

PHASE THREE

Community Local Infrastructure Recovery

Program Framework



Message from the NSW Deputy Premier



The devastating February and March 2021 storms and floods caused considerable damage to social and community infrastructure across our regions. Such assets play a significant role in providing social and recreational amenity to residents and visitors, ensuring community cohesion and creating community character. It's the development of this 'character' that plays such an important role in strengthening community resilience and supporting broader recovery efforts.

Following the impacts of the storms and floods, prolonged drought, bushfires and the isolation caused by the COVID-19 pandemic, community infrastructure in our regions is needed to bring people together, provide support and help restore a sense of belonging, identity and community.

The \$52.5 million Community Local Infrastructure Recovery Program is co-funded by the NSW and Australian Governments and is a firm commitment to ensuring regional communities have everything they need to thrive.

The Department of Regional NSW has comprehensively reviewed the impacts from the storms and floods and consulted across government to design a program that ensures the unique recovery needs of the most impacted areas are addressed.

The Community Local Infrastructure Recovery Program will support the social recovery of targeted storm and flood affected Local Government Areas by providing funding for the repair, restoration and enhancement of directly damaged community infrastructure. It will enable locally led decision making, with resources from Government to assist with the identification of projects and development of applications.

The Community Local Infrastructure Recovery Program is a reminder that the NSW Government will do what's needed to build strong regional communities and ensure impacted regions have the resources that they need to bounce back. I encourage eligible applicants to take every available opportunity to secure the funding needed to recover, grow and thrive through this critical program.

A handwritten signature in black ink that reads "Paul Toole". The signature is written in a cursive, flowing style.

The Hon. Paul Toole MP

Deputy Premier
Minister for Regional New South Wales
Minister for Police

Overview

The NSW and Australian governments are committed to providing ongoing support for communities impacted by the February and March 2021 storm and flood events. A total of \$790 million is committed to support community, economic and environmental recovery through the three phases of the NSW Storm and Flood Recovery Package .

The \$52.5 million Community Local Infrastructure Recovery Program (CLIRP) is one of eight recovery programs announced in July 2021 under Phase Three of the NSW Storm and Flood Recovery Package (NSW SFR Package). All projects supported under the CLIRP will be jointly funded by the NSW and Australian governments.

The February and March 2021 storm and flood events have caused significant damage to local community infrastructure. These assets play an important role in providing basic social and recreational amenity to local residents and visitors, ensure community cohesion and help communities to recover and develop bonds that strengthen resilience for the future. All these attributes are essential elements in the creation and maintenance of strong communities.

Local councils have existing support under the Disaster Recovery Funding Arrangements (DRFA) however these measures do not necessarily cover repairing damaged local community infrastructure. In addition, organisations other than local councils own and maintain community infrastructure within many NSW local government areas (LGAs). Although some assets may be insured, it is often the case that community infrastructure assets are uninsured, partially insured and/or have disproportionately high excess. Due to the compounding stressors and extent of damage from the storms and floods, many asset owners including local councils and Local Aboriginal Land Councils (LALCs) have faced difficulties in absorbing the cost of community infrastructure repair following natural disasters. The existing DRFA assistance measures and insurance go a long way to providing funding for essential public assets but still leaves community infrastructure generally unsupported.

Following the impacts of storm and floods, bushfires and the isolation that the COVID-19 pandemic caused, local community infrastructure is needed more than ever to bring people together, provide support and help create a sense of belonging, identity and community.

The CLIRP has been specifically designed to support a co-design and partnership approach between all levels of government to support the repair of critical community infrastructure assets, as well as to reduce inter-community application competition to secure funding with the aim to reducing emotional distress and grant fatigue. The Department of Regional NSW (The Department) will work directly with each eligible storm and flood affected LGA to develop and deliver the CLIRP.

\$790 million NSW Storm and Flood Recovery Package

Co-funded by the Australian and NSW governments

\$390 MILLION PHASE ONE AND PHASE TWO



Clean-up

Support for immediate clean up, including deployment of clean up strike teams and waste disposal costs



Recovery Grants

Up to \$50,000 for small businesses and not-for-profit organisations



Primary Producer Special Disaster Grant

Up to \$75,000

\$200 MILLION PHASE THREE



Community Recovery

Mental Health and Wellbeing Program
Local Recovery Resources Program
Volunteer Organisations Support Program



Infrastructure Recovery

Community Local Infrastructure Recovery Program



Environment Recovery

Restoration of Jenolan Caves Program
Rehabilitation of Riverbanks Program



Economic Recovery

Rural Landholders Grant Program
Storm and Flood Industry Recovery Program

\$200 MILLION ADDITIONAL RECOVERY SUPPORT



Infrastructure Betterment Fund

Infrastructure Betterment Fund for NSW Public Assets impacted by storms, floods and bushfires

Purpose of this Framework

The purpose of this Framework is to outline key program objectives, eligibility criteria, assessment processes and timeframes for NSW storm and flood-affected LGAs under the \$52.5 million CLIRP.

Objective

The objective of the \$52.5 million CLIRP is to support social recovery for eligible storm and flood affected LGAs in the medium term by providing funding for repairs, restoration and enhancement (disaster resilience) for local community infrastructure. The CLIRP Program will be administered by the Department and will commit funding to LGAs considered most impacted for community infrastructure by the February and March 2021 storms and floods.

CONSULTATION

The Department has conducted extensive analysis to better understand and document the direct damage to community infrastructure experienced from the February and March 2021 storms and floods. This analysis has been supported by direct engagement through state and regional recovery subcommittees and various NSW Government agencies. The funding provided under the CLIRP has been designed to complement existing support measures for essential public assets in-place under Phase One and Two of the NSW SFR Package.

PROBITY AND GOVERNANCE

The CLIRP will be subject to strict governance and probity with fair and transparent assessment processes. A Probity Plan has been developed to oversee the delivery of the CLIRP. All decisions made under this program will be made in accordance with the Program Framework and the associated Assessment Criteria.

An independent probity advisor will provide guidance on issues concerning integrity, fairness and accountability that may arise throughout the submission, assessment and decision processes. This will help ensure decisions are made with integrity, fairness and accountability, while delivering value for money for NSW.

A Probity Report will be published by the Department at the completion of the program.



Funding and Eligibility

ELIGIBILITY AT A GLANCE

- Funding is eligible to directly damaged community infrastructure in 21 targeted LGAs
- Funding banding is proposed per LGA based on the assessed impact to community infrastructure in that LGA
- Local councils and Local Aboriginal Land Councils that own and/or manage community infrastructure are eligible to apply
- Only assets that have been directly damaged are eligible
- If the value of the notional allocation per LGA is not met then the funding may be redistributed to other targeted LGAs where there is demonstrated need.

ELIGIBLE GRANT AMOUNTS

Up to a total of \$50 million will be available for grants funding and \$2.5 million will be used to administer the delivery of the program.

Funding is allocated towards targeted LGAs which have been recognised as the most impacted disaster declared LGAs in NSW that experienced significant damage to local community infrastructure due to the February and March 2021 storm and flood.

Impact data has been used to determine the level of impact per LGA which corresponds to the eligible funding band. The table below shows the eligible funding per LGA. Please note the funding bandings reflect what is available per LGA, not per eligible applicant.

Funding Banding				
Up to:	\$7.5 million per LGA	\$2.5 million per LGA	\$1 million per LGA	\$750,000 per LGA
Targeted Local Government Area (in alphabetical order)	Hawkesbury	Central Coast	Brewarrina	Gilgandra
	Mid-Coast	Clarence Valley	Canterbury-Bankstown	Glen Innes-Severn
	Port Macquarie-Hastings	Coffs Harbour	Kyogle	Gwydir
		Kempsey	Penrith	Inverell
		Moree Plains	Richmond Valley	Tenterfield
		Nambucca	Walgett	
		The Hills Shire		

Direct funding for LGAs enables funding to be assured for each impacted area commensurate with the assessed damage without LGAs competing for funds. It also provides certainty for LGAs in their own budgeting and resource planning. It also supports the ability of all levels of government to work collectively on the review of key community infrastructure assets damaged, as well as the prioritisation of potential projects put forward for consideration and assessment.

If the repair, restoration and enhancement of directly impacted community infrastructure per eligible LGA does not fulfil the notional allocation then the Assessment Panel may consider redistributing funding to one or more of the other eligible targeted LGAs. The Assessment Panel will review and determine eligible LGAs that have a demonstrated and direct need for funding additional to what has been notionally allocated. This redistribution is limited to the eligible targeted LGAs only and is undertaken at the discretion and recommendation by the Assessment Panel. Redistribution ensures that LGA's unique recovery needs are met whilst ensuring that eligible projects that meet the objective of the program can be delivered within the program budget.

ELIGIBLE APPLICANTS

The program is available to the 21 most impacted disaster declared LGAs in NSW that experienced significant damage to local community infrastructure due to the February and March 2021 storm and flood events declared under Australian Government Reference Number (AGRN) 960 and AGRN 954.

February and March 2021 storms and floods disaster-declared LGAs that have the most impacted community infrastructure (targeted LGAs) are (in alphabetical order):

- Brewarrina
- Canterbury-Bankstown
- Central Coast
- Clarence Valley
- Coffs Harbour
- Gilgandra
- Glen Innes Severn
- Gwydir
- Hawkesbury
- Inverell
- Kempsey
- Kyogle
- Mid-Coast
- Moree Plains
- Nambucca
- Penrith
- Port Macquarie-Hastings
- Richmond Valley
- Tenterfield
- The Hills Shire
- Walgett

The Department has classified these LGAs to be targeted for CLIRP funding on the basis of a multi-faceted impact analysis which included consideration of the level of damage to residential and commercial buildings, occurrence of storm and flood environmental damage, economic support need following the storm and flood events and classification of LGA type; rural, regional and metropolitan. This analysis and program design ensures that the recovery funding is prioritised to the LGAs that need it most.

Applicants must be an organisation that:

- is a local council or a local Aboriginal land council (LALC) that owns and/or manages critical, local community infrastructure within at least one of the targeted LGAs, and
 - be a legal entity, and
 - hold an Australian Business Number (ABN).

Section 355 committees of council are eligible to apply for funding, but the council will be required to execute the funding deed should the project be successful.

Applicants must have or be able and willing to purchase at least \$20 million in public liability insurance.

Applicants will be required to consult across their community to ensure that the proposed list of projects in the CLIRP Asset Repair Plan captures directly impacted storm and flood infrastructure. Through consultation the CLIRP Asset Repair Plan can include key community infrastructure owned/managed by non-council, non-LALC community groups. This may include not-for-profit organisations, joint organisation of councils: Aboriginal corporations and/or non-government community social infrastructure assets which have been directly damaged and play a key role in social cohesion.

Each successful applicant will enter a funding deed with the Department and will be the lead organisation responsible for implementation of their CLIRP Asset Repair Plan.

INELIGIBLE APPLICANTS

- Australian or NSW government agencies
- State Owned Corporations
- Community organisations
- Not-for-profit organisations
- Volunteer organisations
- Joint organisations of councils
- Private, for-profit businesses.



ELIGIBLE PROJECTS

Projects must:

- ✓ not meet the definition of essential public asset in the Disaster Recovery Funding Arrangements (DRFA)
- ✓ be for the repair, rebuild or enhancement (disaster resilience) of community infrastructure that were directly impacted in the targeted LGAs by the February and March 2021 storm and flood events
- ✓ play a demonstrated, important role in providing one or more of the following:
 - basic social and recreational amenity to local residents and visitors
 - help support or safeguard community cohesion
 - support the delivery of social support networks
 - support local and Indigenous-owned businesses through procurement
- ✓ improve the community infrastructure's resilience to future disasters as applicable
- ✓ align with the agreed CLIRP Asset Repair Plan for the respective LGA (refer to Engagement Process below)
- ✓ align with relevant NSW Government policies and strategies
- ✓ be able to commence within 12 months from announcement.

Examples of eligible projects

The repair, rebuild or enhancement of directly impacted local community infrastructure that does not provide a function to an essential public asset including:

- recreational and services buildings including libraries, youth and senior citizen facilities, tourism and arts and culture facilities
- sport and recreation facilities, playing fields and courts
- parks and playgrounds including equipment, furniture, fencing, shades, facilities and amenities
- holiday and caravan park facilities, boardwalks, footpaths, walking trails, community club structures including surf lifesaving
- cultural heritage and identity of place assets
- wharves, jetties and boat ramps
- pedestrian bridges, car parks, electric vehicle charging stations, retaining walls, landscaping, river/creek banks and signage in public spaces.

Examples of ineligible projects

Ineligible projects under CLIRP include:

- assets that meet the definition of an essential public asset under the DRFA 2018 including roads, tunnels and utility bridges
- assets that are associated with the function of an essential public asset under the DRFA 2018 including road furniture and retaining walls
- projects that have been funded through other government grant(s) and/or insurance claims
- assets that were not directly damaged as a result of the 2021 storm and floods
- projects located outside of the eligible targeted LGAs
- projects that do not relate to the repair, rebuilding or enhancement of community infrastructure
- local council asset projects for the primary purpose of waste clean-up and/or make-safe works
- projects that would fund the day-to-day operations and/or business as usual activities of the organisation
- projects that require ongoing funding from the NSW Government
- erosion and sedimentation management projects including coastal and riverbank areas
- projects that are not aligned to the objective of the CLIRP.



ELIGIBLE COSTS

Eligible grant costs include capital and project management costs for:

- works directly related to storm and flood damage that have not been covered through other government funding and/or insurance claims
- the delivery of eligible projects, including administration costs and project management costs not exceeding 20 per cent of the requested funding
- repair and/or replacement (rebuild) works directly related to storm and flood damage that has not yet commenced
- enhancement works on directly damaged community infrastructure not yet commenced to support future disaster resilience
- salary/wages and entitlements for employees specifically engaged for the project(s).

Retrospective costs may be eligible in exceptional circumstances on the basis that the works were required to be undertaken in order to ensure safety and or accessibility to the public or property. This will be determined at the discretion of the Assessment Panel.

Ineligible grant costs include:

- costs already covered by insurance and/or funded through other NSW or Australian Government programs
- local council costs for the primary purpose of waste clean-up and/or make-safe works for directly damaged community infrastructure
- repayment of existing debts or budget deficits
- financing of budget deficits or insurance
- administrative, overhead, operational and/or maintenance costs not related to the project
- improvements or repairs to residences
- business as usual and/or commercial activities
- salary/wages and on-costs for existing, budgeted employees
- costs related to buying or upgrading non-fixed equipment or supplies unless it is a small component of a larger fixed project
- costs spent for assets not located in disaster-declared LGAs
- costs that require recurrent or ongoing funding from the NSW Government.



Eligible Applicant Engagement Process

The NSW Government will work with eligible LGAs and applicants to co-design the development of locally-led CLIRP Asset Repair Plans. The CLIRP Asset Repair Plan will outline the community infrastructure assets damaged by the storm and flood events, the works and cost required to repair the asset.

Each eligible applicant will be required to complete a CLIRP Asset Repair Plan as part of the application process outlining key projects, scope of works, funding required, timeframes, and proposed delivery model. In addition, CLIRP Asset Repair Plans will be required to confirm how each project aligns with the Assessment Criteria.

To maximise the benefits of the state and local partnership, the Department will engage local staff to work directly with each eligible LGA local asset owner to support their completion of the CLIRP Asset Repair Plan and provide guidance and support through the application process.

Furthermore, the state and local partnership will continue during project delivery, which will include the Department and specialist technical staff assisting eligible applicants in the management of the project design, delivery, and assurance.

Assessment process

Once a CLIRP application has been prepared, the eligible applicant will submit the application form via SmartyGrants. The application(s) will form the Asset Repair Plan that will be developed post submission with the assistance of the Department. All applications will be assessed by the Department's Regional Recovery Programs team to confirm eligibility and level of alignment with the Assessment Criteria. Once assessed, projects will be provided to an Assessment Panel for consideration.

Senior representatives from the Department (Chair), Resilience NSW and an Independent Member will be selected to sit on the Assessment Panel. The National Recovery and Resilience Agency (NRRRA) will participate as an Observer.

The Assessment Panel will assess each CLIRP application on its alignment with the Criteria detailed in the below table. The Assessment Panel may consider broader factors to support the overall recovery package in making any funding recommendations (refer below).

During the assessment process:

- applicants may be requested to clarify or provide additional information to assist in the assessment process
- the Assessment Panel may obtain subject matter expert advice on the alignment of the CLIRP application with the Criteria

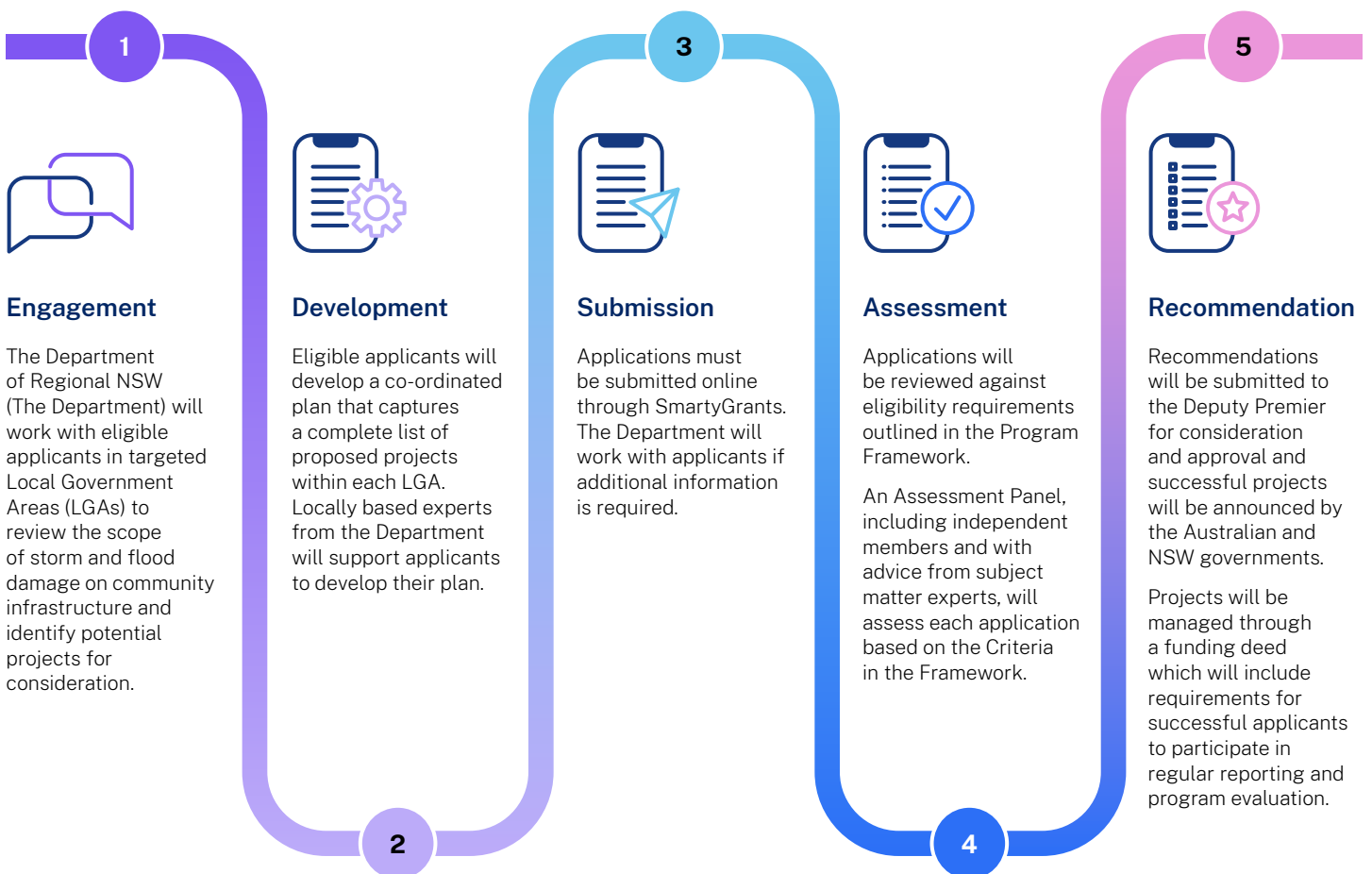
In the event that an LGA does not have sufficient eligible projects to claim the full notional allocation, the Assessment Panel at their discretion, after consideration of all LGA applications, may seek to redistribute the notional allocation per eligible LGA. The Assessment Panel may redistribute funding to one or more of the other eligible targeted LGAs that have a demonstrated, direct need for funding additional to what has been notionally allocated.

CLIRP applications that are assessed by the Assessment Panel will then be submitted for funding approval to the Deputy Premier. Projects may be assessed as only partially eligible and could therefore be part-funded.

The Assessment Panel may at their discretion recommend a project conditionally on the basis that an external, professional project management service be engaged for the project to ensure appropriate affordability and deliverability of recommended projects. Where appropriate, projects may be referred to other funding programs in the NSW or Australian Government for consideration.

Community Local Infrastructure Recovery Program

ASSESSMENT PROCESS



Assessment criteria

Assessment Criteria	
Category	Detail
Community need	<p>The ability of the community asset(s) to contribute to community wellbeing and prosperity based on measurable metrics such as varied asset users, vulnerable groups and available alternative facilities/services.</p> <p>Demonstrated comprehensive consultation with other asset owner/managing organisations within the LGA has been undertaken and shows the needs of the community are met.</p>
Alignment	<p>The ability of the project to contribute to social recovery and current recovery activities whilst avoiding duplication with other recovery initiatives already funded or underway.</p>
Resilience building	<p>Supporting measurable outcomes that show how the project supports the productivity, sustainability, preparedness and disaster resilience of the impacted community asset(s).</p>
Affordability	<p>The ability of the project to be delivered within the allocated funding band, including appropriate project management, contingency and escalation costs factored into budgets.</p>
Deliverability	<p>The ability of the project to commence delivery within 12 months of funding approval by an appropriate delivery organisation, including any subcontractors with relevant experience and demonstrated commercial management and deadline completion.</p> <p>The inclusion of local sourcing and extent of work health and safety considerations.</p>

Broader factors that may be considered when assessing a suite of projects within an LGA suitable for funding include:

- priority of a project(s) to the broader community and level of support for the project(s) beyond the applicant organisation
- variety of project size, scale, type and focus
- quantum of funding available
- suitability of projects for other government funding opportunities
- alignment with existing NSW and Australian Government policies and strategies.

Key dates

Program Launch:

27 February 2022

Consultation with eligible applicants and CLIRP Asset Repair Plan development:

From March 2022

Application period:

1 March to 2pm, 28 April 2022

Assessment:

From May 2022

Approval and announcement of successful projects:

From June 2022

Funding Deeds executed and works commenced:

From July 2022

Program and expenditure ends:

By 30 May 2024

In extenuating circumstances, late applications may be accepted at the sole discretion of the Department.

Successful Applicants

Both successful and unsuccessful applicants will be notified in writing of the outcome of their application. Successful applicants will be required to enter into a funding agreement with the Department prior to receiving funds.

Successful applicants should note:

- recipients will be required to participate in regular reporting during the delivery and at the completion of the project(s)
- recipients will be required to participate in a program evaluation after the project has commenced to determine the extent to which their projects have contributed to the objectives of CLIRP. Funding recipients will be required to provide evidence of how projects resulted in measurable benefits consistent with the objectives of the fund
- the NSW and Australian Governments may choose to publicly announce grant funding of projects. Successful applicants may be requested to keep the grant confidential for a period of time if an announcement is to be made by the NSW and Australian Governments
- if successful, the NSW and Australian Governments reserve the right to use recipient and project information in media regarding the CLIRP. Information may be used in the form of press releases, case studies, promotional material and in response to media enquires relevant to the CLIRP
- successful applicants will be required to enter a funding deed with the NSW Government. Successful applicants will be required to nominate a lead organisation to sign the funding deed. The lead organisation will be responsible for ensuring the CLIRP Asset Repair Plan projects are delivered, management of the funding monies, and reporting
- under the funding deed recipients will be required to provide additional documentation on claims including a copy of all relevant insurances and project approvals and an Asset Management Plan to demonstrate the operation and maintenance of the projects post-CLIRP funding
- successful applicants will be required to submit quarterly project progress reports to the NSW Government and auditing documentation as outlined in the funding deed
- grants will be paid via milestone payments set out in the funding deed and timing and requirements will vary depending on the scope and timelines of the project
- requests for variations or changes to the project will only be considered in limited circumstances
- successful applicants will be required to pay back unspent funds or those funds which have not been spent and/or cannot be evidenced as spent in accordance with the funding deed
- the Department reserves the right to undertake an audit of grant funding within seven years. Funding recipients are required to keep an appropriate paper trail for audit and assurance purposes.



Monitoring and Evaluation

Evaluating government programs enables the success of programs to be robustly assessed, provides confidence in program integrity and informs improvements for future programs. Funding recipients may be required to partake in the evaluation of CLIRP. Monitoring and evaluation of the CLIRP will be undertaken in-line with best practice to determine the effectiveness of CLIRP including the NSW Government Program Evaluation Guidelines (2016) and the requirements set out in the NSW Treasury TC18-03 Program Evaluation. Evaluation elements will be embedded into CLIRP to ensure the ability to assess effectiveness. The evaluation will assess:

- the effectiveness of program design, implementation and delivery of CLIRP objective(s)
- the progress towards achieving program outcomes
- the alignment of delivered program outcomes to CLIRP objective(s).

The CLIRP evaluation will be one component of the overall NSW SFR Package evaluation.



GETTING SUPPORT

Frequently asked questions and other resources to assist with applications are available at nsw.gov.au/CLIRP

If you require assistance or advice with your application, please contact floods.recovery@regional.nsw.gov.au or 1300 679 673 for a referral to the appropriate team.

COMPLAINTS

Any concerns about CLIRP or individual project submissions please write to floods.recovery@regional.nsw.gov.au. If you do not agree with the way the Department handled the issue, you may wish to contact the NSW Ombudsman via www.ombo.nsw.gov.au

PUBLIC ACKNOWLEDGMENT

Under the Disaster Recovery Funding Arrangements, all projects under the CLIRP must appropriately acknowledge and recognise that it is jointly funded by the NSW Government and the Australian Government under the Disaster Recovery Funding Arrangements. The announcement of assistance must be done jointly by the NSW and Australian Governments, unless otherwise agreed.

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

To obtain the required agreement, CLIRP grant recipients must contact the Department at floods.recovery@regional.nsw.gov.au, and the Department will in turn liaise with Resilience NSW and Australian Government representatives regarding the events, announcements, promotional material or publicity.

Publications must include both the NSW and Australian Governments' logos and the following disclaimer: 'Although funding for this product has been provided by both the NSW and Australian Governments, the material contained herein does not necessarily represent the views of either governments.'

The Department will identify and inform Resilience NSW and the Australian Government of media opportunities relating to CLIRP.

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:

- requiring 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.



Contact

For more information, please contact the Department of Regional NSW on 1300 679 673 or email floods.recovery@regional.nsw.gov.au

Disclaimer

Before applying for funding under this program 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.

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The Department 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 program documents are subject to change at any time at the discretion of the Department, in consultation with Resilience NSW and the NRRRA.

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

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Program Framework Version 1.0 dated 26 February 2022.