

## Fact Sheet

# Allowable Time Limits – DRFA Category B restoration of essential public assets

March 2026

This fact sheet is for local Councils and NSW State agency asset owners. It details information on Allowable Time Limits (ATL) under the NSW Essential Public Assets Restoration Disaster Grant Program Guidelines (NSW EPAR Guidelines) and the Disaster Recovery Funding Arrangements 2018 (DRFA) for Emergency Works (EW), Immediate Reconstruction Works (IRW), Essential Public Asset Reconstruction (EPAR) and the process on how to apply for an ATL extension.

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## Key definitions

- The NSW Reconstruction Authority (RA) is responsible for disaster recovery funding within NSW. RA will work with asset owners to identify when allowable time limit extensions are required to extend the lifecycle of the restoration program or project.
- An essential public asset refers to an eligible transport or public infrastructure asset which is owned and maintained, or operated and maintained, by an eligible undertaking in accordance with the DRFA.
- When EPAR works are approved for funding, RA will offer the asset owner a Total Upper Limit Grant (TULG), based on the Estimated Reconstruction Cost (ERC). The ERC is determined when the Disaster Recovery Funding Arrangements (DRFA) Category C3 control is executed – that is, when the reconstruction cost is formally approved by a suitably qualified professional.

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## What is an ATL under the DRFA?

Under the DRFA the NSW Government has a specific timeframe to incur expenditure that can be claimed under the cost share arrangement with the Australian Government. This timeframe to incur DRFA program expenditure is called an Allowable Time Limit (ATL). There are specific ATLs related to the restoration of essential public assets depending on the nature of works. For information on ATLs for non-EPAR expenditure refer to [Allowable Time Limit Fact Sheet](#).

Under Clause 12 of the DRFA, if the State is unable to comply with any clause, including the prescribed timeframes to incur expenditure, states can seek an exemption by notifying the Australian Government in writing via an ATL extension request form submitted by RA.

## Allowable time limits for DRFA Category B restoration works

Works type	Description	Allowable Time Limit
<b>Emergency works</b>	Urgent activities necessary following an eligible disaster to temporarily restore an eligible essential public asset to enable it to operate/be operated at an acceptable level of efficiency to support the immediate recovery of a community.	<p>Period to complete works and incur expenditure:</p> <p>Councils opted-in to the NSW Day Labour Co-Funding Arrangements - within 3 months from the date the damaged essential public asset becomes accessible*.</p> <p>Councils not opted-in to the NSW Day Labour Co-Funding Arrangements – within 21 days from the date the damaged essential public asset becomes accessible*.</p> <p>For more information on the NSW Day Labour Co-Funding Arrangements, refer to appendix A of the NSW EPAR Guidelines.</p> <p>*An essential public asset is considered to be ‘accessible’ when the disaster is no longer occurring at the specific location and where reconstruction workers and machinery can safely enter and exit the site of the damaged asset to undertake required works (e.g. flood waters have receded, bushfire is out/under control).</p> <p>Note: An extension of the ATL for EW may be requested where the asset owner was unable to complete the work due to:</p> <ul style="list-style-type: none"> <li>• competing reconstruction priorities associated with a significant program of works caused by a severe disaster or multiple disasters, or</li> <li>• the unavailability of specialised equipment/resources.</li> </ul>
<b>Immediate Reconstruction Works</b>	Immediate reconstruction activities following an eligible disaster to fully reconstruct an essential public asset, and where no essential public asset reconstruction works are required.	<p>Period to complete works and incur expenditure:</p> <p>Within 3 months from the date the damaged essential public asset becomes accessible.</p> <p>Note: if it is not possible to complete IRW within the 3 month timeframe, these works must be established under DRFA Clause 4.3.2 d) Essential Public Asset Reconstruction Works.</p>
<b>Essential Public Asset Reconstruction works – Estimated Reconstruction Cost (ERC)</b>	Reconstruction works on an essential public asset directly damaged by an eligible disaster to fully reconstruct the asset to its pre-disaster function.	<p>Period to establish the ERC for eligible EPAR works:</p> <p>The ERC must be established within 12 months after the end of the financial year in which the relevant eligible disaster occurred.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• an ERC is established when the ERC is approved (signed off) by the relevant Suitably Qualified Professional.</li> <li>• As per NSW EPAR guidelines councils must submit ERC applications to the administering agency within 6 months from the end of financial year in which the disaster occurred (unless otherwise agreed). This will allow RA to establish ERCs within the 12-month timeframe.</li> </ul>

Works type	Description	Allowable Time Limit
<b>Damage Evidence timeframes</b>	Damage Evidence is required in order to establish that the damage sustained to an essential public asset was a direct result of an eligible disaster	<p>EW &amp; IRW - no later than 3 months from the date that the damaged essential public asset became accessible to the council (21 days for councils not opted in to the Day Labour Co-funding arrangements).</p> <p>EPAR Works - as soon as reasonably practicable, but no later than 12 months from the eligible disaster. Damage evidence can be one or more of the following most appropriate means:</p> <ul style="list-style-type: none"> <li>• geospatial data, including satellite images</li> <li>• visual data, including photographs or video footage</li> <li>• asset inspection report/s conducted or verified by a suitably qualified professional</li> </ul> <p>An exemption to the damage assessment time period may be considered where exceptional circumstances are demonstrated.</p>
<b>Essential Public Asset Reconstruction (EPAR) works – project delivery</b>	Reconstruction works on an essential public asset directly damaged by an eligible disaster to restore the asset to its pre-disaster function.	<p>Period to deliver eligible EPAR works:</p> <p>As per NSW Government requirements, a project must be completed within 2 years after the end of the financial year in which the ERC was established. In exceptional circumstances, this timeframe may be extended with the approval of RA to 2 years and 9 months.</p>

### What is the process to request an extension to the Allowable Time Limit (ATL) for EW & IRW timeframes, or the period to establish ERC for EPAR projects?

1. Asset owner identifies exceptional circumstances and need for an extension to the ATL for works and consults with NSW Reconstruction Authority.
2. The Asset Owner provides information and supporting documentation to allow an ATL Extension Request Form to be completed to demonstrate exceptional circumstances, and submits the information via email [Reconstructioncoordination@reconstruction.nsw.gov.au](mailto:Reconstructioncoordination@reconstruction.nsw.gov.au)
3. NSW Reconstruction Authority reviews the information provided by the Asset Owner and finalises the ATL Extension Request Form then submits to NEMA for consideration.
4. NEMA provides advice within a reasonable timeframe (approximately 3 months from submission date).

### What is the process to request an extension to the delivery timeframes for an EPAR project?

1. Asset owner identifies need for an extension to EPAR project delivery timeframes beyond 2 years from end of financial year in which the project ERC was established and consults with NSW RA.
2. If a further 9 months extension required, councils should formally apply to the NSW RA for approval of this extension for completion within 2 years and 9 months from end of financial year in which the project ERC was established.
3. If additional time is required for project delivery (more than 2 years and 9 months) the Asset Owner must formally write to the NSW Reconstruction Authority via [Reconstructioncoordination@reconstruction.nsw.gov.au](mailto:Reconstructioncoordination@reconstruction.nsw.gov.au) with supporting documentation for consideration and approval.

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### Additional information

- NSW Reconstruction Authority Administration of Essential Public Assets Restoration website

<https://www.nsw.gov.au/departments-and-agencies/nsw-reconstruction-authority/disaster-recovery-funding-arrangements>

- [NSW Essential Public Assets Restoration Disaster Grant Program Guidelines \(2025\)](#)
- The Australian Government's Disaster Assist website; Disaster Recovery Funding Arrangements (2018) [disasterassist.gov.au/disaster-arrangements/disaster-recovery-funding-arrangements](https://disasterassist.gov.au/disaster-arrangements/disaster-recovery-funding-arrangements)

For further support please email [Reconstructioncoordination@reconstruction.nsw.gov.au](mailto:Reconstructioncoordination@reconstruction.nsw.gov.au).