

Fact sheet

Essential Public Assets - Eligibility examples

November 2025

This fact sheet is for local councils and state agency asset owners. It provides information and examples on essential public assets under the NSW Essential Public Assets Restoration Disaster Grants Program Guidelines (the guidelines).

Key definitions

- An asset owner refers to a local government entity (councils) or other state government agency (such as Transport for NSW in relation to State Roads)
- 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 National Disaster Recovery Funding Arrangements 2018 (DRFA).

Eligibility examples and scenarios

The examples and scenarios in this fact sheet relate only to essential public assets that have been damaged as the direct result of an eligible disaster. The asset owner must be able to provide evidence of the eligible asset's pre-disaster condition and its corresponding damage as outlined in the [Fact Sheet: Essential Public Assets – evidence requirements](#).

Examples of eligible Emergency Works

This section provides practical examples of Emergency Works that are eligible for funding when essential public assets are directly impacted by an eligible disaster.

Removal of green waste and other debris

Emergency clean-up and disposal of trees, branches, leaves and other debris from essential public assets (including mud from built surfaces) is eligible for assistance.

Clean-up of stormwater assets

Clearance of blockages and debris removal from stormwater assets is eligible. However, silt removal deposited by an estuarine environment interfacing with the stormwater system is not eligible for funding.

Livestock and other animal carcasses

Animal carcasses on essential public assets may be removed as part of Emergency Works. Carcasses in other areas (including beaches) remain the responsibility of the landowner, including

councils. The NSW Department of Primary Industries and Regional Delivery may provide assistance to remove carcasses from areas that are not essential public assets under the [NSW Disaster Assistance Guidelines 2021 \(D.6 Removal and Disposal of Animal Carcasses\)](#).

Make-safe of trees that are damaged by an eligible disaster

Trees, branches and other green waste deposited onto an essential public asset as a direct result of an eligible disaster may be removed and disposed of under Emergency Works.

Emergency Works may include works to make-safe any dangerous trees or branches situated on an essential public asset and which threatens the safety and normal functioning of an essential public asset. For example, a tree standing within a road reserve which threatens to fall onto the road may be removed or rendered safe as part of Emergency Works.

Make-safe works on trees that are not situated on an essential public asset are not eligible for Emergency Works funding. For example, the removal of trees and green waste from sporting, recreational and community areas, beaches, residential properties and commercial properties is not eligible. Responsibility for these works remains with the landowner. However, in specific circumstances, the NSW State Emergency Service or a delegated emergency services organisation may be available to render-safe a dangerous tree as part of its counter-disaster operations.

Placement of temporary warning signs and barriers

Emergency Works may include the placement and removal of temporary warning signs and barriers to prevent an essential public asset from being used.

The need to prevent the use of a damaged essential public asset may arise due to the elevated risks and dangers posed by its damaged condition, or to prevent further damage from occurring.

Temporary repair works

Emergency Works may include temporary repair works that allow an essential public asset to perform some or all of its pre-disaster function. These works are not the same as the permanent reconstruction works which may be claimed under Immediate Reconstruction Works and Essential Public Asset Reconstruction Works. Examples include:

- a make-shift timber guard rail is constructed on a bridge that has been damaged by flooding, to temporarily replace a steel guard rail that has been dislodged and lost downstream
- the deployment of a portable pre-fabricated truss bridge (such as a Bailey bridge) to temporarily perform the function of a permanent bridge that has been damaged and is undergoing reconstruction
- temporary gravel re-sheeting
- temporary pothole repairs
- temporarily re-instating a washed-out bridge or causeway approach.

Works to make the road trafficable for adjoining landholders

Emergency Works may include works to make a road trafficable for adjoining landholders. This may include the construction of a temporary diversion within the road reserve, through private property or other land (where agreement is given) to allow vehicles to by-pass the damaged section of the road that requires permanent reconstruction.

Examples of eligible Reconstruction Works

This section outlines examples of eligible Immediate Reconstruction Works and Essential Public Asset Reconstruction Works.

Pavements

Damage may have been sustained as a result of inundation or fallen debris and materials on the road pavement.

Pavements must only be returned to their pre-disaster function type, unless complementary funding is provided by the asset owner. For example, formed, unsealed gravel, sealed gravel, asphalt, concrete.

The width of the pavements must be returned to the width that existed prior to the eligible disaster, unless complementary funding is provided by the asset owner. For example, 8 metre unsealed, or 6 metres sealed and 2 metres unsealed.

Sealed Pavements

For the minor repairs and isolated heavy patching of sealed roads, the repair methodology should consist of standard treatment types that would be applied to the asset if it were not damaged in an eligible disaster and consistent with the adjacent components of the asset that were not damaged.

For the full reconstruction of a damaged length of sealed road to its pre-disaster function, the proposed treatment is to be consistent with the pre-disaster capacity and pre-disaster layout and materials but must be reconstructed in accordance with current engineering standards for the road type. Where the pre-disaster design exceeds the minimum requirements to deliver the required asset function in accordance with the current engineering standards then the cost to restore the asset to its pre-disaster standard is eligible.

Unsealed Gravel Pavements

For the reconstruction of unsealed gravel pavements, a minimum depth of material that must be present to effectively repair the asset to its pre-disaster function from a constructability perspective is 75 mm.

Some asset owners may consider a 100 to 150 mm re-sheet to be the most economical approach from a whole of life perspective when undertaking periodic re-sheeting. However, the eligible costs for the Essential Public Asset Reconstruction works is based on the minimum depth of material of 75 mm.

Eligible costs that could be claimed for repairing an unsealed road damaged by an eligible disaster would be the depth of gravel lost as a direct result of an eligible disaster, in addition to the costs related to any additional gravel required for constructability purposes to meet minimum material thickness requirements.

Where the asset owner is not able to provide evidence of the pre-disaster gravel depth, then evidence of the remaining depth of gravel post disaster must be provided and will be used to determine the claimable costs to restore the total gravel depth to 75mm.

Table 1 provides example scenarios for greater clarity, noting that in all circumstances, the asset owner would need to provide confirmation of the amount allowed for each essential public asset restoration works and obtain RA approval.

Table 1: Unsealed roads gravel depth eligibility scenarios

Base depth prior to event (mm)	Loss of gravel depth due to event (mm)	Remaining depth (mm)	Claimable costs (Cat B)	Post construction depth (mm)	Claimable cost
100	25	75	25	100	Loss of gravel due to eligible event
100	100	0	100	100	Loss of gravel due to eligible event
50	25	25	50	75	Loss of gravel and additional gravel required to effectively repair road.
25	25	0	75	75	Loss of gravel and additional gravel required to effectively repair road.

Formed Only roads

For roads that are formed only and did not have any pavement material incorporated pre-disaster, only the costs to restore the road to its pre-disaster formation are eligible.

Formation and seal width

The formation and seal widths of a damaged road asset must be reconstructed to the same widths that existed prior to the eligible disaster, unless they do not meet the minimum current engineering standards or complementary funding is provided by the asset owner.

Changes to the alignment of the road can only be altered from what existed prior to the eligible disaster where it can be demonstrated that there are no additional costs incurred as part of an alternate solution or where complementary funding is provided by the asset owner.

Culverts and stormwater drainage structures

Repair of damage to kerb and gutter, urban stormwater drainage systems, retention/detention basins, and longitudinal and cross drainage systems that are an integral part of the road formation are eligible for reconstruction works.

Culverts and drainage structures that are destroyed, displaced or damaged beyond economical repair are eligible for reconstruction works.

The capacity of the culvert or drainage structure is only eligible for reconstruction to its pre-disaster function, unless it does not meet the minimum current engineering standard, an alternate solution is approved, or complementary funding is provided by the asset owner.

For damaged drainage assets requiring reconstruction or replacement the reconstruction treatment is to provide for the current required engineering standard in terms of flow capacity, scour prevention treatments, and meet NSW Department of Primary Industries and Regional Development (Part 7 *Fisheries Management Act*) regulatory requirements regulatory requirements. Materials used in the reconstruction are to reflect the current engineering standards with regard to the grade of the drain to ensure the reconstructed asset is not at risk of further failure or damage due to not meeting the current engineering standards.

Bridges

Where a damaged bridge asset is required to be replaced, it must be reconstructed:

- using current design criteria and engineering standards, for example AS 5100 Australian Bridge Design Code
- providing the same service level in terms of the number of lanes and the deck height as its pre-disaster function (or better with use of an alternate solution or complementary funding) and

- using the most appropriate materials that meet current engineering standards (for example not timber unless specifically required by the *Heritage Act 1977* approvals).

Where a full reconstruction of a bridge structure is to be undertaken, the asset owner should contact RA to review the plans and specifications to confirm the eligibility, or part thereof, of the proposed replacement structure, before submitting a formal application for funding. Once the eligible scope is confirmed, the asset owner can prepare an estimated reconstruction cost through cost estimation or market response to allow for the submission of an Essential Public Asset Reconstruction Works application.

If an asset owner proposes to reconstruct and alter the pre-disaster function of a damaged bridge, for example, improved flood immunity, or increased number of lanes, an alternate solution or complementary funding by the asset owner is required. The amount of complementary funding required by the asset owner will be calculated based on the difference between the estimated reconstruction cost for the eligible restoration works in accordance with the Essential Public Asset Function Framework, and the total project costs for the alternate solution. Refer to the NSW Reconstruction Authority Fact Sheet: Essential Public Assets – defining function, standards for works and alternate solutions for further information.

Damaged heritage-listed bridge structures (those listed on the [NSW Heritage Register](#)) must be individually assessed by the relevant approval authority to determine the appropriate repair or replacement strategy, and approvals required. The restoration works required for the bridge structure, to ensure these legislative requirements are met, are eligible under the DRFA. In some cases, the historical structure may be replaced to the original design appearance where feasible, even though this would be more expensive than building a contemporary structure. If the bridge is locally listed the asset owner will need to ascertain whether they need a Development Application or a Heritage Exemption Certificate. For state-listed items, asset owners will likely need approval from Heritage NSW under the *Heritage Act 1977*. Contact Heritage NSW for specific guidance. For complex projects or state-listed timber truss bridges, you may need to consult a detailed bridge-specific Conservation Management Plan.

Partial damage to bridge structures, such as scour to bridge abutments and piers, or loss or damage to scour protection structures, can be reconstructed to ensure that the structural integrity and the pre-disaster function of the structure are sustained.

Scour or damage to the natural watercourse/streambed that does not impact on the structural integrity of the bridge structure is ineligible.

Causeways/floodways

Any damaged causeway or floodway must be returned to its pre-disaster function. For example, if it was a gravel causeway this form must be adopted for the reconstruction works, unless an alternate solution is approved or complementary funding is provided by the asset owner.

Where gravel from an unsealed causeway has been partially displaced (for example, 150 mm thick pavement suffering 50 mm of displaced gravel), the volume of material displaced should be replaced and blended into the remaining material to achieve an appropriate depth of pavement as per the pre-disaster function.

The positioning of the causeway or floodway may be altered when following the eligible disaster the watercourse has shifted/re-aligned. The causeway/floodway must be designed to suit this altered natural watercourse in accordance with current engineering standards and providing the same flood immunity that existed in the previous location.

Where the replacement structure is required by NSW Department of Primary Industries and Regional Development (Part 7 *Fisheries Management Act*) to be upgraded to meet fish passage requirements, the minimum cost to replace the structure to meet these requirements using current engineering standards is eligible. Asset owners must obtain formal approval from NSW Department of Primary Industries and Regional Development for the replacement structure as evidence of the legislative requirement for the upgrade and provide this as part of their funding submission.

Embankments and batters

Road embankments and batter slopes are considered a part of the essential public asset of the road network.

Following an eligible disaster, common forms of damage include scours, cut failures (shallow or deep) and embankment failures (shallow or deep). Where damage is sustained to road embankments and batters, an assessment is to be undertaken in line with the NSW RMS Guide to Slope Risk Analysis. This risk assessment provides a means for categorising the risk, slope instability and prioritising the risk management of the slope.

Investigative techniques (for example, geotechnical testing) are considered eligible for funding, where it is already evident that an essential public asset has been directly damaged by an eligible disaster, and the investigative techniques are used as part of the reconstruction works (for example, to determine the extent of that damage and/or identify the reconstruction option).

The eligibility of the proposed treatment should be assessed on the basis that, following the proposed treatment, the Assessed Risk Level (ARL) of the embankment slope or batter shall be the same ARL or one better than what existed pre-disaster – for example, if the ARL pre-disaster was a 3, the ARL following the treatment is to be either a 3 or a maximum of 4).

For specific reasons such as cost benefit analysis and a site-specific evaluation of acceptable risk, if an asset owner adopts a solution that does not bring the risk level to ARL4 or better (that is, where any residual risk exceeds ARL4 level), the asset owner must provide a risk management plan for the asset.

Roadside furniture, delineation and Intelligent Transport Systems (ITS)

Any damaged road furniture, delineation and line marking or ITS must only be reconstructed to the same pre-disaster function (such as quantity, form and type unless the current relevant engineering standard stipulates differently), unless an alternate solution is approved or complementary funding is provided by the asset owner.

Other

Only damaged fencing that is considered controlled access to the road asset is eligible.

Where an essential public asset may have aspects that are owned by more than one agency (for example, railway level crossing) an assessment is required to determine which components may be considered an essential public asset.

Eligibility scenarios

Table 2 outlines some possible scenarios to assist users to apply the guidelines, listed in alphabetical order by essential asset type:

- bridge structure
- drainage/culverts
- embankment/batters
- floodways
- levees
- road – sealed
- road – unsealed
- signs/fencing/guardrail
- tree removal

Table 2: Examples of damaged asset types, scenarios, and corresponding eligibility assessments

Asset type	Scenario	Eligibility assessment
Bridge structure	A timber bridge has been made structurally unsound by the recent flood event and is required to be replaced.	Restoration of the bridge to its pre-disaster function is eligible, subject to the requirements of the guidelines. RA will allow the use of concrete and/or steel components for the bridge restoration, in lieu of timber components, to meet current engineering standards.
Bridge structure	A recent flood event caused serious erosion around the abutments and pier footings of a bridge. The floodwaters washed away the creek banks around the pile caps and foundations. An engineering report determined that: a) the remainder of the bridge is structurally sound and b) the required treatment involved further piling to reinforce the footings and rock protection works.	As an engineering report determined that the piling and the rock protection works were the most cost-effective solution, the cost to perform this work is eligible for funding.
Drainage/ culverts	The entire length of a three cell 600 mm diameter culvert has been damaged by floodwaters. The original three cell 600 mm diameter culvert was designed to Q20 flood immunity. The current engineering standard for this location stipulates that Q50 flood immunity should be provided with four cells to comply.	The replacement of the three cells of the 600 mm diameter culvert does not meet the current engineering standards, hence replacing the damaged culverts with four cells of 600 mm as stipulated in Q50 is eligible. An exception to the example above would arise if it were evident the asset owner had installed the culvert at a time when the current engineering standards already applied. In this case the asset owner should have enhanced the damaged asset prior to the eligible disaster to meet current engineering standards. In this instance, the asset owner would be required to contribute the amount of funding it should have spent prior to the disaster, to enhance the asset.
Drainage/ culverts	A section of V-drain adjacent to a road in flat terrain has been scoured because of a flood event and is contributing to the saturation and damage of the adjacent pavement. The current engineering standard requires a trapezoidal drain.	The cost of constructing the trapezoidal drain is eligible for funding. An exception to the example above would arise if it is evident the asset owner had installed the V-drain at a time when the current engineering standards already applied. In this case the asset owner should have replaced the damaged asset prior to the eligible disaster to meet current engineering standards. In this instance, the asset owner would be required to contribute the amount of funding it should have spent prior to the disaster, to replace the asset.

Asset type	Scenario	Eligibility assessment
Drainage/ culverts	<p>A stormwater pipe, collecting water from the road, travels under private property and outlets in a local creek.</p> <p>During an eligible disaster, the creek floods, and the headwall and last pipe length are washed away.</p>	As the pipe collects water only from the essential public asset (the road), the work is eligible.
Embankment/ batters	<p>A section of batter has slipped/eroded due to a flood event. This batter had some grass cover and natural vegetation on the slope prior to the eligible disaster.</p> <p>Geotechnical investigations are undertaken, investigating a range of treatment options and recommending an effective solution providing value for money.</p> <p>The engineering report demonstrates that soil nailing and a shotcrete protection to the batter is the only viable and cost-effective solution.</p>	<p>In circumstances where it is not possible to restore the damaged essential public asset to its pre-disaster capacity, layout or materials, the pre-disaster function and ultimately the estimated reconstruction costs may be adjusted to incorporate the most economically comparable alternative reconstruction option.</p> <p>In accordance with this provision, the cost of using soil nailing and shotcrete protection to stabilise the slope is eligible as it has been demonstrated to be the only viable and cost-effective solution.</p>
Embankment/ batters	<p>A mountain side washes out, depositing large amounts of debris and large rocks onto the road and beyond.</p> <p>A geotechnical assessment recommends the removal of loose rocks from the exposed face, placement of geotextile matting on the face and the installation of a rock catch fence to prevent future rockslides ending on the roadway.</p>	<p>Removal of debris, loose rocks and placement of matting is eligible for funding.</p> <p>The installation of a rock catch fence is considered eligible for funding if there is a geotechnical assessment that concludes the catch fence is required to ensure the safety of the road. If this is not included in the geotechnical assessment and the asset owner would like to install the fence, it would have to provide complementary funding to cover the additional cost.</p>
Embankment/ batters	<p>A local road is split level, with a steep embankment/cut between the two travel lanes for a length of about 100 metres.</p> <p>A 10 metre length of the batter slumps, washing away part of the higher roadway.</p>	<p>Only the treatment of the damaged section (10 metres) is eligible.</p> <p>If the asset owner proposes constructing a retaining wall for the full 100m length it is considered complementary works and the treatment of the undamaged 90 metres is ineligible for funding. If the asset owner would like to treat the undamaged 90 metres, it would have to provide complementary funding to cover the additional cost.</p>
Embankment	<p>A landslip undermines an off-road carpark and deposits large amounts of debris onto a children's playground.</p> <p>The land on which the landslip occurs is not part of an essential public asset.</p>	<p>The cost of restoring the carpark is not eligible for funding because off-road carparks are not considered to be essential public assets.</p> <p>The cost of removing the debris from the playground, and restoration of damaged play equipment is not eligible for funding. This is because playgrounds and other recreational facilities are not considered to be essential public assets.</p> <p>The cost of restoring the landslip is not eligible for funding because the land is not part of an essential public asset.</p>

Asset type	Scenario	Eligibility assessment
Floodways	<p>A concrete floodway remains structurally sound after a recent eligible disaster, but the embankments at the approaches have been severely scoured and washed out, resulting in a large gap between the floodway and the eroded embankment/road. The floodway could be extended by 10 metres to cross the gap left by the erosion.</p> <p>An engineering report outlining the recommendations for restoration of the floodway is required.</p>	<p>If a new floodway is proposed by the engineer, the cost to reconstruct the floodway to the same level of service (pre-disaster function) is eligible for funding.</p> <p>As the flood event changed the surrounding environment by eroding the embankments and widening the water course, reinstatement of the embankment is not a suitable restoration option. The only option is to extend the floodway to suit the new environment. Therefore, the additional length of the floodway is eligible for funding.</p>
Levees	<p>A 5 kilometre flood levee was assessed prior to an eligible disaster and found to have 2 unacceptable defects.</p> <p>Following an eligible disaster, the levee has slumped at the location of the two unacceptable defects, identified prior to the disaster, and at 3 other locations.</p> <p>The asset owner can demonstrate that the damage at the three other locations is the direct result of the eligible disaster.</p>	<p>Restoration of the flood levee is not eligible for funding at the locations where the 2 unacceptable defects were identified prior to the eligible disaster. The asset owner must provide its own funding to restore the levee at these locations.</p> <p>However, at the 3 other locations, where damage has been demonstrated to be the direct result of the eligible disaster, the asset owner is eligible for funding to restore the damage.</p>
Road – sealed	<p>The ‘inner’ and ‘outer’ wheel paths in both traffic lanes of a section of two-lane road have been damaged.</p>	<p>The full width reconstruction of the road for the damaged section is eligible for funding.</p>
Road – sealed	<p>There are isolated patches/areas of a road that have been damaged by a recent flood event, where the existing seal has been broken.</p>	<p>The reconstruction of the part-width and the required seal (initial primer seal and final seal) for damaged areas are eligible.</p> <p>If the asset owner proposes a higher order treatment (for example half or full-width reconstruction) it must be demonstrated that this higher order treatment is more economical in total than the part-width pavement rehabilitation as part of an alternate solution after the EPAR is established. Otherwise, this treatment could be undertaken if the asset owner contributes complementary funding.</p>
Road – sealed	<p>A single lane road is damaged to the full formation width of 8 metres. The road includes a current seal width of 4 metres.</p>	<p>The reconstruction of the full 8 metres formation and the 4 metres seal is eligible for funding.</p>
Road – sealed	<p>Sections of pavement on a sealed road have been inundated with water, and the seal has broken away from the pavement and/or wheel rutting is >80 mm.</p>	<p>Subject to provision of evidence demonstrating the asset damage is a direct result of the eligible disaster, the reconstruction works to the same pre-disaster function on damaged sections are eligible.</p>

Asset type	Scenario	Eligibility assessment
Road – unsealed	<p>An 8 metre section of 1200 metres of unsealed road has been damaged.</p> <p>The asset owner can provide evidence demonstrating gravel depth of 100 mm before the eligible disaster.</p> <p>The asset owner proposes formation grading and gravel re-sheeting on the damaged 8 metre unsealed road to achieve a maximum depth of 100 mm. The existing width is being maintained, meeting the pre-disaster function framework requirement.</p>	<p>In this example eligible funding is available to cover the costs to restore the asset to the same gravel thickness it had prior to the damage caused by the eligible disaster including the formation grading required to incorporate the material. This is provided the asset owner can clearly demonstrate the thickness of gravel the damaged section had before the eligible disaster.</p> <p>If the asset owner cannot provide pre-disaster condition evidence/records of the gravel thickness, gravel re-sheeting restoration costs are limited to what is required to achieve a minimum gravel depth of 75 mm, and the formation grading is eligible for funding.</p>
Road – unsealed	<p>Multiple locations on an unsealed road have been damaged and suffered gravel loss.</p> <p>The gravel loss is confined to sections where the pavement was completely inundated by fast-flowing waters.</p> <p>The asset owner can demonstrate pre-disaster condition but has no records of the gravel depth present pre-disaster exceeding 75 mm.</p>	<p>If the asset owner cannot provide evidence of the gravel thickness exceeding 75 mm pre-disaster, gravel restoration costs are limited to what is required to achieve a minimum gravel depth of 75 mm in the damaged areas, and the formation grading required to incorporate the material is eligible for funding.</p>
Signs/fencing/guardrail	<p>A property/cattle perimeter fencing adjoining a road reserve was destroyed by a bushfire that was declared an eligible disaster.</p> <p>The fence is not considered to be on a Controlled Access road.</p>	<p>As the type of fence is not considered a controlled access to the road asset, the replacement of this fencing would not be eligible.</p>
Signs/fencing/guardrail	<p>A 2 kilometre section of road was damaged by an eligible disaster, which required the whole section to be reconstructed.</p> <p>Prior to the eligible disaster there were only three regulatory signs along the 2 kilometre section.</p> <p>Following the completion of the reconstruction works, a road safety audit identified the requirement for five regulatory signs.</p> <p>The current road safety engineering standard for this location requires five signs to comply.</p>	<p>The funding for 3 damaged signs and the 2 additional regulatory signs is eligible.</p> <p>An exception to the example above would arise, if it is evident that the asset owner had undertaken works on the damaged section of road when the current engineering standards applied and should have added the two additional signs prior to the eligible disaster to meet current road safety engineering standards. In this instance, the cost for the two additional signs would need to be funded by the asset owner.</p>

Asset type	Scenario	Eligibility assessment
Signs/fencing/guardrail	<p>The 20 metre section of guardrail on the approach to a bridge abutment was destroyed following high-velocity flows from an eligible disaster.</p> <p>The guardrail design was based on outdated engineering standards.</p> <p>The current engineering standard for this type of bridge abutment stipulates that the guardrail approach needs to be 30 metres to comply.</p>	<p>The cost to install the additional 10 metres of guardrail is eligible.</p> <p>An exception to the example would arise if it is evident that the asset owner had undertaken works on the damaged section of guardrail when the current engineering standards applied and should have installed the additional 10 metres guardrail prior to the eligible disaster to meet current engineering standards. In this instance, the asset owner would be required to contribute the amount of funding it should have spent prior to the disaster, to meet the current engineering standards.</p>
Signs/fencing/guardrail	<p>A creek runs roughly parallel to a local road. During an eligible disaster, the creek scours the road embankment out, narrowing the road and steepening the embankment.</p> <p>The road design was based on outdated engineering standards.</p>	<p>The asset owner proposes to reinstate the road to its previous width, such as its pre-disaster function, it also proposes to install a guard fence because the current engineering standards would require it due to the embankment profile and proximity.</p> <p>The reconstruction of the road to its original width prior to the eligible disaster and the installation of the guard fence to meet the current engineering standards are both eligible for funding.</p> <p>An exception to the example above would arise, if it is evident the asset owner had undertaken works on the damaged section of road when the current engineering standards applied and should have installed the guard fence prior to the eligible disaster to meet current engineering standards. In this instance, the asset owner would be required to contribute the amount of funding it should have spent prior to the disaster, to meet the current engineering standards.</p>

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

Contacts

For additional information or support relating to defining function, standards for works, and alternate solutions for the repair of disaster damaged essential public assets, please email Reconstructioncoordination@reconstruction.nsw.gov.au.