

Regional Transport Resilience Fund Guidelines

April 2024



Australian Government



Transport
for NSW



Cabonne Shire Council

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Message from the Minister

The Regional Transport Resilience Fund (RTRF) will build stronger, safer communities in the NSW Central West through investment in our road and transport network damaged in the 2022 devastating floods. The fund will help develop road and transport infrastructure initiatives that prevent, prepare and make them more resilient for future catastrophic weather events. The NSW Government is committed to having a regional road network that is dependable and safe every day to keep our communities and industry connected.

I am pleased to announce \$32 million Regional Transport Resilience Fund for the local government areas of Cabonne, Parkes, Forbes and Lachlan. These were among the most badly impacted areas of the Central West during the AGRN 1030 and AGRN 1034 events. We're focusing on not only getting these communities back on their feet after weather events that were on a scale never previously seen but building resilience of public infrastructure.

The RTRF, which is jointly funded by the Australian and NSW Governments, targets roads and road-related infrastructure damaged in the catastrophic weather events to build resilient communities in the Central West. Committed under the Disaster Recovery Funding Arrangements, the funding will go a long way to making sure communities are better placed to mitigate future disasters and recover more quickly.

The Fund focusses on resilience improvement projects, which must be delivered in conjunction with Immediate Reconstruction Works (IRW) or Essential Public Asset Reconstruction (EPAR).

The fund is a continuation of NSW Government's strong support and commitment to the Central West. It is part of the \$100 million Central West Recovery and Resilience Package, which supports the repair and replacement of critical community or essential public assets, improving the resilience of public infrastructure and legal aid assistance.

I have personally seen how many of these communities are still reeling from the devastation of last year's weather events. This fund aims to 'build-back-better' by ensuring infrastructure damaged during the floods is not just reinstated, but rebuilt stronger, better and more able to withstand the challenge posed by future natural disasters. We know that every dollar spent in betterment saves \$10 in recovery.

Councils may put forward projects for mitigation works to address high risk slopes, raising the level of key vulnerability points on the road network to mitigate communities being cut off during floods, and replacing low level bridges and upgrades on key corridors where bridge assets are vulnerable to flooding or are ageing. Transport for NSW will initially work with councils to identify opportunities and support them in their submissions. We have also applied key learnings from previous betterment programs and applied them.

While we can't stop natural disasters from happening, we are doing everything we can through this fund to minimise their impacts during an event and to help get communities back on their feet as quickly as possible after any future weather events. I look forward to Transport for NSW working with councils to identify opportunities and support them in their submissions, so our communities are better placed to mitigate future disasters and recover more quickly.



Jenny Aitchison

NSW Minister for Regional Transport and Roads

Introduction

The Australian and State Governments are committed to providing ongoing support for communities suffering direct damage from the Southern and Central West NSW flooding: August 2022 onwards (AGRN 1030) and NSW Flooding: 14 September 2022 onwards (AGRN 1034).

A total of \$32 million has been committed by the Australian and NSW Governments under the Disaster Recovery Funding Arrangements, to support the betterment of eligible essential public assets that were directly damaged by these events.

The Regional Transport Resilience Fund (RTRF) focusses on resilience improvements to essential public assets damaged by the AGRN 1030 and AGRN 1034 events and must be delivered as part of, or betterment to, an existing asset with Immediate Reconstruction Works (IRW) or Essential Public Asset Reconstruction (EPAR) (Category B submission).

These guidelines outline the fund's objectives, eligibility criteria, assessment criteria, assessment processes and timeframes.

Background

The complexity, intensity, and economic impact of natural disasters in NSW is increasing. Greater investment in prevention, preparedness and capability development initiatives is needed to decrease recovery costs. Well-targeted investment in resilience will enable communities to mitigate and adapt to future risks and save money in the longer term.

Betterment is repairing or building-back an essential public asset that can better withstand future natural disasters while delivering benefits associated with improved resilience and generating productivity, economic and social outcomes. Betterment is more than reconstructing an asset to its pre-disaster condition.¹

Betterment rebuilds infrastructure to reduce vulnerability to future disasters, reduce disruptions to the provision of essential services, and lowers the risk of economic impact due to a natural disaster.

Betterment also provides intangible social, economic, and environmental benefits associated with having more resilient infrastructure, including more connected communities, continuity of essential services for individuals, continuity of business activity in impacted areas, and reduced environmental impact.

The [Betterment Vision](#) provides further context on what infrastructure betterment means.

The Fund

The RTRF forms part of the \$100 million Central West Recovery and Resilience Package.

This package includes support for the repair and replacement of critical community assets, improving the resilience of public infrastructure and legal aid assistance.

- Regional Transport Resilience Fund estimated \$32M
- Community Assets Program estimated \$25M
- Legal Aid Assistance Program estimated \$1M
- Central West Housing Consultation Program estimated \$2M
- Central West Housing Program estimated \$40M

These initiatives are available for the following local government areas of;

- **Cabonne**
- **Parkes**
- **Forbes**
- **Lachlan**

Funding will be provided under the jointly funded Disaster Recovery Funding Arrangements.

The allocation of funding for the RTRF will be supported through a collaborative approach with each Council to inform network priorities. This approach will enable the delivery of priority resilience works in conjunction with Immediate Reconstruction Works (IRW) and Essential Public Asset Reconstruction (EPAR) works to assets that sustained damage in the AGRN 1030 and/or AGRN 1034 events.

¹ Natural Disaster Infrastructure Betterment in NSW – Vision 2022,
<https://www.nsw.gov.au/sites/default/files/2022-10/Betterment%20Fund%20vision.pdf>

Overview

The RTRF will provide funding to support the inclusion of resilience outcomes in the repair of assets in local government transport networks in Central West NSW.

RTRF Fund objective

The objective of the RTRF is to conduct betterment works on essential public assets that are transport assets directly damaged by AGRN 1030 and/or AGRN 1034 for the objective of improved resilience in the first instance and improved productivity, social and economic benefits.

Severe weather events have an inordinate impact on our large and complex transport networks. While we cannot eliminate disruption, we can improve passenger and freight transport and build resilience into our networks.

Projects will be prioritised for funding based on the ability to deliver against the following:

- Strengthen the regional transport network's capability to withstand natural disasters.
- Improve the reliability of the regional transport network for regional communities during and after disaster events.
- Enhance the adaptability of the regional transport network during and after disaster events.
- Improve the regional transport network's ability to respond and recover when disasters do occur.
- Improve community safety through enabling a safer regional transport network.
- Readiness and ability to deliver the nominated project.

These guidelines will support applicants in having a strong understanding of the types of projects that will deliver the best community outcomes and value for money.

Alignment with Future Transport Strategy 2061

The RTRF is closely aligned with the Future Transport Strategy 2061, specifically with the actions and outcomes of strategic direction P5 – Transport is resilient and adaptable to shocks and stresses.

The strategy notes that when damaging events occur, we need to reduce the risk to, and impact on communities and build back to a more resilient standard. Affected assets being renewed or replaced need to be designed to withstand the pressure they may be exposed to over their lifetime, and the changing role they may play in making the entire system more resilient. The strategy highlights the need for building for resilience in our communities as critical to achieving the long-term outcomes of the Future Transport 2061 vision.

The RTRF will respond to these challenges through well-targeted investment in resilience, enabling communities to mitigate and adapt to future risks and save money in the longer term.

The RTRF's approach to betterment aligns with the [NSW State Infrastructure Strategy 2022–2043](#) and the [NSW Critical Infrastructure Resilience Strategy 2018](#).

Benefits Realisation

The RTRF will measure benefits throughout the project delivery and post completion. Funding recipients may be required to provide NSW and Australian Governments with substantiating evidence regarding the realisation of key benefits and project outcomes during project delivery and post-completion. Additionally, the NSW Government and/or Australian Government may choose certain projects for a comprehensive assessment of benefits both during project delivery and after completion. Specific requirements pertaining to the collection of data and information shall be communicated to recipients as part of the reporting obligations and are subject to modifications.

Probity & Governance

The RTRF is subject to strict governance and probity with fair and transparent assessment processes. All decisions made under the RTRF will be made in accordance with:

- Disaster Recovery Funding Arrangements 2018
- NSW Disaster Assistance Guidelines 2021
- NSW Natural Disaster Essential Public Asset Restoration Guideline 2018
- Regional Transport Resilience Fund Guidelines.

The RTRF will be administered in accordance with the Department of Premier and Cabinet's Grant Administration Guide 2022 which outlines requirements and best practice for grants administration. This will help ensure decisions are made with integrity, fairness and accountability, while delivering value for money for NSW.

Consultation

Transport for NSW (TfNSW) has worked with NSW Government agencies including the Department of Regional NSW and NSW Reconstruction Authority on the design of this Package. Consultation will be undertaken with Council representatives to determine the priority of resilience works on assets that were subject to direct damage from either AGRN 1030 or AGRN 1034. This ensures alignment across betterment initiatives, governance and application processes, streamlining and reducing the administrative burden for councils.

Funding limits

The minimum grant per project is \$250,000. The maximum grant per project is \$8 million. Applicants are limited to three successful projects under the RTRF's initial targeted support. Packaging projects will also be considered to leverage economy of scale in delivery.

Where the NSW Government's contribution exceeds \$10 million a business case is required in line with NSW Treasury Disaster Cost-Benefit Framework Submissions requiring co-contributions (excluding Category B funding) must provide evidence of approved co-contribution to support immediate commencement of works.

Funding distribution

Under the RTRF, up to five (5) percent of the total RTRF funds may be used to administer the delivery of the RTRF. Administration costs extend to providing support to applicants, supporting delivery of successful projects, as well as evaluating outcomes.

The RTRF funding distribution will follow an assessment process, with decisions on funding awarded based on the merit and geographical spread of projects directly damaged by AGRN 1030 and/or AGRN 1034 across the four (4) Local Government areas. It is expected there will be an equitable split of projects and funding amounts across the councils.

In cases where submitted projects do not meet the expected eligibility requirements, the assessment panel (including representatives from NSW Reconstruction Authority and TfNSW technical representatives not involved in the initial assessment) and Independent Probity Advisor (non-voting member) reserves the right to reconsider and potentially redirect funds to other projects demonstrating eligibility and a direct need for funding. Project allocations are subject to the discretion and recommendation of the assessment panel, ensuring that unique recovery needs are addressed, while maximising the impact of eligible projects within the RTRF budget. The final approval for any distribution of funding lies with the NSW Minister for Regional Transport and Roads.

Eligibility

RTRF (Category D) funding is available for eligible council assets, for the planning, development and delivery of local priority transport infrastructure resilience works damaged during AGRN 1030 and/or AGRN 1034. These events and eligible councils are defined in **Appendix A** of these Guidelines. Definitions used in these Guidelines are defined in **Appendix B**.

Who can apply?

The following councils are eligible to make submissions for assessment under the RTRF:

- **Cabonne Shire Council**
- **Parkes Shire Council**
- **Forbes Shire Council**
- **Lachlan Shire Council**

What are eligible assets and projects under the RTRF?

Not all council transport infrastructure assets are eligible for funding under the RTRF. To be considered an eligible asset under the RTRF the asset must:

- Meet the DRFA definition of an essential public asset
- Meet the eligibility requirements for DRFA Category B funding (IRW or EPAR)
- Must be owned and maintained by the local Council and are within LGA's listed within Annexure A
- Must have been directly damaged by AGRN 1030 and/or AGRN 1034.

Examples of eligible projects for funding under the RTRF

There are many activities that can constitute betterment and the list below provides some examples of projects which would achieve betterment outcomes:

- Stabilisation works to address high risk slopes where they form part of the essential public asset, vulnerable during natural disaster events.
- Raising the level of key vulnerability points on the road network to mitigate community connection risks due to flood.
- Strengthening road pavements, such as stabilisation, to improve resilience of road assets during flood and fire as a general measure to ensure timely recovery when flood and fire events occur.
- Installing flood mitigation and other resilience infrastructure to mitigate flooding risks impacting transport infrastructure such as improved drainage.
- Upgrades to road corridors to provide improved resilience through enhanced culvert and drainage performance.
- Low level bridge replacements and upgrades on key corridors where bridge assets are vulnerable to natural disaster.

What are eligible costs under the RTRF?

The DRFA and NSW Natural Disaster Essential Public Asset Restoration Guidelines outline eligible costs that councils can claim when applying to restore and better essential public assets. Examples of eligible costs include:

- Local government labour and eligible plant and equipment costs directly associated with delivering the eligible betterment works as part of Essential Public Asset Reconstruction or Immediate Reconstruction Works.
- Extraordinary wages such as overtime, disbursements, and additional allowances claimable under the DRFA.

- Salary/wages and entitlements for new temporary employees specifically engaged for the project(s).
- Contractor and hire costs.
- Products and materials utilised for the betterment works.
- Survey, investigation, project management, design and planning approval costs including consultancy fees and legislative approval costs associated with the approved betterment works.

Escalation costs including expected increases in labour and supply costs should be factored into budgets for each project. Contingency costs to account for unforeseen financial circumstances should also be factored into budgets for each project and be commensurate with the size and complexity of the proposed project in line with the [TfNSW - Guide for Cost Estimation of Natural Disaster Essential Public Assets Reconstruction Works Guidelines](#) . The Australian and NSW Governments will not provide further top-up funding or fund project cost overruns.

Identifying and prioritising projects

Betterment is a key factor in assisting communities to become more disaster resistant and resilient. Betterment promotes rebuilding infrastructure in a way that reduces vulnerability to future disasters, providing continuity in the function of the asset for users, as well as lowering the risk of economic impact and reducing repair costs for asset owners because of a natural disaster².

Funding will be prioritised to maximise both the benefit to community with respect to increased resilience and the avoidance of future damage or impacts across the four (4) Local Government areas. Assets which have been identified in any local or state strategic planning documents will be prioritised. For example, if an asset is identified in Councils Strategic Asset Management Plan.

Fundamental to the eligibility of betterment projects is alignment to areas directly damaged by AGRN 1030 and/or AGRN 1034. When identifying potential betterment projects, Councils should consider their own readiness and ability to deliver the nominated project, in addition to the project's ability to:

- Strengthen the regional transport network's capability to withstand future natural disasters:
- Improve the reliability of the regional transport network for regional communities during and after disaster events:
- Enhance the adaptability of the regional transport network during and after disaster events:
- Improve the regional transport network's ability to recover when disasters do occur
- Improve community safety through enabling a safer regional transport network.

² <https://www.nsw.gov.au/sites/default/files/2022-10/Betterment%20Fund%20vision.pdf>

Project identification and assessment

Project Identification

Applicants must identify opportunities for resilience improvements in the scoping of certified estimates for EPAR's relating to the eligible AGRNs. In instances where IRW and EPAR works have been submitted or are in progress, applicants are to submit a separate RTRF submission to cover the Category D component.

As a capped fund, betterment funding should be prioritised by councils to projects based on the anticipated benefits and resilience outcomes. Not all projects identified and prioritised by councils will be funded.

Submission

TfNSW will initially work with Council to identify opportunities for betterment projects as part of their IRW or EPAR and support Council to make a submission for funding under the RTRF. Councils are to include their scope and costings for the betterment works within their Form 306 certified estimates for EPAR works.

The application process utilises a modification of the certified estimates process for EPAR works. There will be a specific claims form (i.e. Category D Form 306) for the project's betterment component attached to the EPAR certified estimate. There will be a limit of five (5) submissions per council and councils can bundle smaller similar betterment projects into one (1) submission.

Councils must submit combined EPAR certified estimates with a completed Category D Form 306 (the application form under these guidelines) by Friday, 31 May 2024 for the eligibility assessment. Late submissions will not be considered for assessment under the RTRF.

Assessment process

To determine the funding allocations under the RTRF, TfNSW will be employing a two-phase assessment process. The first phase will be an eligibility assessment which will run parallel with the current assessment process for Category B projects against the DRFA requirements. The second phase will be conducted by an assessment panel and will assess the submissions against five criteria.

Phase 1 – eligibility assessment

As part of the review of the Category B certified estimate submitted, the betterment component submitted will be reviewed by the claim assessor and the eligibility confirmed as part of the certified estimate approval process.

The key criteria as part of the eligibility assessment will be:

- An eligible applicant and asset type
- An eligible certified assessment under Category B, which includes confirming the asset was directly damaged because of AGRN 1030/1034,
- A completed Category D Form 306 form including estimate of works and response to assessment questions
- Delivery timeframes are within the allowable time limits for AGRN 1030/1034

Once the initial assessment is completed, the technical assessors will approve the forms and will then submit these to the assessment panel for review.

Phase 2 – merit assessment

An Assessment Panel will be established by Transport for NSW, including a representative from NSW

Reconstruction Authority, and consist of technical and policy subject matter experts from relevant government agencies. The Assessment Panel will review each project and make recommendations to the Minister for Regional Transport and Roads on those projects that best meet the package outcomes and objective.

The assessment panel will complete the assessment based on the following criteria:

- **Strategic** - A project’s alignment with the RTRF’s objective and outcomes, and relevant government strategies.
- **Resilience** - The extent of current and future hazard(s) and risk mitigation expected with the addition of the betterment activity.
- **Viability** - The deliverability and affordability of the project.
- **Economic** - The quantification and/or qualification of the economic benefit(s) a project will deliver.
- **Social** - Improving a community’s ability to function during and after a disruption to an asset.

This information will be sourced from the submission of the category B and D forms and will include a detailed review of responses to the key assessment questions.

The Assessment Panel may, at their discretion, recommend a project conditionally on the basis that an external, professional project management service with sufficient capability be engaged for the project to ensure the affordability and deliverability of recommended projects.

The assessment panel will also consider the allocation of funds across the eligible LGAs to ensure equitable betterment outcomes across eligible LGAs. This will mean the assessment panel will look to equitably distribute the highest scoring projects across the eligible LGAs where there are sufficient meritorious projects in each LGA. The assessment panel may also defer assessment of an application until later in the assessment process.

The decision of the NSW Government will be final. The NSW Government may also, at its discretion, choose not to award funding to projects that may meet the criteria. The NSW Minister for Regional Transport and Roads is the final decision maker and at their discretion, the Minister may introduce modifications to grant terms, conditions, or allocations consistent with these guidelines. TfNSW may request additional information from the applicant to help further support the submission of the Category B and D forms.

Assessment Panel

The assessment panel will include the following representatives:

- NSW Reconstruction Authority Representative
- TfNSW technical staff not involved in the initial assessment
- Independent Probity Advisor (non-voting member).

Assessment Criteria and weighting

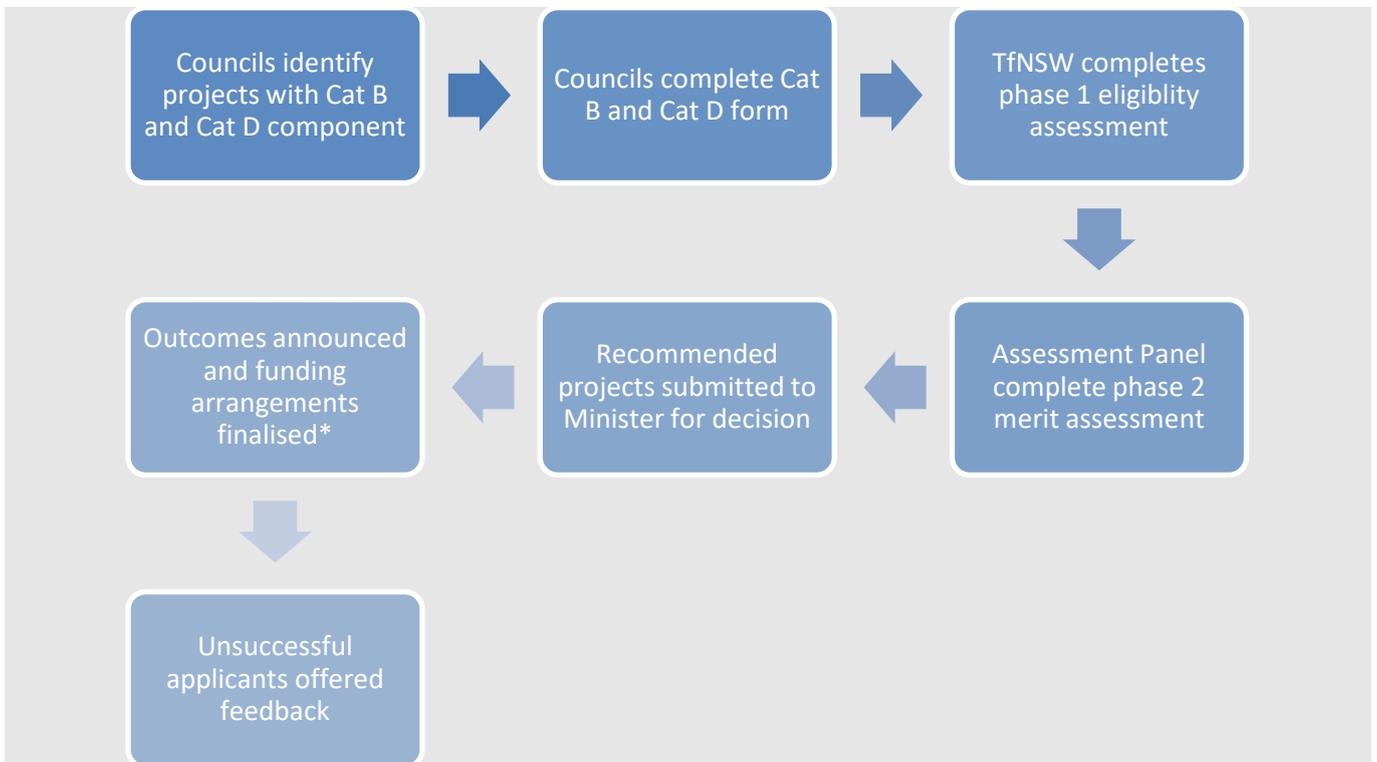
Table 1 – Assessment Criteria

Assessment Category	Assessment Standard	Weighting	Required information
Strategic	A project’s alignment with the RTRF’s objective and outcomes, and relevant government strategies.	30%	• Responses to questions in the Category D Form 306 related to the Strategic Assessment category.

Resilience	The extent of current and future hazard(s) and risk mitigation expected with the addition of the betterment activity	30%	<ul style="list-style-type: none"> Responses to questions in the Category D Form 306 related to the Resilience Assessment category.
Viability	The deliverability and affordability of the project.	15%	<ul style="list-style-type: none"> Completed Category B Form 306 Completed Category D Form 306 including responses to questions related to viability assessment category
Economic	The quantification and/or qualification of the economic benefit(s) a project will deliver.	15%	<ul style="list-style-type: none"> Completed Category B Form 306 Completed Category D Form 306 including responses to questions related to economic assessment category
Social	Improving a community's ability to function during and after a disruption to an asset	10%	<ul style="list-style-type: none"> Completed Category D Form 306 including responses to questions related to social assessment category

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Table 2 RTRF Submission and assessment process



*Announcements made will be done in accordance with the DRFA Public Acknowledgement Guidelines.

Key Dates for submission and assessment

Table 3 Key Dates

High-level timeline	Date*
RTRF Launch and consultation period opens	Monday, 8 April 2024
Submission period closes	Friday, 31 May 2024
Initial Assessment complete	May/June 2024
Assessment Panel recommendation and Ministerial approval	From June 2024
Funding letters sent and works commenced	From June 2024
All projects commence works by	12 months from executed funding instrument
All projects completed by	February 2027 (to allow TfNSW and Councils to complete their final acquittal)**
Allowable time limit for program expenditure and acquittal	30 June 2027

* Dates subject to change

** ATL extension may be granted for delivery of projects

Fund requirements

Publication of grant information

Transport for NSW will publish all information related to the RTRF on its website including, but not limited to:

- upcoming grant opportunities
- open grant opportunity guidelines
- all grants awarded
- the exercise of Ministerial discretion in making grant decisions that vary from the recommendation of officials, including the reasons for any such decision
- program evaluations.

Transport for NSW will ensure the publication of all critical information related to the RTRF as per the Grants Administration Guideline.

Delivery

Priority projects are to be delivered with Disaster Recovery Funding Agreement 2018 (DRFA). All physical works and expenditure must be completed within the allowable time limits for AGRN 1030/1034. Council must commence works by within 12 months of executing the funding instrument.

How funding is paid

TfNSW will be responsible for making milestone payments to successful Councils in accordance with the reporting milestones outlined in the schedule.

MILESTONE	% OF FUNDING TO BE PAID	FINANCIAL MILESTONE	DOCUMENTATION TO BE PROVIDED TO TFNSW
MILESTONE 1	10%	Agreement and Initial Planning	<ul style="list-style-type: none"> • Milestone Certificate • A completed Category D Form 306 approved • Completed Contractor Statement
MILESTONE 2	20%	Design Phase	<ul style="list-style-type: none"> • Milestone Certificate • IFT or IFC Drawings • Final estimate • Tender assessment report • Completed Contractor Statement • Updated Simplified Project Plan and Project Benefits
MILESTONE 3	40%	Construction Commencement (Start of Construction)	<ul style="list-style-type: none"> • Milestone Certificate • Updated Simplified Project Plan and Project Benefits • Photographic evidence of Construction Commencement (including metadata showing date and location) • Photographic evidence of installed signage acknowledging funding contributed to the Project • Completed Contractor Statement

MILESTONE 4	30% or balance of funding, that can be substantiated by records, not exceeding total funding.	Project Completion	<ul style="list-style-type: none"> • Milestone Certificate • Project Completion Report, including photographic evidence (including metadata showing date and location) and • Final certificate of expenditure including General Ledger. • Completed Contractor Statement • Updated Simplified Project Plan and Project Benefits
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Project Variations

- Funding is specific and not transferrable.
- Additional funding beyond the approved amount is not available.

RTRF adheres to the variation requirements and processes outlined in the NSW Natural Disaster Essential Public Asset Restoration Guidelines.

In certain instances where the estimated project cost falls above the actual cost of a project due to special circumstances, the council may have the entitlement to amend the estimated cost to reflect the variance.

The current approved special circumstances include (as per the current NSW Natural Disaster Essential Public Asset Restoration Guidelines and are subject to change):

- Geotechnical conditions that could not reasonably have been foreseen or investigated in the design period
- Previously unidentified Indigenous and cultural heritage discoveries
- Previously unidentified heritage discoveries
- Delays caused by subsequent eligible disasters
- Environmental conditions that could not have reasonably been foreseen (for example, threatened species discovery)
- Safety threats that could not reasonably have been foreseen (for example, asbestos discovery) or
- Critical reduction in water availability that could not reasonably have been foreseen or investigated in the design period.

The council is required to maintain comprehensive evidence demonstrating the encountered special circumstances. The evidence should outline why these special circumstances could not reasonably have been foreseen during the project's design period.

Council Reporting

Costs for all approved Council RTRF projects are to be reported and claimed (and evidenced) together with costs for associated IRW and certified estimates and claims for EPAR. Councils will be required to provide quarterly forecasting and actual expenditure reports from the signing of the funding instrument through to project completion.

The provision of a Project management plan, including risk management, forecasting, is required to support the successful delivery of the project. In line with current reporting monthly updates via the TfNSW Salesforce portal and meetings will be required. TfNSW will provide necessary additional reporting templates where applicable.

Monitoring and Evaluation

The RTRF will be evaluated against a series of Key Evaluation Questions which cover the domains of Appropriateness, Effectiveness, Efficiency, Impact and Sustainability. The key evaluation questions will depend on the specific nature of the event and availability to capture appropriate information, as per the

National Monitoring and Evaluation (NME) Framework.

Councils receiving betterment funding will be required to report, on an ad hoc basis, following future disasters, the impacts (avoided or incurred) to the betterment works.

Case-studies may be undertaken on completed projects. These will predominantly utilise information gathered from progress reporting and final claims, including designs and photographic evidence of damage to assets and completed works. Further information may be requested to assist in developing case-studies.

Public Acknowledgment

Public acknowledgement of joint Australian Government and NSW government DRFA assistance is required under Section 5.2 of the *Disaster Recovery Funding Arrangements 2018* available [here](#).

Prior agreement must be reached with the Australian Government on the nature and content of any events, announcements, promotional material or publicity relating to an eligible measure under the arrangements. This includes but is not limited to media releases, events, social media, signage and advertising.

To obtain the required agreement, RTRF recipients must contact Transport for NSW at RTRF@transport.nsw.gov.au, and Transport for NSW will in turn liaise with NSW Reconstruction Authority and Australian Government representatives regarding the events, announcements, promotional material or publicity.

All media events and materials (initial and subsequent) must adhere to the *Disaster Recovery Funding Arrangements 2018*.

Assurance activities

Councils may be required to provide documentation to support any assurance activities. These assurance activities may include, but are not limited to:

- audit
- site inspections
- obtaining relevant documentary evidence to support estimated reconstruction costs
- verification reviews on measures or projects
- quarterly project health checks

Goods and Services Tax (GST)

When claiming reimbursement of expenditure, the claimed amount must represent actual expenditure and exclude GST.

Procurement

When procuring goods or services, councils must align with the Local Government Act and their own procurement policy.

Disclaimer

Before applying for funding under this fund or making any decision, recipients should seek advice from their legal, business and financial advisers to determine their eligibility for, and the terms of the funding.

Transport for NSW does not guarantee or warrant and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

Transport for NSW recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness and relevance of such information.

Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

The RTRF documents are subject to change at any time at the discretion of Transport for NSW, in consultation with NSW Reconstruction Authority and NEMA.

Costs for the administration, monitoring and evaluation of the RTRF will be met from the total budget allocated for funding delivery under the RTRF.

If expenditure is in breach of the applicant's procurement standards, reimbursement of these costs is unable to be sought under the DRFA.

Record keeping

Councils must keep an accurate audit trail. DRFA records must be available for seven years from the end of the financial year the claim is acquitted by the Australian Government. For assurance purposes, the Australian Government may at any time, via TfNSW, request documentation from councils to evidence the State's compliance with any aspect of the DRFA. This may include but is not limited to access to project level information, to confirm acquittal in accordance with the DRFA.

Government Information (Public Access) Act

Recipients should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009 (NSW)*. Information that is deemed to be commercially sensitive will be withheld. The *Government Information (Public Access) Act 2009 (NSW)* makes government information accessible to the public by:

- Enquiring government agencies to make certain sorts of information freely available.
- Encouraging government agencies to release as much other information as possible.
- Giving the public an enforceable right to make access applications for government information.
- Restricting access to information only when there is an overriding public interest against disclosure.

Confidentiality and disclosure

All information submitted by the Council may be provided to NSW Reconstruction Authority and NEMA for the purposes of eligibility, project proposal appraisal or deed preparation. Councils should notify Transport for NSW when including any information of a confidential nature in their application.

Summary information about the project will be posted on Transport for NSW's website unless councils advise that they do not agree to its publication.

Information provided may be subject to future project audits and must be correct, including factual information about the road particulars (e.g. road traffic volume).

Conflict of Interest

Council must immediately provide written notice to Transport for NSW upon becoming aware of the existence or possibility of a conflict of interest and the Recipient agrees to comply with Transport for NSW's reasonable directions to appropriately manage the conflict of interest, within the timeframe stipulated by Transport for NSW in writing.

Fraud Control

TfNSW has a zero-tolerance approach to fraud and corruption and all staff are expected to call out behaviour which may be corrupt or unethical.

TfNSW commits to fraud and corruption prevention by:

- Proactively identifying and managing corruption risks and applying appropriate controls
- Honouring and embedding the Transport Code of Conduct and the Code of Ethics and Conduct for NSW Government Sector Employees by promoting staff awareness of fraud and corruption and its

triggers

- Fostering a culture of ethical safety by supporting and protecting people who report misconduct, and praising those who identify ethical safety risks and issues.

Complaints

Any concerns about RTRF or individual project submissions please write to RTRF@transport.nsw.gov.au.

If you do not agree with the way the Transport for NSW handled the issue, you may wish to contact the NSW Ombudsman via ombo.nsw.gov.au

Contact us and additional support

Contact details:

Website: <https://transport.nsw.gov.au/rtrf>

Email: RTRF@transport.nsw.gov.au

FAQs

Frequently asked questions and other resources to assist with applications are available at <https://transport.nsw.gov.au/rtrf>

Reference documents

[Disaster Recovery Funding Arrangements 2018](#)

[NSW Disaster Assistance Guidelines 2021](#)

[NSW Natural Disaster Essential Public Asset Restoration Guidelines](#)

[Natural Disaster Infrastructure Betterment in NSW – Vision 2022](#)

Appendix A – Eligible event and eligible councils

Eligible Events

The NSW Government declared multiple Local Government Areas (LGAs) as disaster declared with the Australian Government. These declarations are referenced as Australian Government reference number:

- AGRN 1030 Severe Weather and Flooding, Southern and Central West NSW Flooding from 4 August 2022 onwards, and
- AGRN 1034 NSW Severe Weather and Flooding, NSW Flooding from 14 September 2022 onwards

Eligible Local Government Areas

Given the RTRF's focus on Central West NSW, the following four (4) LGA's are eligible for application under the RTRF:

- **Cabonne Shire Council**
- **Parkes Shire Council**
- **Forbes Shire Council**
- **Lachlan Shire Council**

Appendix B

– Definitions

Category B - emergency works or immediate reconstruction works for essential public assets or essential public asset reconstruction works directly damaged by an eligible disaster back to the asset's pre-disaster function for which an estimated reconstruction cost has been developed, in accordance with the DRFA.

Category D - a measure requested by the state and agreed to by the Commonwealth that is an act of relief or recovery carried out to alleviate distress or damage in circumstances which are, in the opinion of the Commonwealth, exceptional.

Category D Form 306 – means a modified form 306 to include both Category B and D estimates and that is used as application form under these guidelines.

Direct Damage / Directly Damaged – physical damage and/or loss of functionality as a direct result of AGRN 1030 - NSW flooding: 14 September 2022 onwards and AGRN 1034 - Southern and Central West NSW flooding: 4 August 2022 onwards.

Immediate Reconstruction Works – activities following an eligible disaster to fully reconstruct an essential public asset, and where no essential public asset reconstruction works are required.

Betterment Works – works that repairing or building-back an asset that can better withstand future natural disasters while delivering benefits associated with improved resilience and generating productivity, economic and social outcomes.

Eligible Disaster Declaration Events – the disaster declared events listed in Appendix A of these Guidelines.

Eligible Transport Infrastructure – Essential Public Assets that have undergone reconstruction works defined as one of the following:

- Transport assets – a Local asset that is an integral

part of the region's infrastructure and includes Essential Public

Assets associated with roads, road infrastructure (including footpaths, bike lanes, and pedestrian bridges), bridges, tunnels and culverts.

Eligible Undertaking – a body that is one of the following:

- Eligible local governments as identified in Appendix A

Essential Public Asset – An asset which must be a transport or public infrastructure asset of an eligible undertaking which, the state considers an integral part of a State's infrastructure and normal functioning of a community.

Reconstruction cost – The estimated cost of reconstruction of an essential public asset damaged by an eligible disaster and calculated in accordance with the DRFA.

Essential Public Asset Reconstruction Works – Reconstruction works on an Eligible Transport Infrastructure Directly Damaged by an eligible disaster for which an estimated reconstruction cost has been developed. Being the like-for-like or repair to restore the infrastructure to its pre-disaster function/condition without enhancements other than restoration to current standards.

Re-damaged – an asset is considered to be re-damaged if it is Directly Damaged by an eligible disaster and suffers further damage in the same location from a subsequent eligible disaster prior to the commencement or completion of eligible restoration or replacement activities in response to the first eligible disaster.

Resilience – reducing the risk of impact to an asset over its lifecycle to better withstand natural disasters, while simultaneously improving the ability to respond, recover and adapt after asset disruption.

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RTRF@transport.nsw.gov.au

8 April 2024
Regional Transport Resilience Fund Guidelines
ISBN: 978-1-922875-94-5

