has the potential to threaten public health and safety, the State Emergency Operations Controller (SEOCN) or the SERCON may authorise expenditure of up to \$200,000 to take immediate emergency action to assess and mitigate the immediate risks from asbestos exposure in the community.

In making its recommendation to the SEOCN or the SERCON, the AAC must consider the following factors:

1. the extent of uncontained ACM involved
2. the proximity of this ACM to the community
3. the number of residential properties affected
4. the availability of credible asbestos exposure pathways to the community and



5. any elevated levels of airborne asbestos fibres measured within the community or in operational areas.

The AAC is to be established by the NSW Asbestos Coordination Committee (NACC) and comprises relevant experts from the NSW Environment Protection Authority, SafeWork NSW, NSW Health, Public Works Advisory, Fire and Rescue NSW and the relevant local council for the incident.

Further assistance beyond the initial amount of \$200,000 may only be provided upon approval by the NSW Government and following the submission (by NSW Public Works Advisory) of a risk assessment, management plan and acquittal report explaining usage of the initial Phase 1 assistance funds. With this formal approval, NSW Public Works Advisory is sanctioned to coordinate Phase 2 assistance.

Note that funding assistance will not be provided direct to individual property owners and that assistance will be managed by NSW Public Works Advisory.

### Conditions of Assistance

Phase 1 and 2 assistance provided under this Guideline is limited to:

1. the engagement of an accredited expert to undertake an assessment of the risks presented by ACM, including air monitoring if applicable.
2. actions undertaken to render the area of ACM contamination safe beyond the normal functions of combat agencies (including covers, storage and fencing).
3. the clean-up and removal of ACM identified by the AAC as presenting an unacceptable risk to public health and safety.
4. communication with the affected community of the risks posed by the ACM and the proposed actions to mitigate the risk (including signage).
5. actions undertaken to assess asbestos clean-up, removal and disposal work and to issue clearance certificates.
6. the lawful disposal of ACM debris.

To be eligible for assistance, items 1 to 6 above must be undertaken in a timely manner.

### Administering Agency

NSW Public Works Advisory will administer assistance delivered under this Guideline in consultation with NSW Treasury, Resilience NSW, the NSW Environment Protection Authority, insurers and local councils.

### Claim Process

NSW Public Works Advisory will claim costs incurred under this Guideline within six months of the ACM event. The period for making claims may be altered to address the nature, scale and severity of the Natural Disaster event as recommended by NSW Public Works Advisory and approved by Resilience NSW.

### Appeals Process

For information on appeals, contact NSW Public Works Advisory to discuss the outcomes of any applications and options available for review.

## Related Assistance

Assistance for clean-up and removal of green waste and general debris on private property may also be provided according to eligibility criteria see *A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property for the Elderly or Infirm*, and *A.11 Clean-up of Green Waste and General Debris from Residential Property for Public Health and Safety*.

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

## Additional Comments

This assistance is not activated for every declared Natural Disaster. It is only provided if the scale and incidence of ACM is assessed as representing an unacceptable public health and safety risk, as determined by the SEOCON or the SERCON on advice of the AAC.

During the response phase of a Natural Disaster, responsibility for authorisation of the initial amount of up to \$200,000 in funding under this Guideline rests with the SEOCON, based on advice from the AAC. When the event formally enters the recovery phase, this responsibility will pass to the SERCON.

Further assistance requires the approval of the NSW Government based on a written submission from NSW Public Works Advisory.

The clean-up and removal of ACM from public areas, including roads, parks etc. may be provided as part of wider assistance measures provided for the clean-up and removal of debris from public areas.

## A.13 Recovery Centres

### Description

Resources and services may be provided, in appropriate circumstances, to facilitate the establishment of Recovery Centres.

Recovery Centres are one-stop-shops that centralise Local, State and Australian Government and non-government services to people affected by disaster, to facilitate easy access to information and community services.

Reimbursement for eligible Recovery Centre costs incurred by State agencies and, in exceptional circumstances, local councils may become available if the emergency is declared a Natural Disaster.

### Eligible Events

The NSW Government may authorise the establishment of Recovery Centres for any significant disaster or other emergency to assist individuals, households, businesses, or any other groups that are affected by the disaster event.

### Who is eligible

Government agencies and local councils providing relief and recovery assistance during declared Natural Disaster events.

### Eligibility Criteria

The establishment of a Recovery Centre will depend on the disaster event and the needs and characteristics of the communities or other groups that require assistance.

### Exclusions

For State agencies and local councils involved in facilitating Recovery Centres, assistance does not cover the normal salary, maintenance and administration costs, which would have been incurred, even if the Recovery Centre had not been established.

### Amounts Available and Mode of Delivery

Recovery Centres will vary in number, size and range of agencies involved according to the nature of the disaster event or emergency.

Resources and services for facilitating Recovery Centres may include leases, insurance, all utility and communication costs, office equipment, signage and parking.

Agency costs associated with the establishment of Recovery Centres and/or costs associated with keeping affected communities informed about recovery operations may be reimbursed. These may include employee related costs that are not currently paid (including payroll tax, overtime and backfilling), additional plant and equipment hire and necessary operating costs.

### Conditions of Assistance

Nil.

## Administering Agency

The NSW Government is responsible for authorising the establishment of a Recovery Centre. This will often be done on recommendation from a Recovery Committee, which also recommends the direction and operational parameters of the Recovery Centre.

Resilience NSW is the Administering Agency for this assistance once established.

NSW Public Works Advisory will assist in physically establishing and decommissioning Recovery Centres and procuring the physical assets and resources that are required for the centre.

The various Government agencies and organisations which make up the Recovery Centre are responsible for sourcing their own staff and establishing their own systems and procedures to support service delivery.

## Claim Process

State agencies and local councils may claim for reimbursement of costs through arrangements that are established by Resilience NSW.

## Period for Claiming

State agencies and local councils should submit claims within three months of the expenditure being incurred.

## Appeals Process

For information on appeals, agencies may contact the Resilience NSW to discuss the outcomes of any applications and options available for review.

## Related Assistance

A Recovery Centre may be used as a one-stop-shop to deliver a range of disaster assistance measures, particularly those shown in Part A, D and E of the *NSW Disaster Assistance Guidelines*.

## Additional Comments

Recovery Centres are one-stop-shops that centralise State Government, Australian Government and non-government services to people affected by disasters. They minimise travel and inconvenience for affected people, and provide a point of focus and belonging especially for those dislocated from their community environment.

A Recovery Centre may be established, even if the range of services required is narrow.

More information about Recovery Centres can be found in the *Guidelines for Recovery Centres* which have been developed in support of the *NSW Recovery Plan*.

## **A.14 Funding to Establish and Operate a Support Service to Assist Disaster Affected Households**

### **Description**

In extraordinary circumstances, where a Natural Disaster has significantly impacted a community, the NSW Government may give specific authorisation to fund the establishment of additional, designated and time limited support services to provide practical assistance to disaster-affected households, and support them through the initial recovery process.

Support services provide assessment, crisis intervention, problem solving and supportive counselling to individuals. They are discrete 'helping' services and do not take the place of other services in the community e.g. mental health.

Funding is reserved for Natural Disasters where it is assessed that the demand for services will significantly exceed the capacity of existing services in the affected community.

### **Eligible Events**

This assistance measure is only provided to eligible residents following the declaration of a Natural Disaster by the NSW Government. Resilience NSW may authorise the establishment of support services with anticipated budgets of up to \$500,000. Larger-scale support services may be established following specific authorisation by the NSW Government.

The impact on the community must be significant e.g. significant number of homes, outbuildings and other residential structures that are either totally destroyed or partially damaged. Loss of life and or significant injury of the population may also be a trigger.

### **Who is eligible?**

In general, support services will be provided to disaster-affected communities or other groups that are affected by the Natural Disaster.

Specific eligibility criteria for support services will be determined on a case-by-case basis for each Natural Disaster.

### **Eligibility Criteria**

If the support service is established, eligible households will include those households and individuals directly impacted by the disaster. Depending on the demand, and subject to NSW Government approval, eligibility may be extended to the broader disaster affected community.

### **Exclusions**

Funding is provided to deliver the discrete support service, not augment existing services.

Funding is not provided for material aid. However partnerships with other community based organisations that have access to such resources are encouraged.

## Amounts Available and Mode Delivery

Service models may vary depending on the capacity of the local service system and blend of government and community-based agencies. Resilience NSW will consult with other government agencies including the Department of Family and Community Services (FACS) and NSW Health to explore options to develop a service model that is appropriate for the community, and to identify a suitable existing service provider.

Services may be delivered by an existing non-government organisation, or partnerships may be formed between government agencies and a non-government organisation. Community partnerships are strongly encouraged.

Due to the need to establish the service as quickly as possible, Resilience NSW may enter into direct negotiations with a recommended service provider. This is consistent with the NSW Procurement Guidelines and the Independent Commission Against Corruption – *Guidelines for Managing Risk in Direct Negotiations*.

Funding amounts will be determined by the NSW Government, consistent with the service model, and reflect the anticipated community need e.g. based on total number of disaster affected households. An indicative amount may be approximately \$150,000 for a small service (2 caseworkers, a Program Manager and Admin component) to \$400,000 (6 caseworkers, a Program Manager, and Admin component).

Resilience NSW may authorise the establishment of support services with anticipated budgets of up to \$500,000. Larger-scale support services (with budgets over \$500,000) may be established following specific authorisation by the NSW Government.

Services will generally be established for an initial period of six to twelve months and continuation will depend on community need, the capacity of the local service system and the availability of resources.

## Conditions of Assistance

In circumstances where the NSW Government authorises the establishment of a support service, an Engagement Agreement will be executed between the auspice agency and Resilience NSW. This agreement will outline the conditions of funding and the service specification.

Any variation to the agreement will require approval of both parties. The funding arrangement between the State and Commonwealth governments (e.g. under the Disaster Recovery Funding Arrangements) must be acknowledged on all written materials. The service provider must hold records locally of all grant monies spent on the support service. At the completion of the support service, a copy of the records must be provided in full to Resilience NSW.

Funding for the support service will depend on the service model, however costs may include provision for:

- salaries and on costs for support service staff as per award
- travel and other relevant allowances as per award

- operating costs (including program and service development costs)
- clinical supervision
- communications
- administration
- management fee as per industry standard (e.g. community sector 10-15%) and
- essential establishment costs as negotiated with Resilience NSW.

### Administering Agency

Resilience NSW will be the Administering Agency for this assistance measure in the first instance, with the local monitoring and compliance role performed by an appropriate NSW agency e.g. NSW Health or Resilience NSW where applicable.

The service will be established in consultation with local recovery governance mechanisms (e.g. the Recovery Committee) and key human services representatives from government and non-government agencies in the disaster affected community.

### Claim Process

In circumstances where the NSW Government authorises the establishment of the support service, an indicative budget will be considered for approval by NSW Treasury. Resilience NSW and the service provider will negotiate a budget which will allow for the incremental establishment of the support service and gradual withdrawal.

### Period for Claiming

Invoices must be submitted monthly and in accordance with the Engagement Agreement.

### Appeals Process

Procedures for amending the terms and conditions of the support service will be contained within the Engagement Agreement.

### Related Assistance

The support service may assist clients accessing disaster assistance measures shown in Part A of the *NSW Disaster Assistance Guidelines*.

### Additional Comments

In general, the objectives of support services are to:

- offer an individualised, relationship-based service that aims to support individuals, strengthening their capacity over time
- offer the service based on assessment and agreed goals with the service user according to their preferences
- facilitate and work with the service user to engage with services, seek financial assistance or information where they find it difficult to navigate the range of services available

- provide support; co-ordinate with appropriate agencies for immediate needs, provide information; work with people to assess and assist with referral and application processes for required services and provide advocacy as required.



## A.15 Community Recovery Officers

### Description

In circumstances where a Natural Disaster meets Australian Government eligibility criteria, the NSW Government may provide a temporary Community Recovery Officer (CRO), for a full-time equivalent period of up to 12 months, to work with the disaster-affected community.

The provision of CROs is reserved for Natural Disasters where Resilience NSW assesses that the Australian Government's criteria have been met, there is a need to employ such an officer, and their functions cannot be completed by existing local government and community services sector personnel in the disaster-affected community.

### Role Summary

The role of CROs is to support community recovery from natural disasters by working with the community to identify needs, develop local recovery programs, assist in accessing information and resources and provide leadership and community capacity building. This includes:

- initiating and supporting key committees and working groups
- monitoring and evaluating local recovery programs and activities
- establishing cooperative networks across government, non-government and community groups that can assist community recovery and develop local resilience that will endure beyond the term of the position.

### Eligible Events

This assistance measure may be provided to communities following the declaration of a Natural Disaster by the NSW Government, and where the disaster event meets the eligibility criteria described in the Australian Government Disaster Recovery Funding Arrangements (DRFA).

### Who is eligible?

Community Recovery Officers may be provided on a temporary basis to assist communities that have been affected by an eligible event as described above, and which meet the eligibility criteria shown below.

### Eligibility Criteria

A community may be provided with a CRO if they have been impacted by an event that meets the 'eligible events' criteria shown above.

The scope of work for each CRO will be determined by Resilience NSW on a case-by-case basis for each Natural Disaster, in accordance with the DRFA.

The main focus of the CRO's work will be those communities that have been directly impacted by the Natural Disaster and whose circumstances meet the DRFA eligibility criteria. Work with other communities may be undertaken, if agreed by both Resilience NSW and the Australian Government.

## Exclusions

Funding is provided to establish new temporary CRO roles, to respond to specific Natural Disasters.

Assistance will not be provided to fund or augment existing community development, emergency management or similar roles within the local government or community services workforce.

Costs associated with the CRO using existing assets are not eligible. Examples of these costs include existing office accommodation, vehicles, facilities, computers, telecommunications infrastructure and any other resources that would have been available for use, even if the CRO had not been employed.

## Amounts Available & Mode of Delivery

The CRO's role may vary depending on the capacity of the local community service network and the blend of government and community-based organisations operating in the disaster-affected area.

Resilience NSW will consult with other government agencies including Department of Communities and Justice (DCJ) and NSW Health to develop a role description that is appropriate for the community, and to identify a suitable organisation or partnership of organisations to undertake the employment, management and supervision of the CRO.

The CRO may be employed and managed by an existing non-government organisation, NSW Government agency (including Resilience NSW), local council or partnership of organisations.

Due to the need to employ CROs as quickly as possible, Resilience NSW may enter into direct negotiations with a recommended service provider. This is consistent with the NSW Procurement Guidelines and the ICAC – Guidelines for managing risk in direct negotiations.

Funding amounts to a maximum of \$150,000 for employee related expenses, and \$70,000 for operating expenses will be determined by Resilience NSW, consistent with the final approved role description, and reflecting the anticipated community need e.g. based on the total number of disaster affected households, businesses and primary production enterprises.

The employment of the temporary CRO may be for a maximum full-time equivalent period of up to 12 months.

As a general rule, only one CRO may be employed for each declared Natural Disaster, irrespective of the number of Local Government Areas that have been affected by the disaster.

In the event that the nature, scale and circumstances of the declared Natural Disaster warrants the employment of one or more additional CROs, Resilience NSW may submit an application to the Australian Government to seek additional funding for this purpose. To demonstrate the need for additional CROs, local councils and other community organisations may be required to provide information about the effects of the natural disaster.

## Conditions of Assistance

Where funding is provided to employ a CRO, an Engagement Agreement will be executed between the auspice organisation(s) and Resilience NSW. This agreement will outline the conditions of funding and the service specification.

Any variation to the agreement will require approval of both parties. The funding arrangement between the State and Commonwealth governments (e.g. under the Disaster Recovery Funding Arrangements) must be acknowledged on all written materials.

The service provider must hold records locally of all grant monies spent on the employment of the CRO. At the completion of the employment, a copy of the records must be provided in full to Resilience NSW.

Funding for the support service will depend on the service model, however costs may include provision for the following items, subject to the exclusions discussed above:

- salaries and on costs for staff as per award
- travel and other relevant allowances as per award
- operating costs (including program and service development costs)
- communications costs
- temporary office accommodation costs where required
- temporary motor vehicle hire where required
- essential establishment costs as negotiated with Resilience NSW.

## Administering Agency

Resilience NSW will be the Administering Agency for this assistance measure in the first instance.

The CRO role will be established in consultation with local recovery governance mechanisms (e.g. the Recovery Committee) and key human services representatives from government and non-government agencies in the disaster affected community.

## Claims Process

The Engagement Agreement will specify the process by which Resilience NSW will provide funds to the organisation that employs and manages the CRO.

In general, the employing organisation will be required to pay the agreed employee related expenses and overheads for the CRO and seek a reimbursement from Resilience NSW on a monthly basis. Where required, an advance may be provided to the employing organisation.

Invoices from the employing organisation must be submitted monthly and in accordance with the Engagement Agreement.

## Appeals Process

Procedures for amending the terms and conditions for employing the CRO will be contained in the Engagement Agreement.

### Related Assistance

The CRO may assist disaster-affected communities with accessing disaster assistance measures shown in Part A of the NSW Disaster Assistance Guidelines.

### Additional Comments

Nil

## **A.16 Replacement of rural potable water used for firefighting**

### **Description**

Water intended for human consumption that has been taken by a firefighting agency may be replaced, up to a set amount.

### **Eligible Events**

This assistance measure is provided to eligible residents, following the declaration of a Natural Disaster by the NSW Government.

### **Who is eligible**

This assistance measure is available to the occupants of residential properties who are identified by firefighting agencies as meeting the eligibility criteria below or who can demonstrate that they meet these criteria.

### **Eligibility Criteria**

For each declared disaster, this assistance measure will initially be provided to the occupants of residential properties identified by firefighting agencies as having had one or more firefighting agencies take water from their residential property that was intended for human consumption. Firefighting agencies will take all appropriate measures to ensure occupants are aware that this assistance is available.

Occupants of residential properties who are not initially identified as being eligible for this assistance may submit an application for this assistance. To be eligible, the applicant must be able to demonstrate that during firefighting operations associated with a declared natural disaster, one or more firefighting agencies took water from the residential property that was intended for human consumption. An applicant for this assistance may use one or more of the following types of evidence to demonstrate that this event occurred:

- evidence from the firefighting agency
- a signed declaration from the applicant that one or more firefighting agencies took water from their residential property that was intended for human consumption
- photographic or video or audio evidence
- any other evidence as approved by Resilience NSW.

### **Exclusions**

This assistance measure is not available to:

- occupants of residential properties that are connected to town water supplies
- occupants of commercial properties or other types of non-residential properties.

This assistance measure does not provide for the replacement of water used by individuals or organisations (other than firefighting agencies) during firefighting activities.

This assistance is not available for the replacement of stock water or other water intended for agricultural or commercial purposes. The NSW Disaster Assistance Guidelines has separate provisions for this purpose (see related assistance below).

### Amounts Available and Mode of Delivery

This assistance may be provided through the following modes of delivery, and to the following amounts:

1. Direct delivery of up to 20,000 litres to the residential property, to be arranged by Public Works Advisory.
2. Reimbursement of costs to the applicant for one delivery of water that has already been made to their residential property after a Natural Disaster Declaration (up to a maximum of 20,000 litres).

The amount of water that can be resupplied will be equivalent to the amount taken by firefighting agencies or the amount needed to make the potable water system safe and functional (noting this amount could be more than what was taken). The intention will be to restore the domestic water supply at the property to the level that existed prior to the firefighting agency taking the water.

### Conditions of Assistance

Applicants for this assistance must submit an application to Public Works Advisory within the timeframe set below.

### Coordinating Agency

Public Works Advisory is the coordinating agency for this assistance.

### Claim Process

An application form may be obtained by calling Service NSW on 13 77 88. Once completed, these forms should be submitted to Public Works Advisory at the address provided on the form.

An assessment will be undertaken by Public Works Advisory before any water replacement occurs or any reimbursements are given to verify that the eligibility criteria have been met.

The relevant firefighting agency may be separately contacted to verify that water was taken and to assist in estimating the amount removed.

Where applicants have already arranged for their own water delivery, an invoice will need to be provided showing the date of the delivery and the amount delivered.

### Period for Claiming

Applications for this assistance measure must be submitted to Public Works Advisory within six months of the relevant Local Government Area being included in the Natural Disaster Declaration.

### Appeals Process

Any concerns about this assistance measure should be directed to Service NSW in the first instance by calling 13 77 88.

### Related Assistance

The NSW Disaster Assistance Guidelines provides assistance for the replacement of water intended for primary production, which has been taken by firefighting agencies (see guideline *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*). See also *A.17 Clean-up and refilling of residential potable water systems contaminated by fire retardant chemicals*.

### Additional Comments

The firefighting agency will provide evidence for each declared event that water was taken by firefighting agencies in the relevant declared local government area.

## **A.17 Clean-up and refilling of residential potable water systems contaminated by fire retardant chemicals**

### **Description**

In circumstances where residential properties have had their domestic potable water systems contaminated by fire retardant chemicals delivered by firefighting agencies, assistance is available for the cleaning and refilling of these systems.

### **Eligible Events**

This assistance measure is provided to eligible residents, following the declaration of a Natural Disaster by the NSW Government.

### **Who is eligible**

This assistance measure is available to the occupants of residential properties who are identified by firefighting agencies as meeting the eligibility criteria below or who can demonstrate that they meet these criteria.

### **Eligibility Criteria**

This assistance measure will initially be provided to the occupants of residential properties identified by firefighting agencies as having had fire retardant chemicals dropped or sprayed over their property by a firefighting agency, and whose potable water systems are at risk of contamination. Firefighting agencies will take all appropriate measures to ensure occupants are aware that this assistance is available.

Occupants of residential properties who are not initially identified as being eligible for this assistance may submit an application for this assistance. To be eligible, the applicant must be able to demonstrate that during firefighting operations associated with a declared natural disaster, fire retardant chemicals were dropped or sprayed over the property by a firefighting agency and it is likely that these chemicals have entered or are at risk of entering the residential potable water systems of the property. An applicant for this assistance may use one or more of the following types of evidence to demonstrate that this event occurred:

- evidence from the firefighting agency
- a signed declaration from the applicant that one or more firefighting agencies dropped or sprayed fire retardant chemicals over their property resulting in the applicant's potable water systems being at risk of contamination
- photographic or video evidence
- any other evidence as approved by Resilience NSW.

### **Exclusions**

This assistance measure is not available to:



- occupants of residential properties that are connected to town water supplies
- occupants of commercial properties or other types of non-residential properties.

This assistance is not available for the replacement of stock water or other water intended for agricultural or commercial purposes. The NSW Disaster Assistance Guidelines has separate provisions for this purpose (see related assistance below).

### Amounts Available and Mode of Delivery

This assistance will be provided directly by Public Works Advisory, who will engage suitably qualified service providers to undertake the cleaning and refilling of the potable water system.

### Conditions of Assistance

Applicants for this assistance must submit an application to Public Works Advisory within the timeframe set below.

### Coordinating Agency

Public Works Advisory is the coordinating agency for this assistance.

### Claim Process

An application form may be obtained by calling Service NSW on 13 77 88. Once completed, these forms should be submitted to Public Works Advisory at the address provided on the form.

An assessment will be undertaken by Public Works Advisory before cleaning and refilling works occur, to verify that the eligibility criteria have been met.

The relevant firefighting agency may be separately contacted by Public Works Advisory to verify that fire retardant chemicals were dropped or sprayed on the property.

### Period for Claiming

Applications for this assistance measure must be submitted within six months of the relevant Local Government Area being included in the date of the Natural Disaster declaration.

### Appeals Process

Any concerns about this assistance measure should be directed to Service NSW in the first instance by calling 13 77 88.

### Related Assistance

The NSW Disaster Assistance Guidelines provides assistance for the replacement of water intended for primary production, which has been taken by firefighting agencies (see guideline *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*). See also *A.16 Replacement of rural potable water used for firefighting*.

### Additional Comments

Nil.

## **Part B - Assistance to Local Councils**

## B.1 Emergency Works

The assistance described in this guideline is for local councils that have opted-in to the NSW Government's interim Day Labour Co-Funding Arrangements.

Councils that have not opted-in to the interim Day Labour Co-Funding Arrangements may still receive the assistance described in this guideline. However, a number of further restrictions will apply, including restrictions on normal-hours staff ('day labour'), internal plant and equipment hire, and the number of days for which Emergency Works Funding will be provided.

A copy of the interim Day Labour Co-Funding Arrangements can be found in Appendix D of the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Description

1. Financial assistance may be provided to local councils to undertake *Emergency Works* on essential public assets.
2. *Emergency Works* are urgent activities necessary to temporarily restore an essential public asset to enable it to operate at an acceptable level of efficiency to support the immediate recovery of a community, and takes place:
  - prior to or at the same time as *Immediate Reconstruction Works* (Guideline B.2) and where no *Essential Public Asset Reconstruction Works* (Guideline B.3) are required, or
  - prior to the council commencing *Essential Public Asset Reconstruction Works*.
3. Funding for *Emergency Works* is limited to works undertaken during the period of up to three months from the date that the essential public asset becomes accessible to the council. This is irrespective of the date on which the Natural Disaster is declared as an eligible disaster.
4. Local councils are expected to complete *Emergency Works* as soon as practicable to meet the needs of the community, and the three month time limit.
5. *Emergency Works* should not be delayed until a Natural Disaster is declared or until funding approval or assurance is given.
6. *Emergency Works* differ from *Immediate Reconstruction Works* (Guideline B.2) because they involve the temporary restoration of an *essential public asset*, rather than permanent repairs. Both categories of works have a similar three month time limit, and they do not require the development of *estimated reconstruction costs*.
7. *Emergency Works* differ to *Essential Public Asset Reconstruction Works* (Guideline B.3) because they involve the temporary restoration of an *essential public asset*, rather than permanent repairs, and the must occur within a three month time limit.
8. For the purpose of this guideline, the Australian Government's definition of an essential public asset applies, as it is defined in the Disaster Recovery Funding Arrangements (DRFA). The DRFA defines an essential public asset 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."

9. Within this context:

- a transport asset is defined as "an asset that is an integral part of a state's infrastructure and includes essential public assets associated with roads, road infrastructure (including footpaths, bike lanes, and pedestrian bridges), bridges, tunnels and culverts."
- a public infrastructure asset is defined as "an asset that is an integral part of a state's infrastructure and is associated with health, education, justice or welfare."
- an eligible undertaking is defined as "a body that:
  - is one of the following:
    - a department or other agency of a state government, or
    - established by or under state legislation for public purposes (for example, a local government), and
  - in the operation of the asset provides services free of charge or at a rate that is 50 per cent or less of the cost to provide those services"
- "The department" is "the Commonwealth department responsible for administering these [the DRFA] arrangements."

10. Examples of transport or public infrastructure assets which both the NSW Government and the Australian Government may consider to be essential public assets under their respective disaster funding arrangements includes: roads, road infrastructure (including footpaths, bike lanes and pedestrian bridges), bridges, tunnels, culverts, certain public carparks, public housing, flood levees, and stormwater infrastructure.

11. Roads and road infrastructure include State, Regional, Local and Crown Roads and bridges and their associated components which may include: pavements and pavement seals, formation, culverts and drainage structures, bridges and floodways, embankments and batter protection. Road infrastructure such as footpaths, bike lanes and pedestrian bridges may be considered to be essential public assets.

12. Examples of *Emergency Works* include:

- placement of temporary warning signs, barriers and traffic control
- temporary repair works to make the asset safe and functional
- temporary works to make a road trafficable for adjoining landholders.

13. Full details regarding financial assistance for *Emergency Works* are contained in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Eligible Events

14. This assistance is only provided to eligible local councils following the declaration of a Natural Disaster by the NSW Government.

15. For disasters or emergencies which are not declared Natural Disasters, the NSW Government may provide financial assistance for *Emergency Works* on public roads, if the purpose of these works is to restore safe access for emergency services vehicles, rescue units, or essential service providers that are responding to an actual emergency situation. The administering agency will consider funding for these situations on a case-by-case basis, giving consideration to the circumstances of the situation that required the *Emergency Works*.

#### Who is eligible?

16. Assistance for *Emergency Works* is available to local councils.

17. Assistance for *Emergency Works* is also available to the following organisations, subject to the same eligibility criteria as for local councils, as far as practicable:

- a) Crown Reserve Trusts established under the *Crown Lands Act 1989*
- b) Local Aboriginal Land Councils established under the *Aboriginal Land Rights Act 1983*
- c) County Councils established under the *Local Government Act 1993*
- d) Private Water Trusts operating under the *Water Management Act 2000*
- e) Statutory organisations responsible for essential public assets in the Unincorporated Area of NSW.

#### Eligibility Criteria

18. Financial assistance is only provided for eligible expenditure on *Emergency Works* undertaken in relation to essential public assets.

#### Assistance for Public Roads

19. Assistance for *Emergency Works* may be provided for the restoration of Regional, Local and Crown Roads damaged as a direct result of a declared disaster. Subject to the three month time limit, eligible *Emergency Works* on public roads may include:

- clean-up, removal and disposal of green waste and other debris from roads, bridges, culverts and other road infrastructure
- temporary repair or replacement of damaged bridges and culverts
- temporary repairs to ensure the structural integrity of roads and bridges
- temporary repair or replacement of damaged traffic facilities such as traffic signals and signs
- temporary repairs to boundary fencing on controlled access roads (usually motorways and freeways).

#### Other essential public assets

20. Flood levees and stormwater assets may be considered to be essential public assets. Temporary repairs to protect the structural integrity of the asset or prevent further damage to community may be carried out as *Emergency Works* subject to the conditions contained in this guideline.

## Exclusions

21. Assistance for *Emergency Works* is not provided for the following assets:

- a) essential public assets that are reasonably expected to be covered by insurance arrangements. Local councils are expected to make a claim on their insurance policies for these assets
- b) Sporting and recreational facilities, community facilities, religious establishments, memorials and, walking tracks, as these are not considered to be essential public assets
- c) Assets belonging to local council self-funding businesses and trading undertakings, e.g. caravan parks
- d) Public road infrastructure which is the responsibility of other NSW Government agencies (e.g. the NSW National Parks and Wildlife Service and the Forestry Corporation of NSW)
- e) Private roads and roads on Crown Land that are not Crown Roads
- f) Beaches, rivers and other natural waterways.

22. Assistance for *Emergency Works* is not provided for the following items:

- a) Costs associated with enhancement of the essential public asset
- b) Compensation for loss of income or shortening of asset life
- c) Non-statutory council on-costs such as a profit margin, administrative charges, depreciation on assets and council audit costs
- d) Damage to motor vehicles and equipment owned or hired by council.

23. Further exclusions may be outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

24. For *Emergency Works* on assets that are not eligible for funding assistance, where local councils believe that an extraordinary case for Australian and State Government funding exists, they should contact the Resilience NSW by telephone on (02) 9212 9200 or by email [NaturalDisasters@resilience.nsw.gov.au](mailto:NaturalDisasters@resilience.nsw.gov.au) to discuss any options that might be available.

## Amounts Available & Mode of Delivery

25. The amount of financial assistance available to local councils for *Emergency Works* is based on a number of factors. These include:

- the actual eligible cost of *Emergency Works*
- the amount of funding that the council is required to contribute under any NSW Government co-funding arrangements
- value for money testing
- the application of funding reductions (if applicable) due to pre-existing damage or poor condition of the asset.

26. To apply for funding, councils must submit an application to the relevant administering agency, in accordance with the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
27. The application process will require councils to provide a range of information, including supporting evidence for the pre-disaster condition of the asset, its post-disaster condition, and the completion of works.
28. The supporting evidence will be subject to a range of requirements, which are outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
29. For further information about the NSW Government's interim Day Labour Co-Funding Arrangements, please contact **Resilience NSW** by telephone on (02) 9212 9200 or by email [NaturalDisasters@resilience.nsw.gov.au](mailto:NaturalDisasters@resilience.nsw.gov.au).

### Conditions of Assistance

30. This assistance measure is jointly funded by the Australian Government and NSW Government under the Disaster Recovery Funding Arrangements. In accordance with the DRFA, councils must reach prior agreement with the NSW Government and the Australian Government on the nature and content of any events, announcements, promotional material or publicity relating to any *Emergency Works* that are funded under these guidelines. This includes but is not limited to:
  - media releases
  - ceremonies
  - media events which include reference to funding or works supported under these guidelines
  - plaques and signage for works funded under these guidelines.
31. Where councils intend to hold events or issue announcements, promotional material or publicity about funding provided and/or works facilitated under these guidelines, they should contact both the administering agency and Resilience NSW to commence the process of securing NSW Government and Australian Government agreement.
32. Further conditions of assistance are outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Administering Agency

33. Local councils are responsible for ensuring that *Emergency Works* are carried out on council-owned essential public assets as soon as possible, irrespective of whether the event has been declared a natural disaster and whether NSW Government funding under this guideline has been approved.
34. Transport for NSW administers reimbursements to local councils for eligible expenditure on *Emergency Works* for roads and road infrastructure, where there are also claims for *Immediate Reconstruction Works* and/or *Essential Public Asset Reconstruction Works* on those assets.
35. For roads and road infrastructure where there will be no claims for *Immediate Reconstruction Works* and/or *Essential Public Asset Reconstruction Works*, NSW Public Works Advisory will administer reimbursements to local councils for *Emergency Works*.
36. NSW Public Works Advisory also administers reimbursements for eligible expenditure on *Emergency Works* for other essential public assets managed by local councils, as well

as essential public assets managed by Local Aboriginal Land Councils, County Councils, private water trusts and organisations responsible for essential public assets in the Unincorporated Area of NSW.

37. Department of Industry – Crown Lands administers reimbursements to local councils for eligible expenditure on *Emergency Works* for essential public assets managed by Crown Reserve Trusts.

### Claim Process

38. Information about the process for claiming this assistance is available from the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
39. In general, the process for claiming *Emergency Works* assistance involves councils submitting a detailed application to the relevant administering agency. The application must include evidence of the pre-disaster and post-disaster condition of the essential public asset, and the completion of works. The administering agency will consider the application and seek further information if required.
40. A copy of the *NSW Natural Disaster Essential Public Asset Restoration Guidelines* and relevant forms may be obtained from the Resilience NSW website at [www.emergency.nsw.gov.au](http://www.emergency.nsw.gov.au) or by calling (02) 9212 9200.

### Period for Claiming

41. *Emergency Works* must be completed within three months from the date the damaged essential public asset is accessible to the council. If the council experiences a significant delay in accessing the essential public asset, evidence of this should be provided to the administering agency e.g. through road closure records, river height data, emergency services records, and aerial or ground level photographs.
42. Claims for *Emergency Works* funding assistance must be submitted to the relevant administering agency as soon as possible, and either within three months of the date on which the council completes all *Emergency Works* for the applicable Natural Disaster or within three months of the Natural Disaster being declared, whichever date is later.

### Appeals Process

43. Information about the appeals process for this assistance measure may be found in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Related Assistance

44. The *Immediate Reconstruction Works* guideline (Guideline B.2) provides funding for permanent restoration works that can be completed within a three month time limit, and which do not involve any change to the pre-disaster capacity, layout and/or material/build quality of the asset.
45. The *Essential Public Asset Reconstruction Works* guideline (Guideline B.3) provides funding for permanent restoration works that cannot be completed within the three month time limit for *Immediate Reconstruction Works*, or where a local council wishes to enhance or is required to otherwise depart from the *essential public asset's* pre-disaster capacity, layout and/or material/build quality.
46. Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).



## Additional Comments

47. The assistance provided under this guideline is subject to the requirements of the Australian Government's Disaster Recovery Funding Arrangements (DRFA). Where there is a conflict between the DRFA and these guidelines, the requirements of the DRFA will prevail, unless a specific exemption regarding the conflict is approved by the NSW Government.
48. A standing exemption is in place for *Emergency Works* on public roads, following events that are not declared Natural Disasters, if the purpose of these works is to restore safe access for emergency services vehicles, rescue units, or essential service providers that are responding to an actual emergency situation. Funding will be considered for these situations on a case-by-case basis, giving consideration to the circumstances of the situation that required the *Emergency Works*.
49. Assistance under these guidelines is not to replace self-help via either commercial insurance or appropriate strategies of disaster mitigation, asset maintenance and planning.
50. Councils must take out prudent and reasonable levels of insurance cover for their essential public assets (including works in progress) and they must claim on these insurance policies before seeking assistance under these guidelines. Assistance under these guidelines is not provided for:
  - any excesses associated with the insurance policy
  - any reasonably avoidable funding shortfalls arising from councils not taking out adequate levels of insurance cover
  - any future increases in insurance premiums.
51. Councils should ensure that the costs being claimed are clearly documented and allow assessors to separately quantify the use of overtime, contractors, casual staff, backfilling arrangements, external equipment hire, materials, consumables, normal-hours staff and internal plant and equipment hire.
52. Suitable council officers should be made available to assist any inspection of proposed or completed works and provide any additional claim information.
53. Council will be responsible for any audit costs.
54. The provision of geotagged photographic evidence to support funding applications is strongly encouraged. Councils should take geotagged photographs of affected areas and keep records that demonstrate the *Emergency Works* were undertaken on council property.

### Flood Mitigation Works

55. Assistance may be provided for *Emergency Works* on council-owned flood mitigation works such as flood levees, flood drains, floodgates, flood-flaps and pumps.
56. Restoration of floodgates or flood-flaps is provided only in the event that council is solely responsible for the maintenance of the asset.

### Storm Water Drains

57. Financial assistance may be provided for *Emergency Works* on stormwater assets and the damaged area immediately surrounding the asset, which ensures its structural integrity.

58. The removal of blockages and debris from the stormwater drainage asset is also eligible but this does not include normal maintenance.
59. Financial assistance will not be provided for clean-up and reinstatement of natural riverbanks, foreshores and any other natural channel downstream of the damaged stormwater drainage asset. This is considered as natural erosion to a watercourse.

#### Waste Management

60. Financial assistance may be given to remove, transport, process and dispose of green waste and other debris that is impeding the normal function of an *essential public asset*, and which has been deposited or generated as the direct result of an eligible disaster.
61. This assistance is subject to co-funding arrangements and covers a range of waste management costs, including labour, plant, equipment and materials. However, it does not cover any profit margins to councils or other organisations established by NSW State legislation.
62. When making a claim for assistance, councils that use their own waste management facilities to process and dispose of disaster-generated waste from essential public assets may apply a per-unit rate for each tonne or cubic metre of waste, in lieu of separately claiming costs for labour, plant, equipment and materials. The per-unit rate should be proposed by council and approved by the administering agency on a value-for-money basis, and it should be based on the normal waste disposal fees that the council would usually apply for each category of waste (excluding profit margins), using the appropriate processing methods.
63. Further information about the eligibility of waste management costs may be found in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
64. Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

## B.2 Immediate Reconstruction Works

The assistance described in this guideline is for local councils that have opted-in to the NSW Government's interim Day Labour Co-Funding Arrangements.

Councils that have not opted-in to the interim Day Labour Co-Funding Arrangements may still receive the assistance described in this guideline. However, a number of further restrictions will apply, including restrictions on normal-hours staff ('day labour') and internal plant and equipment hire.

A copy of the interim Day Labour Co-Funding Arrangements can be found in Appendix D of the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Description

1. Financial assistance may be provided to local councils to undertake *Immediate Reconstruction Works* on essential public assets.
2. *Immediate Reconstruction Works* are activities that are:
  - a. Undertaken to permanently restore an essential public asset to enable it to perform its pre-disaster function and
  - b. Completed within three months of the asset becoming accessible to the local council, following a declared Natural Disaster.
3. *Immediate Reconstruction Works* differ to *Emergency Works* (Guideline B.1), because they involve permanent restoration of an essential public asset, rather than temporary repairs to the asset. However, both categories of works are subject to a three month time limit.
4. *Immediate Reconstruction Works* differ to *Essential Public Asset Reconstruction Works* (Guideline B.3), because they must occur within a three month time limit, and they are not subject to the same cost estimation requirements. However, both categories of works involve permanent restoration of an essential public asset and they differ from *Emergency Works* in this way.
5. For the purpose of this guideline, the Australian Government's definition of an essential public asset applies, as it is defined in the Disaster Recovery Funding Arrangements (DRFA). The DRFA defines an essential public asset 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."
6. Within this context:
  - a transport asset is defined as "an asset that is an integral part of a state's infrastructure and includes essential public assets associated with roads, road infrastructure (including footpaths, bike lanes, and pedestrian bridges), bridges, tunnels and culverts."
  - a public infrastructure asset is defined as "an asset that is an integral part of a state's infrastructure and is associated with health, education, justice or welfare."

- an eligible undertaking is defined as “a body that:
    - is one of the following:
      - a department or other agency of a state government, or
      - established by or under state legislation for public purposes (for example, a local government), and
    - in the operation of the asset provides services free of charge or at a rate that is 50 per cent or less of the cost to provide those services”
  - “The department” is “the Commonwealth department responsible for administering these [the DRFA] arrangements.”
7. Examples of transport or public infrastructure assets which both the NSW Government and the Australian Government consider to be essential public assets under their respective disaster funding arrangements includes: roads, road infrastructure (including footpaths, bike lanes and pedestrian bridges), bridges, tunnels, culverts, public housing, flood levees, and stormwater infrastructure.
  8. Roads and road infrastructure include State, Regional, Local and Crown Roads and bridges and their associated components which may include: pavements and pavement seals, formation, culverts and drainage structures, bridges and floodways, embankments and batter protection. Road infrastructure such as footpaths, bike lanes and pedestrian bridges may be considered to be essential public assets.
  9. When a damaged essential public asset is reconstructed within three months of the asset becoming accessible to the local council, but there is a departure from the pre-disaster function of the asset, as determined in accordance with the *NSW Natural Disaster Essential Public Asset Restoration Guidelines* (e.g. there has been a change to the capacity or layout of the asset or in the materials used for *reconstruction*), the financial assistance for these works must be claimed as *Essential Public Asset Reconstruction Works*. This requirement applies in all circumstances where there will be a departure from the *pre-disaster function* of the asset, including those occurring due to changes in building and engineering standards.
  10. Full details regarding financial assistance for *Immediate Reconstruction Works* are contained in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Eligible Events

11. This assistance is only provided to eligible local councils following the declaration of a Natural Disaster by the NSW Government.
12. For disasters or emergencies which are not declared Natural Disasters, the NSW Government may provide financial assistance for *Immediate Reconstruction Works* on public roads, if the purpose of these works is to restore safe access for emergency services vehicles, rescue units, or essential service providers that are responding to an actual emergency situation. The Administering Agency will consider funding for these situations on a case-by-case basis, giving consideration to the circumstances of the situation that required the *Immediate Reconstruction Works*.

Funding for *Immediate Reconstruction Works* in these situations will only be given if it is demonstrated that undertaking *Emergency Works* in the same situation did not represent value-for-money or that it was not possible.

### Who is eligible?

13. Assistance for *Immediate Reconstruction Works* is available to local councils.
14. Assistance for *Immediate Reconstruction Works* is also available to the following organisations, subject to the same eligibility criteria as for local councils, as far as practicable:
  - a) Crown Reserve Trusts established under the *Crown Lands Act 1989*
  - b) Local Aboriginal Land Councils established under the *Aboriginal Land Rights Act 1983*
  - c) County Councils established under the *Local Government Act 1993*
  - d) Private Water Trusts operating under the *Water Management Act 2000*
  - e) Statutory organisations responsible for essential public assets in the Unincorporated Area of NSW.

### Eligibility Criteria

15. Financial assistance is only provided for *Immediate Reconstruction Works* on essential public assets.

#### Assistance for Public Roads

16. Assistance for *Immediate Reconstruction Works* may be provided for the restoration of Regional, Local and Crown Roads damaged as a direct result of a declared disaster. Subject to the three month time limit, eligible *Immediate Reconstruction Works* on public roads may include:

- permanent repair or replacement of damaged bridges and culverts
- permanent repairs to ensure the structural integrity of roads and bridges
- permanent repair of damaged traffic facilities such as traffic signals and signs
- permanent restoration of gravel pavements and causeways
- permanent repairs to boundary fencing on controlled access roads (motorways and freeways)
- permanent repair of saturation damage under certain circumstances
- permanent repair or replacement of table drains
- permanent repair or replacement of bus shelters
- permanent repair or replacement of guideposts, signposting, safety barriers
- permanent restoration of footpaths in the road reserve
- removal of green-waste and other debris from public roads, road reserves, culverts and bridges to make them trafficable.

#### Other essential public assets

17. Flood levees and stormwater assets are essential public assets - eligible *Immediate Reconstruction Works* include removal of green-waste and debris from stormwater infrastructure following a flood event.

### Exclusions

18. This assistance measure does not provide for:

- additional costs associated with enhancement of the asset
- assets owned by council trading undertakings that recover more than 50 per cent of their costs through fees or charges
- structures damaged by prolonged exposure to the weather and not as a direct result of a disaster
- damage that can be wholly or partly attributed to recent inadequate design, inadequate maintenance or faulty construction (council may be required to supply records of maintenance on items and asset management plans)
- damage to council works in progress (assumed to be covered by insurance)
- the purchase and maintenance of plant, stores and equipment
- building contents
- public buildings that could reasonably be expected to be insured (financial assistance is not to take the place of normal insurance – see Additional Comments)
- compensation for loss of income or shortening of asset life
- non-statutory council on-costs such as a profit margin, depreciation on assets, administrative charges, council audit costs and electricity etc
- natural assets such as beaches, river and creeks, lake foreshores, groves of trees etc. are not eligible for financial assistance.

19. Under the DRFA, the following are not considered essential public assets:

- sporting, recreational or community facilities (for example, playgrounds and associated facilities)
- religious establishments (for example, churches, temples and mosques)
- memorials.

20. For public roads, assistance for *Immediate Reconstruction Works* is not provided for the following assets:

- public road infrastructure which is the responsibility of other State agencies (e.g. the NSW National Parks and Wildlife Service and the Forestry Corporation of NSW)
- private roads and roads on Crown land that are not Crown Roads
- damage where there is evidence the cause is a lack of proper maintenance or where previous restoration work was not completed satisfactorily
- damage or delay to any construction work
- damage caused by prolonged wet weather

- items of recurring damage.
21. Further exclusions may be outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
22. For *Immediate Reconstruction Works* on assets that are not eligible for funding assistance, where local councils believe that an extraordinary case for Australian and State Government funding exists, they should contact Resilience NSW by telephone on (02) 9212 9200 or by email [NaturalDisasters@resilience.nsw.gov.au](mailto:NaturalDisasters@resilience.nsw.gov.au), to discuss any options that might be available.

### Amounts Available & Mode of Delivery

23. The amount of financial assistance available to local councils for *Immediate Restoration Works* is based on a number of factors. These include:
- the actual eligible reconstruction cost of the asset
  - the amount of funding that the council is required to contribute under the NSW Government's interim Day Labour Co-Funding Arrangements
  - value for money testing
  - the application of funding reductions (if applicable) due to pre-existing damage or poor condition of the asset.
24. Local councils are expected to complete the *Immediate Reconstruction Works* as soon as practicable to meet the needs of the community, and the three month time limit.
25. Due to the three month time limit, *Immediate Reconstruction Works* should not be delayed until a Natural Disaster is declared or until funding approval or assurance is given.
26. The type of reconstruction works that should be funded under this guideline are works that are urgent, essential and limited in nature. They would be works which the local council would have carried out, even if NSW Government disaster funding was not made available. Any reconstruction works that local councils cannot complete without assurance of funding, and within the three month time limit, should be managed under the *Essential Public Asset Reconstruction Works* guideline (Guideline B.3).
27. If reconstruction works are not expected to be completed within the three month time limit, local councils should seek funding for these works under the *Essential Public Asset Reconstruction Works* guideline (Guideline B.3).
28. Local councils should also seek funding under the *Essential Public Asset Reconstruction Works* guideline (Guideline B.3) if reconstruction works that were initially expected to be completed within the three month time limit are subsequently delayed and do not meet this deadline.
29. Funding is in the form of reimbursement of eligible actual expenditure on *Immediate Reconstruction Works*, subject to co-funding arrangements, value for money testing and consideration of pre-existing damage or poor condition.
30. For Regional and Local Roads, funds will be paid to local councils on Council Payment Invoices.
31. To apply for funding, councils must prepare an application to the relevant administering agency, in accordance with the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

32. The application process will require councils to provide a range of information, including supporting evidence for the pre-disaster function of the asset, its pre-disaster condition, its post-disaster condition, and the completion of works.
33. The supporting evidence will be subject to a range of requirements, which are outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
34. For further information about the NSW Government's interim Day Labour Co-Funding Arrangements, please contact **Resilience NSW** by telephone on (02) 9212 9200 or by email [NaturalDisasters@resilience.nsw.gov.au](mailto:NaturalDisasters@resilience.nsw.gov.au)

### Conditions of Assistance

35. This assistance measure is jointly funded by the Australian Government and NSW Government under the Disaster Recovery Funding Arrangements. In accordance with the DRFA, councils must reach prior agreement with the NSW Government and the Australian Government on the nature and content of any events, announcements, promotional material or publicity relating to any *Immediate Reconstruction Works* that are funded under these guidelines. This includes but is not limited to:
  - media releases
  - ceremonies
  - media events which include reference to funding or works supported under these guidelines
  - plaques and signage for works funded under these guidelines.
36. Where councils intend to hold events or issue announcements, promotional material or publicity about funding provided and/or works facilitated under these guidelines, they should contact both the administering agency and Resilience NSW to commence the process of securing NSW Government and Australian Government agreement.
37. Further conditions of assistance are outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Administering Agency

38. Local councils are responsible for ensuring that *Immediate Reconstruction Works* are carried out on council-owned essential public assets as soon as possible, irrespective of whether the event has been declared a natural disaster and whether NSW Government funding under this guideline has been approved.
39. Transport for NSW administers reimbursements to local councils for eligible expenditure on *Immediate Reconstruction Works* for roads and road infrastructure.
40. NSW Public Works Advisory administers reimbursements for eligible expenditure on *Immediate Reconstruction Works* for other essential public assets managed by local councils, as well as essential public assets managed by Local Aboriginal Land Councils, County Councils, private water trusts and organisations responsible for essential public assets in the Unincorporated Area of NSW.
41. Department of Industry – Crown Lands administers reimbursements to local councils for eligible expenditure on *Immediate Reconstruction Works* for essential public assets managed by Crown Reserve Trusts.



## Claim Process

42. Information about the process for claiming this assistance is available from the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
43. In general, the process for claiming *Immediate Reconstruction Works* assistance involves councils submitting a detailed application to the relevant administering agency. The application must include evidence of the pre-disaster function, pre-disaster condition and post-disaster condition of the essential public asset, as well as the completion of works. The administering agency will consider the application and seek further information if required.
44. A copy of the *NSW Natural Disaster Essential Public Asset Restoration Guidelines* and relevant forms may be obtained from Resilience NSW website at [www.emergency.nsw.gov.au](http://www.emergency.nsw.gov.au) or by calling (02) 9212 9200.

## Period for Claiming

45. *Immediate Reconstruction Works* must be completed within three months from when the damaged essential public asset becomes accessible to the council. If the council experiences a significant delay in accessing the essential public asset, evidence of this should be provided to the administering agency e.g. through road closure records, river height data, emergency services records, and aerial or ground level photographs.
46. Claims for reimbursement of *Immediate Reconstruction Works* costs must be submitted to the relevant administering agency as soon as possible, and either within three months of the date on which the works were completed or within three months of the Natural Disaster being declared, whichever date is later.

## Appeals Process

47. Information about the appeals process for this assistance measure may be found in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

## Related Assistance

48. Financial assistance may be provided to local councils to undertake *Emergency Works* on essential public assets under Guideline B.1.
49. The *Essential Public Asset Reconstruction Works* guideline (Guideline B.3) provides funding for restoration works that cannot be completed within the three month time limit for *Immediate Reconstruction Works*, or where a local council wishes to enhance or is required to otherwise depart from the essential public asset's pre-disaster capacity, layout and/or material/build quality.
50. Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

## Additional Comments

51. The assistance provided under this guideline is subject to the requirements of the Australian Government's Disaster Recovery Funding Arrangements (DRFA). Where there is a conflict between the DRFA and these guidelines, the requirements of the DRFA will prevail, unless a specific exemption regarding the conflict is approved by the NSW Government.
52. A standing exemption is in place for *Immediate Reconstruction Works* on public roads, following events that are not declared Natural Disasters, if the purpose of these works is

to restore safe access for emergency services vehicles, rescue units, or essential service providers that are responding to an actual emergency situation.

The Administering Agency will consider funding for these situations on a case-by-case basis, giving consideration to the circumstances of the situation that required the *Immediate Reconstruction Works*. Funding for *Immediate Reconstruction Works* in these situations will only be given if it is demonstrated that undertaking *Emergency Works* in the same situation did not represent value-for-money or that it was not possible.

53. Assistance under these guidelines is not to replace self-help via either commercial insurance or appropriate strategies of disaster mitigation, asset maintenance and planning.
54. Councils must take out prudent and reasonable levels of insurance cover for their essential public assets (including works in progress) and they must claim on these insurance policies before seeking assistance under these guidelines. Assistance under these guidelines is not provided for:
  - any excesses associated with the insurance policy
  - any reasonably avoidable funding shortfalls arising from councils not taking out adequate levels of insurance cover
  - any future increases in insurance premiums.
55. Councils should ensure that the costs being claimed are clearly documented and allow assessors to separately quantify the use of overtime, contractors, casual staff, backfilling arrangements, external equipment hire, materials, consumables, normal-hours staff and internal plant and equipment hire.
56. Suitable council officers should be made available to assist any inspection of proposed or completed works and provide any additional claim information.
57. Council will be responsible for any audit costs.
58. The provision of geotagged photographic evidence to support funding applications is strongly encouraged. Councils should take geotagged photographs of affected areas and keep records that demonstrate the *Immediate Reconstruction Works* were undertaken on council property.

#### Fencing

59. Financial assistance will not be provided to pay for the reclamation of washed away land on non-council property prior to the restoration of a boundary fence between a council and the non-council property. The owner of the non-council property is responsible for these costs.

#### Flood Mitigation Works

60. Assistance may be provided for council-owned flood mitigation works such as flood levees, flood drains, floodgates, flood-flaps and pumps.
61. Restoration of floodgates or flood-flaps is provided only in the event that council is solely responsible for the maintenance of the asset.

#### Storm Water Drains

62. Financial assistance may be provided for repair or restoration of stormwater assets and the damaged area immediately surrounding the asset, which ensures its structural integrity.
63. The removal of blockages and debris from the stormwater drainage asset is also eligible. However, the costs of removing debris from trash racks and stormwater detention and retention basins are not eligible.
64. Financial assistance will not be provided for clean-up and reinstatement of natural riverbanks, foreshores and any other natural channel downstream of the damaged stormwater drainage asset. This is considered as natural erosion to a watercourse.

#### Waste Management

65. Financial assistance may be given to remove, transport, process and dispose of green waste and other debris that is impeding the normal function of an *essential public asset*, and which has been deposited or generated as the direct result of an eligible disaster.
66. This assistance is subject to co-funding arrangements and covers a range of waste management costs, including labour, plant, equipment and materials. However, it does not cover any profit margins to councils or other organisations established by NSW State legislation.
67. When making a claim for assistance, councils that use their own waste management facilities to process and dispose of disaster-generated waste from essential public assets may apply a per-unit rate for each tonne or cubic metre of waste, in lieu of separately claiming costs for labour, plant, equipment and materials. The per-unit rate should be proposed by council and approved by the administering agency on a value-for-money basis, and it should be based on the normal waste disposal fees that the council would usually apply for each category of waste (excluding profit margins), using the appropriate processing methods.
68. Further information about the eligibility of waste management costs may be found in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
69. Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

## B.3 Essential Public Asset Reconstruction Works

The assistance described in this guideline is for local councils that have opted-in to the NSW Government's interim Day Labour Co-Funding Arrangements.

Councils that have not opted-in to the interim Day Labour Co-Funding Arrangements may still receive the assistance described in this guideline. However, a number of further restrictions will apply, including restrictions on normal-hours staff ('day labour') and internal plant and equipment hire.

A copy of the interim Day Labour Co-Funding Arrangements can be found in Appendix D of the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Description

1. Financial assistance may be provided to local councils to undertake *Essential Public Asset Reconstruction Works*.
2. *Essential Public Asset Reconstruction Works* are reconstruction works on an essential public asset damaged as the direct result of a Natural Disaster for which an estimated reconstruction cost has been developed.
3. *Essential Public Asset Reconstruction Works* differ to *Emergency Works* (Guideline B.1), because they involve permanent restoration of an essential public asset, rather than temporary repairs.
4. *Essential Public Asset Reconstruction Works* differ to *Immediate Reconstruction Works* (Guideline B.3) due to the requirement to develop detailed estimated reconstruction costs. While both categories of works involve permanent restoration of an essential public asset, *Immediate Reconstruction Works* do not require the submission of detailed estimated reconstruction costs.
5. For the purpose of this guideline, the Australian Government's definition of an essential public asset applies, as it is defined in the Disaster Recovery Funding Arrangements (DRFA). The DRFA defines an essential public asset 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."
6. Within this context:
  - a transport asset is defined as "an asset that is an integral part of a state's infrastructure and includes essential public assets associated with roads, road infrastructure (including footpaths, bike lanes, and pedestrian bridges), bridges, tunnels and culverts."
  - a public infrastructure asset is defined as "an asset that is an integral part of a state's infrastructure and is associated with health, education, justice or welfare."
  - an eligible undertaking is defined as "a body that:
    - is one of the following:

- a department or other agency of a state government, or
    - established by or under state legislation for public purposes (for example, a local government), and
  - in the operation of the asset provides services free of charge or at a rate that is 50 per cent or less of the cost to provide those services”
  - “The department” is “the Commonwealth department responsible for administering these [the DRFA] arrangements.”
7. Examples of transport or public infrastructure assets which both the NSW Government and the Australian Government consider to be essential public assets under their respective disaster funding arrangements includes: roads, road infrastructure (including footpaths, bike lanes and pedestrian bridges), bridges, tunnels, culverts, public housing, flood levees, and stormwater infrastructure.
  8. Roads and road infrastructure include State, Regional, Local and Crown Roads and bridges and their associated components which may include: pavements and pavement seals, formation, culverts and drainage structures, bridges and floodways, embankments and batter protection. Road infrastructure such as footpaths, bike lanes and pedestrian bridges may be considered to be essential public assets.
  9. The development of an estimated reconstruction cost is required in the following circumstances:
    - a) When the restoration or replacement of the damaged essential public asset cannot be completed within three months of the asset becoming accessible to the local council, or
    - b) When, irrespective of the timeframe, the damaged essential public asset will be reconstructed with some variation to its pre-disaster function, as determined in accordance with the *NSW Natural Disaster Essential Public Asset Restoration Guidelines* (e.g. there will be a change to the capacity or layout of the asset or in the materials used for reconstruction). This requirement applies in all circumstances where there is a departure from the pre-disaster function of the asset, including the following situations:
      - i. there has been a change to the building or engineering standards for the asset, which will change the capacity, layout or materials used for reconstruction
      - ii. it is not possible to restore the asset to its pre-disaster capacity, layout or materials (e.g. a major landslip makes it very costly or impossible to restore a road along its original path; the materials are no longer available at reasonable cost)
      - iii. the council wishes to combine its own additional resources with the funding given under these guidelines to enhance the capacity, layout or materials used for the asset (complementary works)
      - iv. the council wishes to use alternative methods, layouts or materials for the reconstruction of the essential public asset, while delivering the same or better capacity and level of service to the community at no additional cost, or at less cost.

10. Full details regarding financial assistance for *Essential Public Asset Reconstruction Works* are contained in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Eligible Events

11. This assistance is only provided to eligible local councils following the declaration of a Natural Disaster by the NSW Government.

### Who is eligible?

12. Assistance for *Essential Public Asset Reconstruction Works* is available to local councils.

13. Assistance for *Essential Public Asset Reconstruction Works* is also available to the following organisations, subject to the same eligibility criteria as for local councils, as far as practicable:

- a) Crown Reserve Trusts established under the Crown Lands Act 1989
- b) Local Aboriginal Land Councils established under the Aboriginal Land Rights Act 1983
- c) County Councils established under the Local Government Act 1993
- d) Private Water Trusts operating under the Water Management Act 2000
- e) Statutory organisations responsible for essential public assets in the Unincorporated Area of NSW.

### Eligibility Criteria

14. Financial assistance is only provided for *Essential Public Asset Reconstruction Works* on essential public assets, as defined in the DRFA.

### Assistance for Public Roads

15. Assistance for *Essential Public Asset Reconstruction Works* may be provided for the restoration of Regional, Local and Crown Roads damaged as a direct result of a declared disaster. Eligible *Essential Public Asset Reconstruction Works* on public roads may include:

- permanent repair or replacement of damaged bridges and culverts
- permanent repairs to ensure the structural integrity of roads and bridges
- permanent repair of damaged traffic facilities such as traffic signals and signs
- permanent restoration of gravel pavements and causeways
- permanent repairs to boundary fencing on controlled access roads (motorways and freeways) and
- permanent repair of saturation damage under certain circumstances.

### Other essential public assets

16. Flood levees and stormwater assets may be considered to be essential public assets.

### Exclusions

17. This assistance measure does not provide for:

- additional costs associated with enhancement of the asset
- assets owned by council trading undertakings that recover more than 50 per cent of their costs through fees or charges
- structures damaged by prolonged exposure to the weather and not as a direct result of a disaster
- damage that can be wholly or partly attributed to recent inadequate design, inadequate maintenance or faulty construction (council may be required to supply records of maintenance on items and asset management plans)
- damage to council works in progress (assumed to be covered by insurance)
- the purchase and maintenance of plant, stores and equipment
- building contents
- public buildings that could reasonably be expected to be insured (financial assistance is not to take the place of normal insurance – see Additional Comments)
- compensation for loss of income or shortening of asset life
- non-statutory council on-costs such as a profit margin, depreciation on assets, administrative charges, council audit costs and electricity
- natural assets such as beaches, river and creeks, lake foreshores and groves of trees.

18. Under the DRFA, the following are not considered essential public assets:

- sporting, recreational or community facilities (for example, playgrounds and associated facilities)
- religious establishments (for example, churches, temples and mosques)
- memorials.

19. For public roads, assistance for *Essential Public Asset Reconstruction Works* is not provided for the following assets:

- public road infrastructure which is the responsibility of other State entities (e.g. the NSW National Parks and Wildlife Service and the Forestry Corporation of NSW)
- private roads and roads on Crown land that are not Crown Roads
- any damage where there is evidence the cause is a lack of proper maintenance or where previous restoration work was not completed satisfactorily
- damage or delay to any construction work
- damage caused by prolonged wet weather
- items of recurring damage.

20. Further exclusions may be outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

21. For *Essential Public Asset Reconstruction Works* on assets that are not eligible for funding assistance, where local councils believe that an extraordinary case for Australian

and State Government funding exists, they should contact the Resilience NSW by telephone on (02) 9212 9200 or by email [NaturalDisasters@resilience.nsw.gov.au](mailto:NaturalDisasters@resilience.nsw.gov.au), to discuss any options that might be available.

### Amounts Available & Mode of Delivery

22. The amount of financial assistance available to local councils for *Essential Public Asset Restoration Works* is based on a number of factors. These include:
  - the estimated eligible reconstruction cost of the asset
  - the actual eligible reconstruction cost of the asset
  - the amount of funding that the council is required to contribute under the NSW Government's interim Day Labour Co-Funding Arrangements
  - value for money testing
  - the application of funding reductions (if applicable) due to pre-existing damage or poor condition of the asset.
23. For *Essential Public Asset Reconstruction works*, councils will be offered a Total Upper Limit Grant amount (ex GST), based on the estimated reconstruction cost, less the council co-funding amount and any ineligible costs. Eligible claims are paid on actual costs (ex GST) upon completion of works, or in progressive stages as agreed with the administering agency, up to the Total Upper Limit Grant amount (ex GST).
24. For Regional and Local Roads, funds will be paid to local councils on Council Payment Invoices.
25. To apply for funding, councils must submit an application to the relevant administering agency, in accordance with the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
26. The application process will require councils to provide a range of information, including supporting evidence for the pre-disaster function of the asset, its pre-disaster condition, its post-disaster condition, and its estimated reconstruction cost.
27. The supporting evidence will be subject to a range of requirements, which are outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
28. In specific circumstances, funding applications may be required to undergo an Independent Technical Review, in accordance with Australian Government requirements. Further information about Independent Technical Reviews is available in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
29. For further information about the NSW Government's interim Day Labour Co-Funding Arrangements, please contact **Resilience NSW** by telephone on (02) 9212 9200 or by email [NaturalDisasters@resilience.nsw.gov.au](mailto:NaturalDisasters@resilience.nsw.gov.au).

### Conditions of Assistance

30. This assistance measure is jointly funded by the Australian Government and NSW Government under the Disaster Recovery Funding Arrangements (DRFA). In accordance with the DRFA, councils must reach prior agreement with the NSW Government and the Australian Government on the nature and content of any events,



announcements, promotional material or publicity relating to any *Essential Public Asset Reconstructions Works* that are funded under these guidelines. This includes but is not limited to:

- media releases
- ceremonies
- media events which include reference to funding or works supported under these guidelines
- plaques and signage for works funded under these guidelines.

31. Where councils intend to hold events or issue announcements, promotional material or publicity about funding provided and/or works facilitated under these guidelines, they should contact both the administering agency and Resilience NSW to commence the process of securing NSW Government and Australian Government agreement.
32. Further conditions of assistance are outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Administering Agency

33. Local councils are responsible for ensuring that *Essential Public Asset Reconstruction Works* are carried out on council-owned essential public assets as soon as possible, irrespective of whether the event has been declared a natural disaster and whether NSW Government funding under this guideline has been approved.
34. NSW Roads and Maritime Services administers grants and reimbursements to local councils for eligible expenditure on *Essential Public Asset Reconstruction Works* for roads and road infrastructure.
35. NSW Public Works Advisory administers grants and reimbursements for eligible expenditure on *Essential Public Asset Reconstruction Works* for other essential public assets managed by local councils, as well as essential public assets managed by Local Aboriginal Land Councils, County Councils, private water trusts and organisations responsible for essential public assets in the Unincorporated Area of NSW.
36. Department of Industry – Crown Lands administers grants and reimbursements to local councils for eligible expenditure on *Essential Public Asset Reconstruction Works* for essential public assets managed by Crown Reserve Trusts.

### Claim Process

37. Information about the process for claiming this assistance is available from the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
38. In general, the process for claiming *Essential Public Asset Reconstruction Works* assistance involves councils submitting a detailed application to the relevant administering agency. The application must include evidence of the pre-disaster and post-disaster condition of the essential public asset, its pre-disaster function, and the estimated reconstruction cost. The administering agency will consider the application and seek further information if required.
39. In cases where applications are successful, the administering agency will offer the council a maximum pre-approved Total Upper Limit Grant amount for the *Essential Public Asset Reconstruction Works*. Councils may then proceed to restore the essential

public asset and claim reimbursement from the administering agency against the Total Upper Limit Grant amount.

40. A copy of the *NSW Natural Disaster Essential Public Asset Restoration Guidelines* and relevant forms may be obtained from the Resilience NSW website at [www.emergency.nsw.gov.au](http://www.emergency.nsw.gov.au) or by calling (02) 9212 9200.

### Period for Claiming

41. Funding applications for *Essential Public Asset Reconstruction Works*, including the estimated reconstruction cost, must be submitted to the administering agency as soon as possible and generally no later than six months after the Natural Disaster has been declared. In exceptional circumstances, where the size and scale of the restoration works is extensive, the timeframe for the funding application may be extended by the administering agency. However, the latest date that the administering agency may extend the application timeframe to is 12 months after the end of the financial year in which the disaster occurred. Beyond this timeframe, Australian Government approval would be required, and there is no guarantee that applications received after this period will be accepted.
42. Once funding has been approved for *Essential Public Asset Reconstruction Works*, the works themselves must be completed within two years after the end of the financial year in which the disaster occurred. In exceptional circumstances, this timeframe may be extended with the approval of the administering agency to two years and nine months. If *Essential Public Asset Reconstruction Works* cannot be completed within the extended timeframe, the council may not be funded for works beyond the extension date and may not be eligible to receive related funding for mitigation activities, as provided under the DRFA.
43. If funding approval is given for *Essential Public Asset Reconstruction Works*, the administering agency will offer the council a Total Upper Limit Grant amount (ex GST), based on the estimated reconstruction cost, less the council co-funding amount and any ineligible costs. Upon completion of works, or in progressive stages as agreed with the administering agency, council may claim reimbursement of the actual cost (ex GST) of works completed, up to the Total Upper Limit Grant amount (ex GST).

### Appeals Process

44. Information about the appeals process for this assistance measure may be found in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.

### Related Assistance

45. Financial assistance may be provided to local councils to undertake *Emergency Works* on essential public assets under Guideline B.1.
46. The *Immediate Reconstruction Works* guideline (Guideline B.2) provides funding for restoration works that can be completed within the three month time limit for *Immediate Reconstruction Works*, and which do not involve any change to the pre-disaster capacity, layout and/or material/build quality of the asset.
47. Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### Additional Comments

48. The assistance provided under this guideline is subject to the requirements of the DRFA. Where there is a conflict between the DRFA and these guidelines, the requirements of

the DRFA will prevail, unless a specific exemption regarding the conflict is approved by the NSW Government.

49. Assistance under these guidelines is not to replace self-help via either commercial insurance or appropriate strategies of disaster mitigation, asset maintenance and planning.
50. Councils must take out prudent and reasonable levels of insurance cover for their essential public assets (including works in progress) and they must claim on these insurance policies before seeking assistance under these guidelines. Assistance under these guidelines is not provided for:
  - any excesses associated with the insurance policy
  - any reasonably avoidable funding shortfalls arising from councils not taking out adequate levels of insurance cover
  - any future increases in insurance premiums.
51. Councils should ensure that the costs being claimed are clearly documented and allow assessors to separately quantify the use of overtime, contractors, casual staff, backfilling arrangements, external equipment hire, materials, consumables, normal-hours staff and internal plant and equipment hire.
52. Suitable council officers should be made available to assist any inspection of proposed or completed works and provide any additional claim information.
53. Council will be responsible for any audit costs.
54. The provision of geotagged photographic evidence to support funding applications is strongly encouraged. Councils should take geotagged photographs of affected areas and keep records that demonstrate the *Essential Public Asset Reconstruction Works* were undertaken on council property.

#### Restoring Assets to Current Building and Engineering Standards

55. In circumstances where current building and engineering standards require an increase in the capacity of the essential public asset, a change in the layout, or a change in the materials used for construction, the pre-disaster function and ultimately the estimated reconstruction costs may be adjusted to incorporate the current standards for capacity, layout or materials, and not any previous standards that may have influenced the way that the asset was constructed, prior to the disaster. This is regardless of whether the current building and engineering standards are established by State or National entities and regardless of whether they are set through legislation or through policy.
56. Adjustments to the pre-disaster function of this kind should be noted in the funding application and endorsed by the administering agency before funding is approved.
57. In general, funding under these guidelines will be provided to restore the essential public asset to the current building and engineering standards. However, in situations where councils were required or planned to update or alter the essential public asset to meet new building and engineering standards prior to the eligible disaster, and these works were not completed, the council will be required to contribute an additional amount of funding for the restoration works, equivalent to the amount that the council should have incurred prior to the disaster, to update or alter the asset.

#### Adjustment of pre-disaster function where it is not possible to restore the pre-disaster capacity or layout

58. In circumstances where it is not possible to restore the damaged essential public asset to its pre-disaster capacity, layout or materials (e.g. a major landslip makes it very costly or impossible to restore a road along its original path; the materials are no longer available at reasonable cost), the pre-disaster function and ultimately the estimated reconstruction costs may be adjusted to incorporate the most economically comparable alternative reconstruction option (e.g. restoring the road on a different route; using different materials).
59. Adjustments to the pre-disaster function of this kind should be noted in the funding application and endorsed by the administering agency before funding is approved.

#### Use of alternative methods, layouts and materials

60. In general, councils are expected to restore essential public assets to their pre-disaster capacity, layout and materials. However, where it is not possible to undertake the reconstruction of the essential public asset due to obsolete or outdated construction methodologies and building materials, councils must use the Essential Public Asset Function Framework, as outlined in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*, to develop an estimated reconstruction cost of the essential public asset to its pre-disaster function. These circumstances should be noted in the funding application and endorsed by the administering agency before funding is approved.
61. Councils may also seek approval from administering agencies to reconstruct essential public assets with alternative layouts or materials, if they can demonstrate that the same capacity (or better) and the same level of service to the community (or better) will be provided, at no additional cost, or at less cost. Any intention to reconstruct an essential public asset with alternative layouts or materials should be discussed with the administering agency prior to the application being submitted.

#### Complementary Works

62. Funding will not be provided under this guideline for improvements to essential public assets such as widening of the road (formation or seal), increased level of service (e.g. additional lanes), increased flood immunity (e.g. additional or increased diameter of culverts), realignment of roads, provision of additional signage etc.
63. However, councils may combine their own funds or resources to the funding provided under this guideline to increase the capacity of an essential public asset, amend the layout, or use enhanced materials to reconstruct the asset. These changes will require prior approval from the administering agency, and they may only proceed if the asset is reconstructed to provide a level of service to the community that is equal to, or better than the pre-disaster level of service.
64. The additional funding or resources provided by council to enhance the essential public asset is known as “complementary funding” and the additional works that occur through this funding is known as “complementary works”. In circumstances where approval is given for the council to invest complementary funding in the essential public asset, the council must provide information and assistance to enable the administering agency to clearly distinguish the amount of funding provided under these guidelines, and the complementary funding provided by the council.
65. Councils must secure their own funds to effect complementary works to enhance essential public assets. Funding provided by the NSW Government under this guideline will be based on the estimated reconstruction cost that was established prior to the complementary works / enhancements being applied (ex GST), and it will not include any costs associated with the complementary works.

### Fencing

66. Financial assistance will not be provided to pay for the reclamation of washed away land on non-council property prior to the restoration of a boundary fence between council and the non-council property. The owner of the non-council property is responsible for these costs.

### Flood Mitigation Works

67. Assistance may be provided for council-owned flood mitigation works such as flood levees, flood drains, floodgates, flood-flaps and pumps.
68. Restoration of floodgates or flood-flaps is provided only in the event that council is solely responsible for the maintenance of the asset.

### Storm Water Drains

69. Financial assistance may be provided for repair or restoration of stormwater assets and the damaged area immediately surrounding the asset, which ensures its structural integrity.
70. The removal of blockages and debris from the stormwater drainage asset is also eligible. However, the costs of removing debris from trash racks and stormwater detention and retention basins are not eligible.
71. Financial assistance will not be provided for clean-up and reinstatement of natural riverbanks, foreshores and any other natural channel downstream of the damaged stormwater drainage asset. This is considered as natural erosion to a watercourse.

### Waste Management

72. Financial assistance may be given to remove, transport, process and dispose of green waste and other debris that is impeding the normal function of an *essential public asset*, and which has been deposited or generated as the direct result of an eligible disaster.
73. This assistance is subject to co-funding arrangements and covers a range of waste management costs, including labour, plant, equipment and materials. However, it does not cover any profit margins to councils or other organisations established by NSW State legislation.
74. When making a claim for assistance, councils that use their own waste management facilities to process and dispose of disaster-generated waste from essential public assets may apply a per-unit rate for each tonne or cubic metre of waste, in lieu of separately claiming costs for labour, plant, equipment and materials. The per-unit rate should be proposed by council and approved by the administering agency on a value-for-money basis, and it should be based on the normal waste disposal fees that the council would usually apply for each category of waste (excluding profit margins), using the appropriate processing methods.
75. Further information about the eligibility of waste management costs may be found in the *NSW Natural Disaster Essential Public Asset Restoration Guidelines*.
76. Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

## B.4 Disaster Mitigation Funding under the Disaster Recovery Funding Arrangements

### Description

In certain financial years, funding may become available under the Australian Government's Disaster Recovery Funding Arrangements (DRFA) for local councils and NSW Government agencies to undertake disaster mitigation activities and projects.

Where funding becomes available, the amount offered for distribution is based on efficiencies achieved by local councils and NSW Government agencies during the delivery of natural disaster restoration projects in past years, and the level of Australian Government assistance provided to the NSW Government.

The funding will be allocated to local councils, NSW government agencies and to regional and state-level funding pools in the following proportions:

- 60 per cent will be returned to the local councils and NSW Government agencies that helped to deliver the efficiencies, to undertake disaster mitigation activities and projects consistent with High Level Disaster Mitigation Principles as defined in the DRFA. Each council and agency will receive a share of the funding that is proportionate to their contribution to the efficiencies
- 30 per cent will be allocated to regional funding pools for subsequent allocation to disaster mitigation activities and projects within the region, based on priority. Each region receives a share of the funding that is proportionate to its contribution to the efficiencies. Regions will be based on Joint Organisation boundaries and allocation of the funding pool to activities and projects will be determined by Resilience NSW in consultation with Transport for NSW, Public Works Advisory, Department of Planning, Industry and Environment, local councils within the region, and the Office of Local Government
- 10 per cent will be allocated to a state-level fund for subsequent reallocation to disaster mitigation activities and projects of state significance. Allocation of the funding pool will be determined by Resilience NSW in consultation with relevant members of the State Emergency Management Committee.

### Eligible Events

Disaster mitigation funding that is provided under this guideline is not tied to any specific disaster event. However, the funding must be spent on activities and projects that reduce or eliminate long-term natural hazard risks and reduce future state expenditure on Disaster Relief and Recovery Assistance Measures as defined by the DFRA.

### Who is eligible?

Local councils and NSW Government agencies may be eligible for the disaster mitigation funding under this guideline, either through their achievement of efficiencies in past natural disaster restoration projects, or as successful applicants for funding at regional or state level.

Established community organisations may also apply to regional and state-level funding pools for disaster mitigation funding, where such funding pools are established.

## Eligibility Criteria

### Eligible disaster mitigation activities and projects

Funding under this guideline must be spent on eligible disaster mitigation activities and projects. Such projects must be consistent with the High-Level Disaster Mitigation Principles outlined in section 7.1.8 of the DRFA.

Eligible disaster mitigation activities and projects must fit into one or more of the following categories:

1. Planning and Regulations – activities could include:

- assessing, documenting and communicating community risks
- limiting or prohibiting development in high-risk areas
- integrating hazard mitigation into local government planning.

2. Public Infrastructure Projects – activities could include:

- protection of existing structures
- post-disaster mitigation activities
- establishing a fund for local mitigation activities.

3. Education and Awareness Projects – activities could include:

- increased hazard and risk education awareness.

In accordance with the DRFA, eligible mitigation activities and projects must be consistent with the following principles:

- they should not supplant existing state mitigation programs but contribute to new initiatives
- they should address the state's assessed natural disaster risks
- they should focus on reducing the requirement for future funding under the DRFA
- they should align with the priorities under the National Strategy for Disaster Resilience, such as:
  - where possible increase education and awareness around risks, hazards, and vulnerabilities, and
  - where applicable, should facilitate/enable the building of partnerships for risk reduction involving government, organisations, businesses, and the public.

### Return of efficiencies to local councils and NSW Government agencies

Councils and NSW Government agencies will be eligible for a share of 60 per cent of the overall amount of disaster mitigation funding that is achieved by the NSW Government in certain years through the DRFA. The share that each Council or NSW Government agency receives will be in proportion to their contribution to the overall efficiencies that NSW delivers when restoring essential public assets under the DRFA. A worked example is given below:

### Worked example:

*Note: This is a worked example only and actual funding amounts may vary significantly.*

- in 2018-2019 a number of significant natural disasters results in a large number of essential public asset restoration projects being required, with an estimated value of \$200 million.
- in 2021-2022, all of these restoration projects have been completed. Whilst the actual costs of some projects exceeded their original estimates, other projects were delivered for less than their estimated cost, and the actual cost of the State's entire program of essential public asset restoration works for disaster occurring in 2018-2019 is \$180 million. This means that the efficiencies achieved for works arising from 2018-2019 is \$20 million.
- the \$20 million of efficiencies were achieved through four councils delivering their projects below the estimated cost:
  - Council A achieved efficiencies of \$2.5 million in their program of works (or 12.5 per cent of the overall state figure of \$20 million)
  - Council B achieved efficiencies of \$5 million in their program of works (or 25 per cent of the overall state figure of \$20 million)
  - Council C achieved efficiencies of \$10 million in their program of works (or 50 per cent of the overall state figure of \$20 million)
  - Council D achieved efficiencies of \$2.5 million in their program of works (or 12.5 per cent of the overall state figure of \$20 million).
- as a result of the \$20 million of efficiencies, Australian Government reimbursement rates and specific provisions within the DRFA, a joint State and Commonwealth disaster mitigation fund is established, valued at \$2.8 million.
- under this guideline, 60 per cent of the \$2.8 million disaster mitigation fund will be returned to the councils that helped to deliver the efficiencies, with each council and agency receiving a share of the funding that is proportionate to their contribution to the efficiencies. This means that \$1.68 million will be returned directly to the four councils to spend on eligible disaster mitigation projects, with Council A receiving \$210,000 (or 12.5%), Council B receiving \$420,000 (or 25%), Council C receiving \$840,000 (or 50%) and Council D also receiving \$210,000 (or 12.5%).
- the remaining 40 per cent of the \$2.8 million disaster mitigation fund will be allocated to regional and state-level funding pools for reallocation to specific disaster mitigation projects.

### Regional and State Funding Pools

Local councils, NSW Government agencies and community organisations may apply for disaster mitigation funding from regional and state-level funding pools, where such funding pools are established under this guideline.

Resilience NSW will coordinate the application process for each funding pool and specific eligibility criteria will be provided for each funding round.



In general, applications will be assessed for their potential contribution in mitigating identified emergency risks at regional or state level, and funding priority will be given to applications that deliver the most disaster mitigation benefit per unit of cost.

Other factors may also be considered such as a project's likelihood of success in delivering disaster mitigation benefits, its consistency with the DRFA High Level Disaster Mitigation Principles, and the availability of funds.

### Exclusions

In accordance with the High Level Disaster Mitigation Principles in the DRFA, funding under this guideline cannot be used to supplant existing disaster mitigation programs but contribute to new initiatives.

Where disaster mitigation funding is directed to public infrastructure projects, such funding should generally be limited to the protection of essential public assets, as defined under the DRFA. This is consistent with the principle that disaster mitigation funding should focus on reducing the requirement for future funding under the DRFA.

### Amounts Available & Mode of Delivery

The amount of funding available under this guideline will vary each year. In some years, there may be no funding available.

The overall amount of funding that is available will depend on the extent of efficiencies achieved by local councils and NSW Government agencies during the delivery of natural disaster restoration projects in past years and the level of Australian Government Assistance provided to the NSW Government.

### Funding process

At such time that disaster mitigation funding becomes available under the DRFA, Resilience NSW will advise councils and NSW Government agencies of the amount of disaster mitigation funding that they will be allocated, as well as the amount of funding that will be allocated to their region. To receive the funding, councils and agencies must submit a disaster mitigation expenditure plan to Resilience NSW for approval. The expenditure plan must align with the council or agency emergency risk management plan and be consistent with the High Level Disaster Mitigation Principles. Once the disaster mitigation expenditure plan is approved, a funding agreement will be negotiated and executed with the council or agency.

For funding from the regional and State-level disaster mitigation funding pools, councils, agencies and community organisations will be invited to submit funding applications through an expression of interest (EOI) process. Applications will be assessed by Resilience NSW and successful applicants will be invited to negotiate and execute a funding agreement.

### Management of small or residual funding amounts

There may be occasions when the funding that is allocated to a council or State government agency or regional funding pool is not sufficient to fund any disaster mitigation activities or projects that meet the DRFA High Level Disaster Mitigation Principles. There may also be occasions when funding has been allocated to activities and projects, but there remains a residual amount that is not sufficient to fund any further disaster mitigation activities or projects that meet the mitigation principles. In these circumstances the council, agency or Resilience NSW may:

- a) donate or lend the funding on an interest-free basis to another council, agency or regional funding pool for disaster mitigation activities or projects that meet the High Level Disaster Mitigation Principles or
- b) donate or lend the funding on an interest-free basis to the State-level funding pool for allocation to a disaster mitigation activity or project of State significance that meets the mitigation principles.

Where the funding has been given as a loan, a loan agreement must be negotiated and agreed between the lending entity and the receiving entity. Any such loan agreement must provide the receiving entity with an option to repay the loan from any future DRFA disaster mitigation funding that it receives under this guideline. All loan agreements must be registered with Resilience NSW, who will monitor the loans.

### Conditions of Assistance

Councils, NSW Government agencies and community organisations that are provided with funding under this guideline must enter into a funding agreement with Resilience NSW.

This funding agreement will outline the obligations of all parties to the agreement, including reporting and financial management requirements.

### Administering Agency

Resilience NSW

### Claims Process, including timings

Details of the claims process and timings will be outlined in each funding agreement between the organisations that receive the funding and Resilience NSW.

### Appeals Process

For information on appeals, councils, agencies and community organisations may contact Resilience NSW to discuss the outcomes of any applications and options available for review.

### Related Assistance

Assistance is available to restore essential public assets following a natural disaster (see *B.1 Emergency Works*, *B.2 Immediate Reconstruction Works* and *B.3 Essential Public Asset Reconstruction Works*)

### Additional Comments

Nil.

## B.5 Waste Levy

### Description

Under clause 21 of the Waste Regulation, the Environment Protection Authority (EPA) can approve an exemption from the Waste Levy (the Levy) for waste arising from a natural disaster.

The Levy applies to a specific part of the state called the “regulated area”, which comprises the Sydney metropolitan area, the Illawarra and Hunter regions, the central and north coast local government areas (LGAs) to the Queensland border as well as the Blue Mountains, Wingecarribee and Wollondilly LGAs.

The Levy also applies to waste that is generated both:

- within the “regulated area” but is landfilled outside the “regulated area” and
- outside the “regulated area” but is landfilled within the “regulated area”.

### Eligible Events

This assistance measure is only provided following the declaration of a Natural Disaster by the NSW Government. Such declarations list specific LGAs impacted by the natural disaster – it is only waste generated in these LGAs that will be eligible for the exemption.

Natural disasters that occur outside the “regulated area” do not require an exemption from the Levy unless the waste is being disposed within the regulated area.

### Eligibility Criteria

To be eligible for an exemption, the waste must have been generated as a result of a natural disaster within an LGA listed in the Natural Disaster Declaration.

### Amounts Available and Mode of Delivery

The exemption will generally be valid for the duration of the Natural Disaster clean-up activities. The initial period may be extended if required.

An exemption certificate will be created by the EPA which will indicate the valid date range and will enable the waste facility receiving the waste to claim the exemption on the waste received.

### Conditions of Assistance

#### For waste facilities:

Upon declaration of a Natural Disaster, the EPA will notify the General Manager of each LGA included in the declaration and the relevant personnel at council-operated scheduled waste disposal facilities. The exemption certificate will be provided for the facility to claim applicable Natural Disaster waste in a Waste Contribution Monthly Report.

Privately-operated scheduled waste disposal facilities should reach out to the General Manager of the LGA or email [waste.levydata@epa.nsw.gov.au](mailto:waste.levydata@epa.nsw.gov.au) to arrange access to the exemption if required.

The EPA may impose specific conditions to the exemption at the time it is issued.

Waste facilities must retain records in accordance with Division 1 of Part 3 of the Protection of the Environment Operations (Waste) Regulation 2014 with respect to the exempt waste.

For the public:

Contact your local waste facility or council to determine whether the exemption is available.

Records must be kept of the types and amounts of waste disposed of under the exemption, including waste facility receipts (also known as weighbridge records).

Exemptions may be audited by the EPA to ensure compliance with the conditions and record-keeping requirements. Records must be provided on request to the EPA.

**Administering Agency**

NSW Environment Protection Authority

**Related Assistance**

In specific circumstances, assistance may be provided for clean-up of debris, green waste and other matter (see *A.10 Clean-up of Green Waste and General Debris from Residential Property for the Elderly or Infirm*, *A.11 Clean-up of Green Waste and General Debris from Residential Property for Public Health and Safety* and *A.12 Clean-up or Removal of Asbestos*, and *B.1 Emergency Works*).

**Additional Comments**

The Levy applies in the regulated area of NSW which comprises the Sydney metropolitan area, the Illawarra and Hunter regions, the central and north coast LGAs to the Queensland border, as well as the Blue Mountains, Wingecarribee and Wollondilly LGAs.

The Levy rate varies depending on where the waste is generated and received and the applicable Levy rate for that region and year. For information on current Levy rates or to find a full list of regulated LGAs including a map of the regulated areas, contact the EPA on 131 555 or view the EPA website: <https://www.epa.nsw.gov.au/your-environment/waste/waste-levy/levy-regulated-area-and-levy-rates>.

## **Part C - Assistance to Not for Profit Organisations**

## C.1 Assistance for Sporting and Recreation Clubs

### Description

A grant or a concessional fixed rate loan may be provided to sporting and recreation clubs and associations as a contribution towards clean up, removal of debris and/or restoring essential facilities, equipment or other assets that have been damaged or destroyed by a disaster.

### Eligible Events

This assistance measure is only provided to eligible organisations, following the declaration of a Natural Disaster by the NSW Government.

### Who is eligible

Sporting and recreation clubs and associations.

The range of sporting and recreational clubs that are eligible is broad. If there is uncertainty about the status of an applicant, NSW Treasury may contact the NSW Office of Sport - Sport and Recreation to request supporting documents or request further documentation from the applicant to support its status.

### Eligibility Criteria

To be eligible, a club must be in a situation where it has incurred costs as a result of the disaster, which are not recoverable through insurance, and it does not have the financial capacity to pay the costs from its own funds or reserves.

### Exclusions

This assistance does not provide for revenue losses as a result of a disaster.

Assistance is not provided to clubs that have sizeable commercial operations (cash flows in excess of \$250,000 and/or assets exceeding \$500,000) or gaming areas – such clubs may include golf clubs, bowling clubs etc.

### Amounts Available and Mode of Delivery

The maximum assistance provided to any single applicant is a grant of up to \$2,000 and/or a loan of up to \$10,000 at a concessional interest rate.

Where a loan is granted, the interest rate is fixed for the term of the loan. The interest rate applicable will be advised on application.

The term of the loan may be up to five years and is determined after reviewing the amount borrowed and the applicant's ability to repay.

Monthly repayments of interest and principal will depend on the amount and term of the loan .

### Conditions of Assistance

Loans are to be repaid monthly by direct debit against the club's bank account.

## Administering Agency

Applicants for grant assistance may contact NSW Treasury in the first instance.

The NSW Rural Assistance Authority (RAA) administers the loan assistance.

## Claim Process

To obtain an application for grant assistance, contact NSW Treasury by sending a request via e-mail to [natural\\_disasters@treasury.nsw.gov.au](mailto:natural_disasters@treasury.nsw.gov.au).

Information on loan assistance can be obtained by calling the RAA on Toll Free 1800 678 593 or (02) 6391 3000, or by sending an email to [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au).

Applications should be submitted to NSW Treasury or the RAA. The following are examples of documents that may be required:

- a copy of the applicant's financial statements (income statement and balance sheet). When a club or association is providing a bank statement, black out the BSB and account number. A club may have large cash balances, at various times during the year, held for a specific purpose (for example, player registration fees have been received but not paid to a district association). Details of commitments against current cash balances should be included.
- where a sporting club is applying for a loan, Annual Reports should be supplied where available.
- a statement of what assets were damaged and the location of the damages.
- photos or other records that show the damage to your assets.
- quotes, estimates, invoices or receipts for the clean-up costs or the replacement of damaged assets.

Each application is assessed against the eligibility criteria, (which take into account the need and financial position of the applicant).

## Period for Claiming

Claims must be lodged within six months of the declaration of the natural disaster event.

## Appeals Process

For information on appeals, contact the relevant Administering Agency to discuss the outcomes of any applications and options available for review.

## Related Assistance

A separate assistance measure may be provided to not for profit organisations (see *C.2 Loans to Not-for-Profit Organisations*).

Separate assistance measures may be provided to small businesses (see *E.1 Loans to Small Businesses*, and *E.2 Recovery Grants for Small Businesses and non-profit organisations*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

**Additional Comments**

Nil.



## C.2 Loans to Not-for-Profit Organisations

### Description

Loans with terms of up to five years at a concessional fixed rate may be provided to not-for-profit organisations (NPOs) for the restoration of essential facilities, equipment or other assets damaged or destroyed as a direct result of a declared disaster. These funds may also be directed towards temporary storage or leasing of alternate premises.

### Eligible Events

This assistance measure is only provided to eligible organisations, following the declaration of a Natural Disaster by the NSW Government.

### Who is eligible

NPO, voluntary community supported organisations with services delivered at the local level. The NPO must not operate for the profit or gain of its individual members and any profit made by the organisation goes back into the operation of the organisation to carry out its purpose and is not distributed to any of its members.

### Eligibility Criteria

An NPO must demonstrate **all** of the following:

- evidence of registration or incorporation as an NPO
- the NPO must have suffered damage to facilities or equipment or other assets arising directly from a declared disaster event
- the NPO does not have the financial capacity to pay the costs from its own funds or reserves and
- the NPO must satisfy the Administering Agency that it has the financial capacity to repay the loan.

The types of NPOs considered under this loan scheme are broad ranging and will be considered on a case by case basis (see Additional Comments for more information).

### Exclusions

NPOs that perform a sizeable commercial function or represent a commercial or industrial group are not eligible for assistance. An NPO must not conduct its affairs so as to provide pecuniary gain for its members. Similarly, where the entity holds property in which its members have a disposable interest (whether directly, or in the form of shares or stock in the capital of the organisation or otherwise), it will be deemed to be operating to provide a pecuniary gain for its members.

Organisations receiving other grants or loans for the same declared disaster may not be eligible for this assistance measure.

Where an organisation has the financial capacity to conduct its own restoration works, the loan is unlikely to be provided.

### Amounts Available and Mode of Delivery

A maximum of \$25,000 may be provided to an eligible NPO.

The term of up to five years at a concessional interest rate will depend upon the amount borrowed and the applicant's ability to repay.

### Conditions of Assistance

The NPO will be required to provide adequate security over the loan. In limited circumstances, this requirement may be waived.

The frequency of principal and interest repayments will depend on the amount and term of the loan. This will generally be in line with the applicant's cash flow. The prescribed concessional interest rate is fixed for the term of the loan.

### Administering Agency

The NSW Rural Assistance Authority (RAA) administers the loan scheme.

### Claim Process

Applications for assistance should be discussed with the RAA.

Contact: Toll Free 1800 678 593, (02) 6391 3000, or email: rural.assist@raa.nsw.gov.au.

Supporting documentation includes:

- quotes, estimates, tax invoices or receipts for repair or replacement of damaged assets and/or additional materials used in the clean-up
- photographs of damages or debris and
- proof of charitable or NPO status such as documentation from the Australian Taxation Office (ATO) and/or entity registration.

If there is uncertainty about the status of an applicant, the coordinating authority may contact NSW Fair Trading, Australian Securities and Investments Commission (ASIC) or the ATO to request supporting documents or request further documentation from the applicant to support its application.

### Period for Claiming

Applications must be lodged within six months of the declaration of the disaster. This requirement may be waived in limited circumstances where the applicant can demonstrate a case for doing so.

### Appeals Process

For information on appeals, contact the RAA on (02) 6391 3000 or Toll Free on 1800 678 593 to discuss the outcomes of any applications and options available for review.

## Related Assistance

A separate assistance measure may be provided to sporting and recreation clubs (see *C.1 Assistance for Sporting and Recreation Clubs*).

Separate assistance measures may be provided to small businesses (see *E.1 Loans to Small Businesses*, and *E.2 Recovery Grants for Small Businesses and non-profit organisations*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

## Additional Comments

Eligible organisations will usually perform a service for the local community or environment and are dominantly funded by grants or donations.

Examples of eligible NPOs include:

- social welfare and family support organisations
- art and cultural societies
- religious and educational organisations
- charitable groups
- environmental protection societies and
- animal protection societies.

In the following circumstances, it is unlikely that an NPO would receive a loan:

- organisations that have a large membership (e.g. professional and trade associations, service clubs and political parties)
- a large scale NPO will not receive assistance under this measure. NSW Fair Trading defines a 'large scale' association as cash flows in excess of \$250,000 p.a. and/or assets exceeding \$500,000
- lobby groups
- where the loan is to provide for loss of trade or income
- where the loan is to provide for ordinary operating costs, such as employee related expenses in ordinary hours.

Where the entity has cash reserves in excess of the requested loan amount, it is unlikely that this assistance measure will be provided, unless the entity can demonstrate a genuine case that the funds are quarantined for an immediate and alternative need.

### **C.3 Funding to Support Large-Scale, Out-Of-Area Volunteer Groups**

#### **Description**

Funding is available to partially support the costs of setting up, taking down and operating a base-camp from which large-scale, out-of-area volunteer groups can operate in responding to a Natural Disaster.

#### **Eligible Events**

This assistance measure is only provided to eligible local authorities, following the declaration of a Natural Disaster by the NSW Government.

Funding is to support a base-camp which is established to support a large number of volunteers who have travelled from outside the area and who consequently do not have their own sleeping, sanitation, and cooking facilities.

Funding is limited to the provision of secure accommodation and domestic facilities for volunteers residing at the camp, rather than the disaster response and recovery activities of the volunteer groups.

Funding may be available for such things as:

- site clearance and levelling
- power connection
- temporary plumbing and pumps
- food contribution
- sanitation services (e.g. hire of showers/toilets/septic tanks)
- rubbish collection
- water cartage and
- site restoration.

The running costs above will be payable for a maximum of six months.

#### **Who is eligible**

Applications must be from local authorities, who are themselves providing the base-camp.

Local authorities are organisations established by or under NSW legislation for public purposes, and may include local councils, Local Aboriginal Land Councils and Local Land Services.

#### **Eligibility Criteria**

For funding to be considered, the following eligibility criteria must be met:

- a base-camp is in existence or is being actively contemplated
- a base-camp and the services provided by the volunteer group is directly related to an identified recovery need in the local community

- there must be significant support from the local authority and the community to the camp.

The local authority must have public liability insurance to cover any liability incurred in its provision of the base-camp.

### Exclusions

Funding is limited to the provision of secure accommodation and domestic facilities for volunteers residing at the camp, rather than the disaster response and recovery activities of the volunteer groups.

Funding will not be provided directly to any volunteer group managing and/or establishing the camp.

NSW Government will not fund the total cost. The aim is to support a camp that has been set up or will be set up by a local authority, irrespective of whether NSW Government support is assured. The NSW Government will not build or operate a base-camp.

Funding to set up or take down the camp will not extend to improving any facility used beyond its original condition. Expenditure on capital items or capital works is not eligible unless it can be shown that the expenditure is more economical than a comparable hire/lease arrangement. In some cases, a partial contribution to capital items or capital works may be considered.

### Amounts Available & Mode of Delivery

An indicative amount might be approximately \$30-40,000, with \$50,000 per camp being the general maximum.

### Conditions of Assistance

The base-camps supported by this funding must be open for use by any volunteer group e.g. it might be established principally to support a main group, but if other groups or individuals also arrive from outside the area, they must not be automatically excluded. Similarly, if local volunteer groups wish to operate in the camp (e.g. to cook for an external group), then this must be given reasonable consideration.

A written agreement (exchange of letters) with the local authority will contain the items for which support will be provided, may state a maximum NSW Government contribution, outline the forms of local community support to the base camp, and that public liability insurance is in place.

### Administering Agency

The Administering Agency is Resilience NSW in the first instance, with the local monitoring and compliance role being performed by an appropriate NSW agency e.g. Department of Primary Industries, Regional Emergency Management Officer.

Resilience NSW will review claims received against the eligibility criteria and reimburse local authorities for approved costs, as specified through invoices. This may include the local authority's own costs or reimbursements which it has paid to volunteer groups, as agreed with Resilience NSW.

## Claim Process

The local authority should make a written application (letter) to the Commissioner, Resilience NSW, setting out the particulars of the Natural Disaster event that a base camp is proposed, indicating the approximate number of out of area volunteers expected, the particulars and amounts of the costs for which NSW Government support is sought (this should be detailed e.g. water cartage for x days at \$y per day) and that public liability insurance cover is in place.

Resilience NSW will assess the cost proposal and write back confirming the scope of the contribution.

A local NSW agency will be identified by Resilience NSW to ensure a level of compliance.

## Period for Claiming

Within three months of the maximum six month period claim.

## Appeals Process

For information on appeals, contact Resilience NSW on (02) 9212 9200 to discuss the outcomes of any applications and options available for review.

## Related Assistance

Nil.

## Additional Comments

The purpose of this form of assistance is to recognise and support the growing practice of large numbers of volunteers travelling in an organised or semi-organised way (e.g. organised using social media) to a Natural Disaster area. While these volunteers may have some capacity to sustain themselves, they may operate from a logistic base (a base camp) which may have to be specially established by a local authority. The camps may have set up and take down costs and will have running costs e.g. water cartage and sanitation services.

It is the responsibility of the local authority and the volunteers themselves to have adequate insurance.

The reason the NSW Government will only make a partial contribution is in recognition that the local community should make significant support to the camp as a form of community resilience.

## C.4 Community Recovery Funds

### Description

In severe circumstances, the NSW Government and the Australian Government may jointly establish a Community Recovery Fund (CRF) to restore social networks, community functioning and community facilities.

The purpose of a CRF is to assist communities severely affected by a disaster with their medium to long term recovery by providing funding for activities/projects aimed at community recovery, community development, community resilience and capacity building for the future.

CRFs are administered by the NSW Government in close collaboration with local councils or other community organisations.

### Eligible Events

This assistance measure is only provided to eligible communities, following the declaration of a Natural Disaster by the NSW Government, and following the approval of the Australian Government.

This assistance measure is only provided in the event of Natural Disasters that have severely affected communities, regions or sectors.

CRFs can provide a more flexible community-driven form of assistance to disaster-affected communities. The NSW Government may consider CRFs as an alternative to providing Grants to Primary Producers and Grants to Small Businesses (under *D.9 Recovery Grants for Primary Producers* and *E.2 Recovery Grants for Small Businesses and non-profit organisations*).

### Who is eligible?

CRFs are intended to assist communities, regions or sectors that have been severely affected by a Natural Disaster.

Criteria for identifying communities, regions and sectors that have been severely affected by a Natural Disaster are published by the Australian Government in the *Disaster Recovery Funding Arrangements (DRFA)*.

### Eligibility Criteria

NSW Government and Australian Government approval must be given, before any CRFs can be established.

Establishment of CRFs must be in accordance with the terms and conditions outlined in the DRFA.

### Exclusions

Under Australian Government guidelines, CRFs may not be used for environmental restoration initiatives.

## Amounts Available and Mode of Delivery

The monetary value of CRFs are determined on a case-by-case basis and they are based on the impacts of the Natural Disaster and the medium to long term recovery needs of the affected community, as jointly determined by the NSW Government and the Australian Government.

Once a CRF is established, the NSW Government will provide funding to relevant local councils, NSW Government agencies and community organisations, in accordance with the terms and conditions of the fund, as they are approved by the NSW Government and the Australian Government.

In general, measures that may be approved for support under a CRF include, but are not limited to:

- employment of a community development worker/s
- funding for a range of community activities
- grants to community service organisations providing recovery services
- assistance for restoration of facilities owned by non-profit organisations
- assistance for restoration and repair of community facilities owned by an eligible undertaking (e.g. a council) but are not considered to be essential public assets
- community information initiatives
- funding commemorative events and/or memorials
- advocacy and monitoring services
- tourism and small business initiatives
- economic development initiatives
- heritage and cultural sites initiatives
- psychological services for community wide initiatives
- projects for building community resilience and
- evaluation of the fund.

## Conditions of Assistance

CRFs must be established and administered in accordance with the terms and conditions outlined in the DRFA.

## Administering Agency

Resilience NSW is the Administering Agency for this assistance

Once a CRF is established, elements of the fund will usually be delegated to Community Recovery Committees, local councils, NSW Government agencies and community organisations to administer.



### Claims Process, including timings

The claims processes for each CRF will be determined on a case-by-case basis and will depend on the range and the nature of the measures supported by the fund.

For example, funding for some measures may be provided by way of a lump sum at the commencement of the recovery initiative. For other measures, councils or community organisations may be reimbursed for up-front expenditure on recovery initiatives.

In most cases, councils, NSW Government agencies and community organisations will be asked to acquit funding provided under a CRF, either on a periodic basis, or at the end of their recovery initiative.

### Appeals Process

For information on appeals, councils and community organisations may contact Resilience NSW on (02) 9212 9200 to discuss the outcomes of any applications and options available for review.

### Related Assistance

The NSW Government may establish recovery centres following a Natural Disaster (see *A.13 Recovery Centres*). In severe circumstances, Grants to Primary Producers and Grants to Small Businesses may also be jointly activated by the NSW Government and the Australian Government (see *D.9 Recovery Grants for Primary Producers* and *E.2 Recovery Grants for Small Businesses and non-profit organisations*).

### Additional Comments

CRFs are not established for every Natural Disaster. They are only established to assist communities, regions or sectors that are severely affected by a Natural Disaster.

Resilience NSW is responsible for providing advice to the NSW Government and the Australian Government about the need to establish a CRF, and for administering the CRF once it is established.

## **Part D - Assistance to Primary Producers**

## D.1 Emergency Fodder Relief

### Description

Emergency fodder may be supplied immediately following a disaster when an animal welfare issue may arise.

The emergency fodder may be provided to all animal owners regardless of animal type or numbers. For example, emergency fodder may be provided for groups of livestock, an individual stranded horse or dogs on farms with no feed.

### Eligible Events

This assistance measure may be provided in the event of any disaster or other emergency, to animal owners who are affected by the event and meet the eligibility criteria.

### Who is eligible

Animal owners and wildlife carers.

### Eligibility Criteria

This assistance measure is designed to assist livestock and companion animal owners who have had 30 per cent or more of their grazing area affected, and who are unable to supply fodder themselves.

### Exclusions

This assistance is not provided for:

- intensive industries such as piggeries or poultry enterprises, as these enterprises are expected to be well secured and have sufficient supplies
- wildlife or feral animals not assisted by animal welfare services or accredited wildlife carers.

### Amounts Available and Mode of Delivery

The amount provided depends on the needs of a property immediately following a disaster and will vary according to the number, type and feeding requirements of the animals.

The assistance is provided immediately after the event until property owners or managers are in a position to coordinate their own supplies. This is assessed as three days of feed but allows for exceptional circumstances. NSW Department of Primary Industries will coordinate service providers to supply emergency fodder.

### Conditions of Assistance

Animal owners should make genuine attempts to source their own feed.

### Administering Agency

NSW Department of Primary Industries.

## Claim Process

Approval from the NSW Department of Primary Industries must be given prior to provision of this assistance measure. Staff at evacuation centres or relevant emergency services personnel (e.g. NSW Police, NSW State Emergency Service, and NSW Rural Fire Service) may liaise with the NSW Department of Primary Industries representatives to activate the assistance.

Invoices should be submitted directly to the NSW Department of Primary Industries by the service provider.

## Period for Claiming

Requests for assistance should be made immediately following an event or as soon as the need for assistance is known. Claims are settled directly with the service provider.

## Appeals Process

For information on appeals, contact the NSW Department of Primary Industries to discuss the outcomes of any applications and options available for review.

## Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*, *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

## Additional Comments

Nil.

## D.2 Aerial Support to Livestock and Companion Animals

### Description

As a last resort option, aerial support may be provided for:

- delivery of emergency fodder or equipment to stranded/isolated stock (generally during floods)
- mustering of stock to a safe area or
- lifting and transporting of stock and companion animals to a safe area.

### Eligible Events

This assistance measure may be provided in the event of any disaster or other emergency for livestock and companion animal owners who are affected by the event and meet the eligibility criteria.

### Who is eligible

Livestock and companion animal owners.

### Eligibility Criteria

Properties must be affected by, or under immediate threat of a disaster.

In the first instance, primary producers are responsible for fodder, mustering and transporting of animals to a safe area.

This assistance measure may be provided on the grounds of animal welfare, as a last resort option, and after there are no other effective measures available to the primary producer or to the NSW Department of Primary Industries to protect the animals.

### Exclusions

This assistance measure is not provided if there is a risk to the safety of emergency and response personnel.

### Amounts Available and Mode of Delivery

The amount of assistance provided will be based on the needs and welfare of animals in the affected area.

Aerial support is coordinated by the NSW Department of Primary Industries in conjunction with relevant emergency service agencies such as the NSW State Emergency Service and NSW Rural Fire Service. Aircraft are sourced through the NSW Rural Fire Service State Air Desk.

### Conditions of Assistance

This assistance is only applicable when the landholder has no other options and is approved on the grounds of animal welfare.

Where possible, land holders are responsible for the acquisition of fodder.

## Administering Agency

The NSW Department of Primary Industries and relevant emergency service agencies such as the NSW State Emergency Service and the NSW Rural Fire Service.

## Claim Process

Requests for assistance should be made directly with the relevant emergency services agency in the first instance (e.g. for floods and storms, contact the NSW State Emergency Service on 132 500).

Prior approval for this assistance must be given by the NSW Department of Primary Industries. Emergency service agencies will liaise with the NSW Department of Primary Industries to activate the assistance.

## Period for Claiming

Invoices should be submitted by the service provider to NSW Department of Primary Industries as soon as possible after an event.

## Appeals Process

For information on appeals, contact the NSW Department of Primary Industries to discuss the outcomes of any applications and options available for review.

## Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*, *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

## Additional Comments

Landholders are encouraged to be prepared for the impacts of disasters (e.g. move stock, have refuge areas, store emergency fodder).

A number of publications are available from the NSW Department of Primary Industries to assist landholders with preparing for a disaster. These can be obtained from the NSW Department of Primary Industries website at the following address:  
<https://www.dpi.nsw.gov.au/climate-and-emergencies/emergency>.

Local media is extensively used during an event to provide advice to landholders.

### **D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water**

#### **Description**

Financial assistance may be provided as a contribution towards the costs of transporting livestock and the transport of fodder and/or water for livestock to a property.

#### **Eligible Events**

This assistance measure is provided to eligible primary producers, following the declaration of a Natural Disaster or an Agricultural Natural Disaster by the NSW Government.

#### **Who is eligible**

Primary producers whose assets have been significantly damaged following the declaration of a Natural Disaster or an Agricultural Natural Disaster by the NSW Government.

#### **Eligibility Criteria**

This assistance measure may be provided to primary producers defined as an individual, partnership, trust or company which:

- has a right or interest in a farm enterprise
- contributes a part of his, her or its labour and capital to the enterprise
- derives at least 50 per cent of his, her or its income from the enterprise
- is registered with the Australian Taxation Office as a primary producer, with an Australian Business Number (ABN) and
- has their primary production enterprise located within a declared local government area.

Primary producers are defined as those that are listed under the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC) 1292.0 (Revision 2.0) Codes 01 (Agriculture), 02 (Aquaculture), 03 (Forestry and Logging), 04 (Fishing, Hunting and Trapping) and 05 (Agriculture, Forestry and Fishing Support Services).

#### **Exclusions**

Intensive industries such as piggeries or poultry units are not eligible for this assistance as agistment is not a viable disaster relief measure for these units.

No subsidy will be paid on the transport of fodder weighing less than one tonne.

#### **Amounts Available and Mode of Delivery**

This assistance measure may provide a maximum of 50 per cent of the costs to the primary producer of transporting any of the following as a direct result of the natural disaster:

- livestock
- fodder or water for livestock.

A maximum subsidy of \$15,000 can be claimed once for each declared Natural Disaster, whether that disaster spans one or two financial years.

If a farming business has already claimed \$15,000 in one financial year for this type of assistance, whether on one or more parcels of land, regardless of the location of those parcels within NSW, for one or more disasters, they are ineligible for this assistance.

A primary producer cannot claim for labour, fixed costs or profit if they use their own transport to move stock to agistment.

### Conditions of Assistance

A maximum distance of 1,500 km applies. The subsidy does not apply to any distance beyond 1500 km.

### Administering Agency

NSW Rural Assistance Authority.

### Claim Process

Information can be obtained by calling the RAA on Toll Free 1800 678 593 or (02) 6391 3000, or by sending an email to rural.assist@raa.nsw.gov.au.

To make a claim, primary producers should complete a claim form and submit it to the RAA attaching copies of invoices, paid invoices (receipts), confirmation of agistment and/or stock to sale or slaughter, a copy of Local Land Services rate notice and latest local council rate notice.

### Period for Claiming

Primary producers who are intending to claim this assistance must undertake their first movement of stock, fodder or water no later than three months from the date on which the disaster is declared, and the last movement of stock, fodder or water must be completed and all claims for transport subsidies must be submitted to the RAA no later than nine months after the date on which the disaster is declared.

### Appeals Process

An internal appeals process is available through the RAA.

### Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*, and *D.9 Recovery Grants for Primary Producers*).

### Additional Comments

The coordination of the actual agistment process is the responsibility of the stock owner.



## D.4 Subsidies for Transport of Donated Fodder

### Description

Financial assistance may be provided by the NSW Rural Assistance Authority (RAA) and the Department of Primary Industries (DPI) for the cost of transporting donated fodder to affected properties or storage facilities in the event of a declared Natural Disaster.

### Eligible Events

This assistance measure is provided to the organisations that donate and transport fodder to eligible primary producers, following the declaration of a Natural Disaster or an Agricultural Natural Disaster by the NSW Government.

### Who is eligible

Organisations that donate and transport fodder to eligible primary producers.

### Eligibility Criteria

This assistance measure may be provided for fodder that has been donated for the benefit of affected primary producers in declared local government areas.

### Exclusions

Small volumes of fodder or poor quality fodder are not eligible for this assistance.

### Amounts Available and Mode of Delivery

The scheme may pay for all costs associated with transporting donated fodder to affected properties or storage facilities, up to a distance of 1,500kms.

Beyond a range of 1,500kms, special consideration will be required.

### Conditions of Assistance

Prior approval for the transporting of fodder is required from RAA and the NSW Department of Primary Industries.

Fodder must go to a group of affected farmers, avoiding one-to-one donations, through Local Land Services or other community organisations.

### Administering Agency

Donated Fodder Coordinator (if appointed by the NSW Department of Primary Industries).

The NSW Farmers' Association.

### Claim Process

Transport invoices for approved transport are to be submitted through the local organising body for verification and then forwarded to RAA or DPI for processing and payment direct to the service providers.

### Period for Claiming

This assistance is generally provided up to three months following a declared event. Extensions on this period can be granted on a case by case basis if recovery operations need to continue.

### Appeals Process

An internal appeals process is available through the Department of Primary Industries.

### Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*, *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

### Additional Comments

Nil.

## D.5 Humane Care of Animals

### Description

Co-ordination services may be provided for the humane care of animals severely affected by a disaster.

### Eligible Events

This assistance measure may be provided in the event of any disaster or other emergency, to animal welfare services and animal owners who are affected by the event and meet the eligibility criteria.

### Who is eligible

Animal owners, animal welfare services and accredited wildlife carers.

### Eligibility Criteria

This assistance is based on the welfare of animals severely injured or suffering due to the effects of a disaster.

### Exclusions

Salaries and other costs which would have been incurred, even if a disaster had not occurred, are not eligible.

### Amounts Available and Mode of Delivery

This assistance measure may provide for the cost of the additional resources required for the assessment of animals affected by a disaster.

Assessments are to be carried out by qualified personnel to determine the most appropriate and humane outcomes for affected animals.

Additional resources include employee related costs (including payroll tax) that are not currently paid by the NSW Department of Primary Industries, e.g. contracted services, overtime hours, extra shifts, backfilling positions, additional plant and equipment hire, including operating costs etc.

Once assessed, animals that may benefit from further support or rehabilitation will be referred to the appropriate service, such as the Royal Society for the Prevention of Cruelty to Animals (RSPCA), the NSW Wildlife Information, Rescue and Education Service (WIRES) or veterinarians.

Actual expenditure on the additional resources used to euthanize animals is fully reimbursed.

### Conditions of Assistance

Nil.

### Administering Agency

The NSW Department of Primary Industries.

### Claim Process

Approval from the NSW Department of Primary Industries must be given prior to implementing this assistance measure.

Invoices should be submitted directly to the NSW Department of Primary Industries by the service provider.

### Period for Claiming

Claims should be finalised as soon as possible after an event.

### Appeals Process

For information on appeals, contact the NSW Department of Primary Industries to discuss the outcomes of any applications and options available for review.

### Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*, *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

### Additional Comments

This is an emergency assistance measure and is provided after an event based on animal welfare.

When an animal requires euthanasia only trained personnel are to be used and, where possible, the owners of the animals are consulted.

Livestock to be euthanised are to be assessed by a veterinarian prior to being put down.

## D.6 Removal and Disposal of Animal Carcasses

### Description

Assistance may be provided for the removal and disposal of animal carcasses (including wildlife) on the grounds of public health, safety or well-being.

### Eligible Events

This assistance measure may be provided in the event of any disaster or other emergency, to communities and animal owners who are affected by the event and meet the eligibility criteria.

### Who is eligible

Animal owners, the community and wildlife carers.

### Eligibility Criteria

Removal and disposal is based on the number of animal carcasses involved and the potential impact on community distress or public health or safety.

### Exclusions

Animal carcasses that are not in a visible area or posing a risk to public health will not be removed.

In areas where safe access is limited, animal carcasses may not be removed.

### Amounts Available and Mode of Delivery

The NSW Department of Primary Industries will assess the most appropriate disposal method and coordinate with service providers to deliver this assistance.

Animal carcasses may be disposed of locally or transported to another location (e.g. incinerations, burial or rendering).

### Conditions of Assistance

Nil.

### Administering Agency

NSW Department of Primary Industries.

### Claim Process

Approval from the NSW Department of Primary Industries must be given prior to implementing this assistance measure.

Invoices should be submitted directly to the NSW Department of Primary Industries by the service provider.

### Period for Claiming

This is an emergency assistance measure and should be finalised as soon as possible after an event.

### Appeals Process

For information on appeals, contact the NSW Department of Primary Industries to discuss the outcomes of any applications and options available for review.

### Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds*, *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

### Additional Comments

Nil.

## **D.7 Replacement of Water on Animal Welfare and Intensive Plant Production Grounds**

### **Description**

Water that has been taken to fight bushfires or for other emergency reasons (infrastructure failure) may be replaced if the loss of the water results in animal welfare concerns or intensive production losses.

### **Eligible Events**

This assistance measure may be provided in the event of any disaster or other emergency to animal owners, and produce growers who meet the eligibility criteria.

### **Who is eligible**

Animal owners and intensive commercial produce growers (case-by-case assessment).

### **Eligibility Criteria**

Applicants for this assistance must have had water taken to fight a fire by a fire-fighting agency or a failure in their infrastructure.

The assistance is provided on animal welfare or intensive production grounds. Intensive production refers to plant production such as nurseries, orchards, vineyards, horticulture and market gardens where the water taken impacts on the property owner's ability to water stock or water plants.

The NSW Department of Primary Industries staff will assess if the water taken is having an effect on animal welfare or production levels.

### **Exclusions**

Land holdings with alternate water supplies e.g. a water tank, bore, dam or creek.

Hobby farmers who do not earn a significant portion of their income from agricultural enterprise will be assessed on a case by case basis.

### **Amounts Available and Mode of Delivery**

This assistance measure may provide for the procurement and transportation costs of replacing water, as assessed by the NSW Department of Primary Industries.

Water may be replaced in amounts required to assist in maintaining the welfare of animals and continue production.

Water may be replaced in stages as required to address animal welfare/production losses. Water is only replaced up to the total water removed for the purpose of fighting a fire, as assessed by the NSW Department of Primary Industries with evidence provided by fire-fighting agencies where possible.

The NSW Department of Primary Industries coordinates this assistance directly with service providers.

### **Conditions of Assistance**

The NSW Department of Primary Industries will evaluate requests from landholders considering:

- significance of impact on animal welfare or other agricultural activities
- estimation of amount removed
- maximum amount required to be replaced to maintain animal welfare or agricultural activities (which may include providing water by alternate means e.g. in tanks or troughs)
- availability of alternate water sources and arrangements
- time-frame:
  - if it is likely to rain, a lower volume than that removed may be delivered in the interim
  - delivery may be staged over a period of time but will not exceed the agreed maximum amount.

### Administering Agency

NSW Department of Primary Industries.

### Claim Process

An assessment will be undertaken by the NSW Department of Primary Industries before any water replacement starts to verify the amount of water required to maintain animal welfare or production and the maximum amount that can be replaced.

The relevant firefighting agency will be contacted to verify that water was taken to fight a fire and to assist in ascertaining the amount removed.

Invoices should be submitted directly to the NSW Department of Primary Industries by the service provider.

### Period for Claiming

The NSW Department of Primary Industries should be contacted as soon as possible after water has been taken from a property.

### Appeals Process

For information on appeals, contact NSW Department of Primary Industries to discuss the outcomes of any applications and options available for review.

### Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

### Additional Comments

Primary producers will not be financially compensated for loss of water.



## D.8 Loans to Primary Producers

### Description

Loans at a concessional fixed-rate with a two-year interest and repayment free period may be provided to primary producers for:

- essential working capital for up to 12 months from the date of the disaster, to continue farming operations until normal income resumes or until the next major income is received and/or
- replacement and/or repair of property damaged as a result of a disaster and associated improvements not covered by insurance.

### Eligible Events

This assistance measure is only provided to eligible primary producers, following the declaration of a Natural Disaster or an Agricultural Natural Disaster by the NSW Government.

### Who is eligible

This assistance measure may be provided to primary producers defined as an individual, partnership, trust or company which:

- has a right or interest in a farm enterprise
- contributes a part of his, her or its labour and capital to the enterprise
- derives at least 50 per cent of his, her or its income from the enterprise
- is registered with the Australian Taxation Office as a primary producer, with an Australian Business Number (ABN) and
- has their primary production enterprise located within a declared local government area.

Primary producers are defined as those that are listed under the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC) 1292.0 (Revision 2.0) Codes 01 (Agriculture), 02 (Aquaculture), 03 (Forestry and Logging), 04 (Fishing, Hunting and Trapping) and 05 (Agriculture, Forestry and Fishing Support Services).

### Eligibility Criteria

To be eligible, primary producers must:

- have assets (including fodder) which have been significantly damaged as a direct result of the declared disaster
- have a primary producer operation which was viable prior to the declared event
- demonstrate that the assistance will ensure the farming enterprise continues to be viable
- demonstrate that they are continuing or will re-establish the farming enterprise within the same location, or within the same local government area and
- demonstrate that the farming enterprise has the capacity to repay the loan.

## Exclusions

Assistance does not provide for costs unrelated to the farming enterprise or commitments overdue at the time of the disaster, such as trading accounts, lease or hire purchase instalments, interest on borrowings or loan repayments.

## Amounts Available and Mode of Delivery

A loan to a maximum of \$130,000 may be provided.

All loans have an initial two year interest and repayment free period. This period is followed by a loan term of up to 10 years (making the maximum term 12 years), depending on the amount borrowed and the applicant's repayment capacity.

## Conditions of Assistance

Repayments may be monthly, half-yearly or annual repayments of principal and interest, generally in line with the applicant's cash flow.

Loans are secured by a registered mortgage over land, and not necessarily a first mortgage. Other security, including a mortgage over land, buildings or other assets from another person may be considered.

## Administering Agency

NSW Rural Assistance Authority (RAA).

## Claim Process

Information can be obtained by calling the RAA on Toll Free 1800 678 593 or (02) 6391 3000, or by visiting the website [www.raa.nsw.gov.au](http://www.raa.nsw.gov.au).

An application form can be obtained from the RAA or from local rural financial counselling services.

Applicants will be expected to provide a range of documents including:

- balance sheets and financial statements for the farm enterprise (including profit and loss statements, trading account and depreciation schedules)
- individual tax returns and a current listing of all assets and liabilities held by each individual director, shareholder, partner or trustee of the farm enterprise
- evidence of damage incurred may be sought.

The RAA will assess applications against the eligibility criteria, taking into account the availability of cash reserves, investments, un-drawn overdraft balances, and loans with redraw facilities.

Once all the legal requirements have been completed, the RAA will deposit the full loan into a nominated bank account.

Applicants will be asked to cover set-up costs for the mortgage registration fee, mortgage duty, agent fees and land title search costs. Financiers may charge fees to the applicant's account when consenting to the RAA's request to take a mortgage over the property offered as security.

### Period for Claiming

Applications must be lodged within six months of the declaration of the natural disaster.

### Appeals Process

An internal appeals process is available through the RAA.

### Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water an Animal Welfare and Production Grounds*, and *D.9 Recovery Grants for Primary Producers*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### Additional Comments

To be eligible primary producers must derive at least 51 per cent of their gross income from the farm enterprise in the financial year preceding the financial year of the disaster. However, due to circumstances such as drought, the gross income of some primary producers may be less than this criterion. If a primary producer is in this situation, options to submit gross income information from a year earlier than the preceding financial year should be discussed with the RAA.

## D.9 Recovery Grants for Primary Producers

### Description

Where the farming sector is severely affected by a natural disaster, with threats to viability and disruption to production likely to extend beyond the current season, grants may be provided to eligible primary producers to contribute towards the costs of:

- clean-up, removal of debris and disposal of dead livestock
- repair or replacement (purchase or hire/lease) of damaged assets such as farm buildings and essential plant and equipment (excluding housing)
- salvaging crops, grain and feed and health maintenance of livestock and poultry and
- fencing, pasture restoration, and infrastructure (including access and internal roads).

### Eligible Events

This assistance measure is only provided to eligible primary producers, following the declaration of a Natural Disaster by the NSW Government, and following the approval of the Australian Government.

This assistance measure is only provided in the event of Natural Disasters that have severely affected communities, regions or sectors.

### Who is eligible

When activated, grants are usually provided to primary producers defined as an individual, partnership, trust or company that:

- has a right or interest in a farm enterprise
- contributes a part of his, her or its labour and capital to the enterprise
- derives at least 50 per cent of his, her or its income from the farm enterprise
- is registered with the Australian Taxation Office as a primary producer, with an Australian Business Number (ABN)
- has their primary production enterprise located within a declared local government area.

Primary producers are defined as those that are listed under the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC) 1292.0 (Revision 2.0) Codes 01 (Agriculture), 02 (Aquaculture), 03 (Forestry and Logging), 04 (Fishing, Hunting and Trapping) and 05 (Agriculture, Forestry and Fishing Support Services).

### Eligibility Criteria

To be eligible, primary producers must:

- have suffered direct damage as a result of the declared disaster
- have responsibility for the essential cost of repair or replacement of the loss or damage

- have been conducting a primary production business in the affected area prior to and including the date of the event or are a business in the development phase (e.g. a primary sector with a long lead time to production) and
- have established or are intending to re-establish the primary production enterprise.

### Exclusions

Damage to dwellings and damage covered by insurance is not eligible.

The primary producer's labour costs and the cost of using their existing staff or own equipment is not eligible.

Grants are not provided for loss of trade or income.

### Amounts Available and Mode of Delivery

The maximum amount provided is determined at the time that the grants program is activated. The circumstances and impact of the declared disaster are taken into account when determining this amount.

### Conditions of Assistance

The conditions of assistance are set at the time that the grants program is activated.

The assistance provided under this guideline is subject to the requirements of the Australian Government's Disaster Recovery Funding Arrangements (DRFA). Where there is a conflict between the DRFA and these guidelines, the requirements of the DRFA will prevail, unless a specific exemption regarding the conflict is approved by the NSW Government.

### Administering Agency

NSW Rural Assistance Authority (RAA).

### Claim Process

Information can be obtained by calling the RAA on Toll Free 1800 678 593 or (02) 6391 3000, or by sending an email to rural.assist@raa.nsw.gov.au.

When activated, the grant may be claimed by completing an application form, which can be obtained from the RAA website or from local rural financial counselling services.

Applicants will be expected to provide a range of supporting documentation, including:

- a quote or estimate or tax invoices or receipts for the repair or restoration work
- the latest local council rate notice and
- copies of both the latest Personal and Farm Business Taxation Returns.

The RAA will assess general eligibility and successful applicants will be advised that they have in-principle approval for the grant.

Actual payment of the grant will only occur on production of tax invoices or receipts, which must be received prior to a specified due date.

## Period for Claiming

Applications must be lodged by the dates specified at the time of the activation which is usually six months after the declaration of a natural disaster. All supporting documentation for the claim must be submitted within 12 months of the date of the declaration.

## Appeals Process

An internal appeals process is available through the RAA.

## Related Assistance

In specific circumstances, a range of assistance measures may be provided to eligible primary producers, livestock owners or owners of other animals (see *D.1 Emergency Livestock Fodder Relief*, *D.2 Aerial Support to Livestock*, *D.3 Subsidies for Primary Producers for Transport of Livestock and Fodder and Water*, *D.4 Subsidies for Transport of Donated Fodder*, *D.5 Humane Care of Animals*, *D.6 Removal and Disposal of Animal Carcasses*, *D.7 Replacement of Water an Animal Welfare and Production Grounds*, and *D.8 Loans to Primary Producers*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a Natural Disaster (see *B.5 Waste Levy*).

## Additional Comments

To be eligible primary producers must derive at least 51% of their gross income from the farm enterprise in the financial year prior to the year of the disaster. However, due to circumstances such as drought, the gross income of some primary producers may be less than this criterion. If a primary producer is in this situation options to submit gross income information from a year earlier than the preceding financial year should be discussed with the RAA.

Primary producers are not required to complete all expenditure before applying for a grant. In principle approval for a grant will be given to successful applicants and the grant paid when the RAA receives either tax invoices or receipts.

Multiple claims can be made for the same disaster event. However, the total of all claims for a primary producer must not exceed the maximum amount that may be provided under the grant, even if properties affected by the Natural Disaster exist on separate sites under the same ABN. In these instances, rates notices demonstrating ownership at the separate sites must be shown.

Businesses are entitled to assistance under either the primary producer grants or the small business grants, not both.

The disposal costs of dead animals together with their replacement cost are eligible, subject to the exclusions outlined above.

The grant may provide for the cost of sowing replacement crops or pastures that were present before the disaster and which are lost as a result of the disaster. Replacement crops and pastures may be the same or similar to the crops and pastures that were damaged in the disaster, subject to the exclusions outlined above.

The cost of cleaning up a destroyed crop may be provided by the grant, subject to the exclusions outlined above.

## **Part E - Assistance to Small Business**

## E.1 Loans to Small Businesses

### Description

Loans at a concessional fixed-rate with a two year interest and repayment free period may be provided to small business operators for:

- essential working capital for up to 12 months from the date of the disaster, to continue business operations until normal income resumes or until the next major income is received and/or
- replacement and/or repair of property damaged as a result of a disaster and associated improvements not covered by insurance.

### Eligible Events

This assistance measure is only provided to eligible small businesses, following the declaration of a Natural Disaster by the NSW Government.

### Who is eligible

Small businesses, other than farm enterprises, which employ fewer than 20 full-time equivalent staff. That is, the sum total of all standard hours worked by all employees (whether full-time or part-time) is less than the number of standard hours which would be worked by 20 full time employees, as defined by the Australian Bureau of Statistics.

A small business does not include a sole trader small business where 50 per cent or less of the sole trader's income comes from that business.

### Eligibility Criteria

To be eligible, small businesses must:

- have assets which have been significantly damaged as a direct result of the declared disaster event
- have been viable prior to the declared event
- demonstrate that the assistance will ensure the business continues to be viable
- demonstrate that they are continuing or will re-establish the business enterprise within the same location, or within the same local government area
- earn the majority of their gross income from the business enterprise and
- demonstrate that the business enterprise has the capacity to repay the loan sought.

### Exclusions

Assistance does not provide for costs unrelated to the business enterprise or commitments overdue at the time of the disaster, such as trading accounts, lease or hire purchase instalments, interest on borrowings or loan repayments.

### Amounts Available and Mode of Delivery

A loan to a maximum of \$130,000 may be provided.



All loans have an initial two-year interest and repayment free period. This period is followed by a loan term of up to 10 years (making the maximum loan term 12 years), dependent on the amount borrowed and the applicant's repayment capacity.

### Conditions of Assistance

Repayments may be monthly, half-yearly or annual repayments of principal and interest, generally in line with the applicant's cash flow.

Loans are secured by a registered mortgage over land, and not necessarily a first mortgage. Other security, including a mortgage over land, buildings or other assets from another person may be considered.

### Administering Agency

NSW Rural Assistance Authority (RAA).

### Claim Process

Information can be obtained by calling the RAA on Toll Free 1800 678 593 or (02) 6391 3000, or by sending an email to [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au)

Assistance can be claimed by completing an application form, which can be obtained from the RAA website or from local rural financial counselling services.

Applicants will be expected to provide a range of documents including:

- balance sheets and financial statements for the business enterprise (including profit and loss statements, trading account and depreciation schedules)
- individual tax returns and a current listing of all assets and liabilities held by each individual director, shareholder, partner or trustee of the business
- evidence of damage incurred may be sought.

The RAA will assess applications against the eligibility criteria taking into account the availability of cash reserves, investments, un-drawn overdraft balances, and loans with redraw facilities.

Once all the legal requirements have been completed, the RAA will draw down the loan in full and deposit it direct to the nominated bank account.

Applicants will be asked to cover set-up costs for the mortgage registration fee, mortgage duty, agent fees and land title search costs. Financiers may charge fees to the applicant's account when consenting to the RAA's request to take a mortgage over the property offered as security.

### Period for Claiming

Applications must be lodged within six months of the declaration of the natural disaster.

### Appeals Process

An internal appeals process is available through the RAA.

### Related Assistance

Some assistance may be provided in relation to commercial motor vehicles (see *A.6 Stamp Duty Relief for Replacement of Motor Vehicles*).

Separate assistance measures may be provided for primary producers (see *D.8 Loans to Primary Producers*, and *D.9 Recovery Grants for Primary Producers*).

In severe circumstances, grants may be provided to eligible small businesses (see *E.2 Recovery Grants for Small Businesses and non-profit organisations*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### Additional Comments

Nil.

## E.2 Recovery Grants for Small Businesses and non-profit organisations

### Description

Where the business sector is severely affected and the community risks losing essential businesses, grants may be provided to eligible small businesses and non-profit organisations to contribute towards the costs of:

- clean-up and removal of debris, including hire of equipment, disposal costs and labour and material costs above normal wage and material expenditure
- restoration of damaged assets and stock including safety inspections, essential repairs, purchase, hire or lease of equipment and stock essential to the immediate resumption of trading and
- relocation to and leasing of temporary premises when immediate re-opening of damaged premises is not possible.

### Eligible Events

This assistance measure is only provided to eligible small businesses and non-profit organisations, following the declaration of a Natural Disaster by the NSW Government, and following the approval of the Australian Government.

This assistance measure is only provided in the event of Natural Disasters that have severely affected communities, regions or sectors.

### Who is eligible

When activated, grants are usually provided to small businesses that:

- have fewer than 20 full time (or equivalent) employees
- are a registered business, partnership or sole trader
- have an Australian Business Number (ABN) and
- provide the owner with their primary source of income (more than 50%) if the owner is the sole employee of the business.

Grants may also be provided to non-profit organisations that are incorporated charities or non-profit entities which are registered with the Australian Charities and Non-Profits Commission (ACNC) or an equivalent state regulatory body. These non-profit organisations may include: non-profit schools, religious institutions, homeless hostels, aged persons homes, organisations relieving the special needs of people with disabilities, community child care centres, cultural societies, environmental protection societies, neighbourhood associations, public museums and libraries, scouts, sports clubs, surf lifesaving clubs, or traditional service clubs.

### Eligibility Criteria

To be eligible, small businesses and non-profit organisations must:

- have suffered direct damage to their premises and/or tools of trade (e.g. equipment or plant) and the essential cost of repair or replacement are the applicant's responsibility
- are intending to re-establish within the affected area and

- have been conducting business in the affected area prior to and including the date of the event, or are business enterprises in the development phase (e.g. premises being prepared but trading had not yet started).

### Exclusions

This assistance measure is not available for:

- businesses or non-profit organisations that are part of a national chain
- public companies that operate alone, or in association with other companies
- primary producers who are eligible for other forms of assistance
- home based hobby businesses (produce less than 50% of the applicant's income)
- damage to dwellings
- damage covered by insurance
- normal wage expenditure and the cost of using the business' existing staff or equipment
- loss of trade or income.

### Amounts Available & Mode of Delivery

The maximum amount provided is determined at the time that the grants program is activated. The circumstances and impact of the declared disaster are taken into account when determining this amount.

### Conditions of Assistance

The conditions of assistance are set at the time that the grants program is activated.

The assistance provided under this guideline is subject to the requirements of the Australian Government's Disaster Recovery Funding Arrangements (DRFA). Where there is a conflict between the DRFA and these guidelines, the requirements of the DRFA will prevail, unless a specific exemption regarding the conflict is approved by the NSW Government.

### Administering Agency

NSW Rural Assistance Authority (RAA).

### Claim Process

Information can be obtained by calling the RAA on Toll Free 1800 678 593 or (02) 6391 3000, or by sending an email to [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au)

When activated, the grant assistance may be claimed by completing an application form, which can be obtained from the RAA website or from local rural financial counselling services.

Applicants will be expected to provide a range of supporting documentation, including:

- either a quote, estimate, tax invoice, or receipt for the repair or restoration work
- Certificate of Business Registration from the Office of Fair Trading
- the latest local council rate notice and

- copies of both the latest Personal and Small Business Taxation Returns.

The RAA will assess general eligibility and successful applicants will be advised that they have in-principle approval for the grant.

Actual payment of the grant will only occur on production of tax invoices or receipts, which must be received prior to a specified due date.

### Period for Claiming

Applications must be lodged by the dates specified at the time of the activation which is usually six months after the declaration of the natural disaster. All supporting documentation for the claim must be submitted within 12 months of the date of the declaration.

### Appeals Process

An internal appeals process is available through the RAA.

### Related Assistance

Some assistance may be provided in relation to commercial motor vehicles (see *A.6 Stamp Duty Relief for Replacement of Motor Vehicles*).

Separate assistance measures may be provided for primary producers (see *D.8 Loans to Primary Producers*, and *D.9 Grants to Primary Producers*).

Loans may be provided to eligible small businesses (see *E.1 Loans to Small Businesses*).

Assistance in relation to the NSW Government Waste Levy may be provided following the declaration of a natural disaster (see *B.5 Waste Levy*).

### Additional Comments

Small businesses and non-profit organisations are not required to complete all expenditure before applying for a grant. In-principle approval for a grant will be given to successful applicants and the grant paid when the RAA receives either tax invoices or receipts.

Multiple claims can be made for the same disaster event, even if properties affected by the Natural Disaster exist on separate sites under the same ABN. In these instances rates notices demonstrating ownership at the separate sites must be shown. However, the total of all claims for an individual small business or non-profit organisation must not exceed the maximum amount that may be provided under the grant.

A small business or non-profit organisation may be eligible if it is located outside the affected area but operates part-time or regularly within the affected area and sustains damage.

Eligible small businesses may include locally owned and operated franchises, businesses not operating from commercial premises, but which experienced damage to primary equipment, and home-based enterprises (claiming only the costs directly attributable to the business).

Businesses are entitled to assistance under either the small business grants or the primary producer grants, not both.

## Appendix 1 – The Disaster Recovery Funding Arrangements

The following information is reproduced from the Disaster Recovery Funding Arrangements Fact Sheet, published by the Australian Government Department of Home Affairs. The original fact sheet is available at [www.disasterassist.gov.au](http://www.disasterassist.gov.au)

# Disaster Recovery Funding Arrangements 2018

### Program overview

Responding to natural disasters, including the provision of relief and recovery assistance to disaster affected communities, is primarily the responsibility of state and territory governments ('the states'). However, in recognition of the significant cost of natural disasters, the Australian Government established the joint Australian Government-State cost sharing arrangements to alleviate the financial burden on the states and to facilitate the early provision of assistance to disaster affected communities. Through the Disaster Recovery Funding Arrangements 2018 (DRFA), the Australian Government provides financial assistance directly to the states to assist them with costs associated with certain disaster relief and recovery assistance measures.

The DRFA makes provisions for state governments to activate relief and recovery assistance immediately following a disaster without seeking approval from the Australian Government. Under these arrangements, the states determine the type and level of assistance to make available. Importantly the states are not bound by the assistance available under the DRFA. That is, states can make available whatever assistance deemed necessary regardless of whether it is eligible for cost sharing under the DRFA. This recognises that states are best placed to identify the type and level of assistance to make available following a disaster, in accordance with their responsibility for disaster management.

### Basic principles for DRFA assistance

The DRFA operates in accordance with the following principles:

- DRFA assistance is intended to be in the nature of an emergency helping hand for those in need, rather than to provide compensation for losses or restore lifestyles to their pre-disaster standard
- DRFA assistance is not intended to replace the need for appropriate self-help strategies, such as acquiring insurance or undertaking appropriate disaster mitigation
- in accordance with their responsibilities, the states and local governments should draw on their own resources to provide disaster assistance before seeking support from the Australian Government through the DRFA
- DRFA assistance should be used to complement and promote disaster resilience outcomes for affected individuals and communities

- as far as practicable, DRFA assistance is to be designed to achieve an efficient allocation of resources. In particular, assistance should provide value-for-money outcomes for all levels of government.

### DRFA assistance measures

There are four categories of assistance measures under the DRFA:

1. **Category A:** assistance to individuals to alleviate personal hardship or distress arising as a direct result of a disaster. Category A assistance is provided automatically by the states without requiring approval from the Australian Government.
2. **Category B:** assistance to the state, and/or local governments for the restoration of essential public assets and certain counter-disaster operations. Category B assistance also covers assistance to small businesses, primary producers, not-for-profit organisations and needy individuals through concessional loans, subsidies or grants. Category B assistance is provided automatically by the states without requiring approval from the Australian Government.
3. **Category C:** assistance for severely affected communities, regions or sectors and includes clean-up and recovery grants for small businesses and primary producers and/or the establishment of a Community Recovery Fund. Category C assistance is only made available when the impact of a disaster is severe. It is intended to be in addition to assistance under Categories A and B and is usually considered once the impacts of the disaster on affected communities have been assessed. Category C assistance is requested from the states and requires agreement from the Prime Minister.
4. **Category D:** exceptional circumstances assistance beyond Categories A, B and C. Category D assistance is generally considered once the impact of the disaster has been assessed and specific recovery gaps identified. Category D assistance is requested from the states and requires agreement from the Prime Minister.

### DRFA funding arrangements

Under the DRFA, the Australian Government provides financial assistance up to 75 per cent to the states in respect of eligible expenditure on relief and recovery assistance. Funding can either be provided in the form of a financial reimbursement or as an advance payment. Advance payments are generally only made in response to significant and extremely damaging natural disasters where the cost is likely to be greater than the state can manage in the immediate to short-term.

The level of financial assistance provided by the Australian Government to the states under the DRFA depends on the type of assistance provided and the level of expenditure incurred by a state within a financial year. In this way, the DRFA operates as a financial safety-net for the states when they experience frequent and/or severe natural disasters. As the cost of providing assistance to disaster affected communities increases, so too does the level of financial support from the Australian Government to the states.

In order to calculate the level of financial support, expenditure thresholds are used, which take into account the capacity of individual states to fund relief and recovery assistance.

## DRFA ASSISTANCE MEASURES, ACTIVATION TRIGGERS AND REIMBURSEMENT RATES

Category	Eligible assistance measures	Reimbursement rate and triggers
<p><b>Category A</b></p> <p><b>DRFA Determination Clause 4.2</b></p> <p>Note: assistance may be provided in-kind (i.e. non-monetary)</p>	<p>Assistance to alleviate personal hardship and distress including:</p> <ul style="list-style-type: none"> <li>• emergency food, clothing and accommodation</li> <li>• repair or replacement of essential furniture and personal effects</li> <li>• essential repairs to housing to a habitable condition</li> <li>• demolition or rebuilding to restore housing to a habitable condition</li> <li>• removal of debris from residential properties</li> <li>• extraordinary counter-disaster operations of direct assistance to an individual</li> <li>• personal and financial counselling</li> <li>• extraordinary costs associated with the delivery of the above forms of assistance (e.g. costs of evacuation and operation of recovery centres)</li> <li>• the employment of a Community Recovery Officer.</li> </ul>	<p><u>Reimbursement rate:</u></p> <ul style="list-style-type: none"> <li>• 50% (if total eligible state expenditure in a financial year is below 1st threshold)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• The higher of the above rate or 50% between 1st and 2nd thresholds plus 75% above 2nd threshold (if total eligible state expenditure in a financial year is above 2nd threshold)</li> </ul> <p><u>Trigger:</u></p> <p>Once eligible state expenditure for an event exceeds the small disaster criterion of \$240,000.</p>
<p><b>Category B</b></p> <p><b>DRFA Determination Clause 4.3</b></p>	<p>Assistance available includes:</p> <ul style="list-style-type: none"> <li>• restoration or replacement of essential public assets (that are not operating on a commercial basis) such as roads, bridges and schools to their pre-disaster function</li> <li>• concessional loans, subsidies or grants to small businesses, primary producers, voluntary non-profit bodies and needy individuals</li> <li>• counter disaster operations for the protection of the general public.</li> </ul>	<p><u>Reimbursement rate:</u></p> <ul style="list-style-type: none"> <li>• 50% between 1st and 2nd thresholds plus 75% in excess of 2nd threshold</li> </ul> <p><u>Trigger:</u></p> <p>Once eligible state expenditure in a financial year exceeds 1<sup>st</sup> threshold.</p>
<p><b>Category C (for severe impact events only)</b></p> <p><b>DRFA Determination Clause 4.4</b></p>	<p>Assistance available includes a Community recovery package comprising:</p> <ul style="list-style-type: none"> <li>• a community recovery fund</li> <li>• clean-up and recovery grants to small businesses</li> <li>• clean-up and recovery grants to primary producers.</li> </ul>	<p><u>Reimbursement rate:</u></p> <ul style="list-style-type: none"> <li>• Determined at the time of agreement of measures (generally 50% of the agreed measures)</li> </ul> <p><u>Trigger:</u></p> <p>Subject to approval by the Prime Minister.</p>
<p><b>Category D (for severe impact events only)</b></p> <p><b>DRFA Determination Clause 4.5</b></p>	<p>Assistance to alleviate distress or damage in circumstances that are considered exceptional.</p>	<p><u>Reimbursement rate:</u></p> <ul style="list-style-type: none"> <li>• Determined at the time of agreement of measures (generally 50% of the agreed measures)</li> </ul> <p><u>Trigger:</u></p> <p>Subject to approval by the Prime Minister.</p>

\* Reimbursement rates provide an indication only. States can only claim costs associated with DRFA eligible disasters and all claims are subject to the assessment by Emergency Management Australia.