



Transport
for NSW

NSW Boating Now Round 3

Boating Infrastructure Emergency Repair Pool

Grant Guidelines

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1 Overview

1.1 Introduction

On 11 October 2019, the NSW Minister for Transport and Roads launched Round 3 of the NSW Boating Now Program.

\$28 million has been allocated to Round 3, which is now open to local government, government agencies and authorities, community groups, the private sector and other boating stakeholders to apply for grant funding. The Program will continue to support infrastructure projects that improve boating access, amenities and safety and will support the infrastructure outcomes at the key investment locations of the [Maritime Infrastructure Plan 2018](#), as well as locally important improvements to boating infrastructure and amenities that enhance local boating activity and experiences.

The Program funding comes from boating licence and registration fees which are reinvested back into initiatives that improve boating in local communities.

In addition to planned infrastructure improvements, the NSW Government recognises that after certain natural events, such as storms or floods, financial assistance may also be required to repair damaged infrastructure. The aim of this funding is to speed up the delivery of repairs to return the infrastructure into service. Under Round 3 of the Boating Now Program, the Boating Infrastructure Repair Pool (BIERP) will provide this funding. Where the repairs are covered by insurance, repayment of grants under this element may be sought.

1.2 About the BIERP

The BIERP provides a funding mechanism for repair or replacement of recreational boating infrastructure that is lost or damaged in natural events such as storms and floods and extends assistance to events such as acts of vandalism, theft or accidental damage.

The BIERP runs from 25 October 2019 until 1 July 2022 and is administered by Transport for NSW (TfNSW). Funding requests for emergency repairs can be received at any time by completing and submitting the relevant application form and supporting documentation.

1.3 What the BIERP funds

Repair or replacement of publicly owned recreational boating facilities may be eligible for funding under the BIERP. These facilities include recreational jetties and wharves, boat ramps, pontoons, pump out facilities, slipways, storage facilities, parking areas and some supporting amenities, provided that the asset owner has appropriately insured and maintained the asset.

Funding for boating infrastructure that is owned by a registered club or voluntary organisation may also be considered, provided that the facility significantly benefits boaters and is publicly accessible.

Recipients may be eligible for funding of up to 100 per cent of the repair or replacement costs, up to a total of \$500,000 per asset, provided the asset owner can demonstrate that the asset has been appropriately insured and maintained prior to the loss or damage occurring.

1.4 How the BIERP Works

Following loss or damage of boating infrastructure, the asset owner may submit a Grant Application Form (**Appendix A**) to TfNSW requesting funding assistance under the BIERP.

TfNSW will assess the grant in accordance with the guidelines established in this document.

Under most circumstances, the asset will be insured and the asset owner will also submit a claim for the loss or damage with an insurer (usually the Treasury Managed Fund, if the asset is state owned; or a private insurer if the asset is underwritten for local government or a club or voluntary organisation). Funding under the BIERP is generally intended to expedite repair or replacement of the asset prior to the resolution of this claim, which may take an extended period to be resolved. In such instances the asset owner will be required to reimburse TfNSW for the value of the grant upon successful payment of claim by the insurer.

There are likely to be numerous scenarios where an insurance claim cannot be lodged because the nature of the claim is not covered by the insurance policy, or the asset is not appropriately insured. In these circumstances, TfNSW may determine to pay for the repair or replacement of the asset solely at its expense or may seek a contribution towards the replacement cost of the asset from the owner.

TfNSW reserves sole discretion to determine whether to fund any grant application under the BIERP. TfNSW may consider providing assistance if the asset is uninsured or improperly maintained in certain circumstances, such as cases of exceptional hardship or significant public benefit, but generally will not do so.

The BIERP provides benefits to all parties by allowing for prompt repair or replacement of recreational boating infrastructure prior to receipt of payment from the insurer, and thereby earlier resumption of use than would otherwise occur. It also ensures that most of the expenditure under the BIERP is recouped at minimal cost to Government or the asset owner, allowing ongoing reinvestment of the funds elsewhere in the Maritime program, or for future repair/replacement works.

1.5 The BIERP application and payment process

- A recreational boating asset is lost or damaged in an event or act.
- The asset owner contacts TfNSW via mido@rms.nsw.gov.au to ascertain if the repair works may be eligible for BIERP funding.
- If the repair works are considered eligible, the asset owner is encouraged to submit a BIERP funding application that includes evidence of the damage and a cost estimate of the proposed repair works.
- TfNSW assesses the application based on the cause of the damage, the urgency of the repairs, the asset owner's cost estimate and the program eligibility criteria and makes a recommendation to the relevant delegate for approval.
- If approval of funding is provided, a Letter of Offer is issued to the asset owner.
- The asset owner completes the eligible works and seeks reimbursement by submitting a completed certificate of expenditure.
- TfNSW verifies the value of the completed works, that the works have been undertaken in accordance with the Letter of Offer and makes a recommendation to the relevant delegate for payment of the BIERP funding.
- The asset owner is reimbursed if payment is approved. Note that all payments under BIERP are made exclusive of GST.
- If the asset is insured and an insurance claim by the asset owner is successful, the asset owner reimburses TfNSW for its expenditure.

2 BIERP Particulars

2.1 Nature of financial assistance

The financial assistance is in the form of whole or partial reimbursement of actual expenditure for repair or replacement of the damaged or lost asset. In certain circumstances TfNSW may consider provision of up-front capital for repair or replacement costs. In this case, the asset owner will still need to provide the appropriate supporting documentation to support the expenditure, such as the project ledger and copies of paid invoices.

2.2 Asset owners role and responsibilities

It is the responsibility of the asset owner to lodge the Grant Application Form and to arrange for the physical restoration of their asset(s) in consultation with TfNSW. The asset owner must also ensure that if an insurance policy is held, an appropriate claim is filed with the insurer, and any subsequent payment of claim from the insurer to the asset owner is passed on to TfNSW, up to the value of the grant provided by TfNSW to the asset owner.

2.3 Cost collection

A record of all costs incurred is required to be maintained. The breakdown of costs should be sufficiently detailed to enable TfNSW assessors to determine if the claimed amounts are fair and reasonable. Should an audit of the asset owner's expenditure be necessary, the asset owner will be responsible for the costs incurred.

2.4 Evidence of damage

Photographic evidence of damage will aid in establishing the claim for financial assistance. It is recommended that the asset owner photograph areas of extensive damage before undertaking any repairs and submit the photographs of damage with its grant application. The asset owner should also keep records that demonstrate any other costs incurred during this process.

2.5 Inspection of works

The asset owner must make available suitable officers to assist any TfNSW inspection of proposed or completed works and provide any additional information that TfNSW requests to facilitate assessment of the claim.

2.6 Insurance and self help

Assistance is not to supplant or operate as a disincentive for self-help by way of either commercial insurance or appropriate strategies of disaster mitigation and asset maintenance and planning. Asset owners are expected to take out appropriate insurance cover.

Damage to any asset must be directly attributed to an event and should not include normal maintenance operations, particularly for assets which were in a poorly maintained state at the time of the event. Asset owners may be required to supply records of maintenance on items and assets in question.

While BIERP funding is intended to provide immediate assistance to repair or replace an asset prior to the settlement of a claim by the insurer, insurance and insurance excess is not covered by the BIERP and it is a condition of acceptance of the grant that any payment made by the insurer to the asset owner must be passed on to TfNSW, up to the value of the grant provided to the asset owner. The asset owner must claim on insurance where available for

any damaged item. The financial assistance provided by the grant notionally covers the gap or difference between the insurance payout (including the insurance excess) and the total cost to restore the item, should an insurance claim be made.

2.7 Uninsured items

Restoration of damage to uninsured assets will be considered. However, claims relating to items that could reasonably be expected to be insured may be disallowed as financial assistance is not to take the place of normal insurances.

2.8 Building standards

Assistance is generally provided to restore an asset to the equivalent of its pre-loss or damage standard, subject to current planning and developmental controls and building standards.

2.9 Betterment

Any request for betterment works will be considered, particularly if the loss or damage was the result of an event which is now foreseeable, and betterment of the facility (such as constructing it to a new code or standard, lifecycle or more appropriate material) may result in improved longevity, safety, accessibility or value for money.

2.10 Inadequate maintenance

Routine maintenance of assets is not eligible for funding under the BIERP and the restoration of damage that can be largely attributed to inadequate design, inadequate maintenance or faulty construction, may also not be eligible for assistance.

Asset owners are required to conduct appropriate routine maintenance of their assets, and only assets for which the owner can provide routine or periodic asset maintenance plans or schedules that evidence an appropriate level of maintenance has occurred, will be eligible for funding in the event of loss or damage.



Transport
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Boating Infrastructure Emergency Repair Pool

Appendix A - Grant Application

This Grant Application should be read closely in accordance with the Boating Infrastructure Emergency Repair Pool Grant Guidelines.

Please fill in sections 1-5 of the Boating Infrastructure Emergency Replacement Pool – Grant Application Form. Forms will expand as you provide additional information.

Please send the completed form, including all supporting attachments, to mido@rms.nsw.gov.au. Receipt of your application will be provided within 7 days.

Applicant Response

Section 1 – Respondent details

Please identify key information about the key contact person and organisation requesting funding support:

Organisation	
ACN/ABN	
Registered Office Address	
ACN / ABN	
Applicant Name	
Position	
Postal Address	
Contact Phone	
Contact Email	

Section 2 – About the asset

Please confirm key details of the asset that has been lost or damaged for which funds are sought:

Asset name	
Asset Location (street address if applicable)	
Who owns the asset?	
Who owns the land the asset is located on? State all if multiple.	
What is / was the asset? Eg Pontoon, Jetty, Boat Ramp, Dinghy Storage.	
What needs to be repaired / replaced? Please list all major components where funding is sought, or state total asset.	
What is the estimated cost of replacement? Please list major components.	

Section 3 - Insurance

Please confirm insurance arrangements relating to the asset

Is the asset currently insured? If No, go to section 4.	
If Yes, who is the insurer?	
How much is the asset insured for?	
Does the insurance adequately cover the asset for the event that has led to its loss or damage?	
Has the insurer been notified of the claim?	
Has the insurer determined the claim? If so, what was their determination?	

Section 4 – Other information

Please confirm key details of the asset that has been lost or damaged for which funds are sought:

Planning – is replacement of the asset likely to require new planning considerations?	
Betterment – is there a need or desire to improve the facility beyond its pre – loss or damage condition? If yes, please identify proposed changes and why they are required, and any contribution the owner is willing to make towards the improvement.	
Boating Experience – please identify how the asset provides benefits to the boating community.	
Relationship to other applications – are there any other applications from the asset owner relating to loss or damage from the same event?	

Section 5 – Additional returnable attachments.

Please attach any relevant additional documentary evidence or statements with regard to the grant application.

Pre & post loss damage photographs	Any photographs of the asset, preferably in its pre and post – loss or damage condition.
Evidence of routine maintenance	Funding is not intended for routine maintenance or for losses that are the result of a failure to appropriately maintain an asset. Please provide evidence of conduct of routine maintenance, or an explanation if routine maintenance has not occurred.
Relevant insurance details	Statement of Insurance, or any other evidence of insurance for the asset, or correspondence with the insurer relating to this asset.
Financial information	Any quotes or costing for works required to replace or repair this asset, or for previous works to this asset, or quotes from similar works.
Any additional supporting information	Any other additional or supporting information.

Please send the completed form, including all supporting attachments, to mido@rms.nsw.gov.au. Receipt of your application will be provided within 7 days.