

NSW Reconstruction Authority

Disaster Relief Grants

Grant Guidelines

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1

Overview of the Disaster Relief Grants Program

1 Overview of the Disaster Relief Grants Program

The Australian Government's Disaster Recovery Funding Arrangements (DRFA) provide a mechanism for the Australian Government to assist the States and Territories in meeting the costs of eligible disaster relief and to facilitate the early provision of assistance to disaster affected communities. The DRFA provides partial reimbursement of eligible State expenditure on relief and recovery assistance. Under this arrangement, the relevant State or Territory determines which areas receive assistance, and the type and level of assistance that is made available to individuals and communities. More information on the DRFA is available from the National Emergency Management Agency [here](#).

There are four categories of assistance measures under the DRFA. The NSW Disaster Relief Grant (DRG) Program is a Category A assistance measure, being a program that provides assistance, in the form of disaster relief grants, to eligible individuals to alleviate personal hardship or distress arising as a direct result of a declared Natural Disaster.

A Natural Disaster includes a bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, or tornado.

The DRG Program is administered by the NSW Reconstruction Authority (RA). Applicants are encouraged to read these Guidelines and associated Frequently Asked Questions (FAQs) before applying for a grant.

Key Information

Grant amounts:	Refer to <i>1.2 Grant value</i>
Type of grant opportunity:	Open, non-competitive
Application open: Application close:	DRG Program applications are open for those that meet the eligibility criteria and have been affected by a declared Natural Disaster event. Applications will close within 6 months of a disaster having occurred.
Application outcome date:	An applicant will be notified of the outcome of their application within the following time periods of submitting a complete application, including all necessary supporting evidence: <ul style="list-style-type: none">• Essential Household Goods Grant – 3 months• Structural Grants – 6 months During this assessment period, RA will maintain regular contact with applicants to provide status updates and, if necessary, request any outstanding supporting evidence.
Appeals process	If an applicant disagrees with a DRG decision by RA the applicant (or their authorised representative) may appeal that decision in accordance with the appeal process set out in Section 5.2 of these guidelines.

1.1 Purpose and objectives

The purpose of the DRG Program is to support those most in need and those least able to return their homes to a safe and habitable condition after a Natural Disaster, such as low income earners and where the damage is not covered by insurance, subject to eligibility requirements. In doing so, it seeks to alleviate personal hardship and distress arising as a result of Natural Disasters in NSW.

The purpose of the DRG Program is:

- to provide a safety net for the most vulnerable in the community
- to provide a contribution toward the applicant's recovery
- assist the applicant to return to a basic standard of living.

Grants provided under the DRG Program will be assessed on the basis of eligibility not 'entitlement' and may be partnered with other forms of assistance, including referrals to other agencies.

The DRG Program and grants provided are not intended to:

- provide compensation for losses
- replace, or serve as a disincentive to obtain insurance
- meet all of an applicant's needs in the aftermath of a Natural Disaster.

These Guidelines provide information on:

- the types of grants that are available under the DRG Program
- the eligibility requirements when applying for a grant under the DRG Program
- the evidence and documentation that are required to be submitted with a DRG application
- what is included and excluded in the different types of DRGs
- how applications are assessed and determined including the appeal process
- additional matters, such as complaint handling and access to information.

1.2 Grant value

The DRG Program provides financial assistance to eligible applicants through the provision of the following types of assistance grants:

1.2.1 Essential Household Goods (HHG) Grant

- a) Under the HHG Grant, up to \$18,000 is available to assist with a contribution toward the cost of reestablishing essential household items considered necessary to maintain a basic standard of living, including bedding, furniture, clothing and essential electrical items such as a refrigerator, washing machine or stove. This grant assists low-income residents who have no other means of purchasing or repairing these essential household items and are not covered by insurance. This amount may be adjusted dependant on individual household composition for larger households or where there are special circumstances, at RA's discretion.
- b) Rough Sleepers/Camping Package – flat rate of \$1,200 plus \$150 for each additional resident.

For more information, refer to the *FAQ What Household Items are eligible under the DRG?*

1.2.2 Structural Grants

Structural Grants provide a contribution toward essential structural works for households unable to meet the cost of repairs and may also assist in relocation-related costs. These grants assist low-income homeowners who have no other means of restoring their homes to a safe and habitable condition. There are 4 types of Structural Grants available (depending on the type of damage suffered by the eligible applicant):

2. **Repair Grant:** A contribution towards essential structural repairs to a Residence (including a Relocatable Home) to assist in restoring it to a safe and habitable condition – grant amount is determined based on assessment of scope of works and threshold considerations.
3. **Rebuild Grant:** A contribution towards the rebuild of a Residence (including a Relocatable Home) to a basic level that has been rendered uninhabitable – grant amount is determined based on assessment of scope of works and threshold considerations.
4. **Temporary Dwelling Grants:** a Flat-rate Temporary Dwelling Package – flat rate of \$5,000 for repairs and \$10,000 if the Temporary Dwelling has been rendered uninhabitable.
5. **Access Grant:** A contribution of up to \$50,000 towards a basic level of repairs to legal Accessways on private Property where there are no safe alternate routes to the Residence or Temporary Dwelling (and where the Accessway was maintained and fit for purpose prior to the Natural Disaster).

To be eligible for a DRG, an applicant will be required to meet the criteria (or ‘tests’) outlined in Part 2 of these Guidelines. In some circumstances, an applicant may be required to make a co-payment towards the works for which a Structural Grant is provided. For details of when a co-payment might be required, refer to section 2.2.6 (Realisable Assets) and further information in the *FAQ What is a Realisable Asset?*

Receiving other forms of NSW Government or Commonwealth Government disaster relief assistance (for example, a buyback under the Resilient Homes Program) may reduce the grant amount or make an applicant ineligible to apply for a Structural Grant. For more information, refer to the *FAQ Other forms of Government Assistance*.

1.2.3 Eligibility for more than one type of DRG

An applicant may be eligible for more than one type of grant under the DRG Program. Different grants can be applied for on the same DRG Application Form and will be subject to DRG assessment processes.

1.2.4 Safety impacts and High Natural Hazard Risk

Where RA determines based on advice from a suitably qualified expert that a property is high risk such that continued occupancy or structural works (i.e. repair or rebuild) present ongoing and unmanageable safety impacts for the residents or to those carrying out the works, RA may decline an application for a Structural Grant.

Property may be considered high risk (a **High Natural Hazard Risk Property**) if:

- a) the Property has undergone a natural hazard risk assessment by a suitably qualified expert approved by RA, and
- b) the expert has determined that the Property is in a high natural hazard risk area, being an area that:
 - i) is in a Flame Zone or has a Bushfire Attack Level (**BAL**) rating of 40 or above which cannot be reduced to BAL 29 by reasonable rebuild works
 - ii) has an unmanageable Asset Protection Zone (**APZ**)
 - iii) is in a high flood risk zone, and/or

- iv) is subject to other natural hazards that render it incompatible with the construction of a safe and habitable dwelling, such as landslides.

RA may consider alternative assistance for applicants whose rebuild would otherwise be located on a High Natural Hazard Risk Property

In circumstances where a Structural Grant is approved, safe access to the property to complete the works is a condition of the grant (see Part 5 of these Guidelines).

1.3 Changes to the DRG Program

RA will evaluate the program in line with TPG22-22 Policy and Guidelines: Evaluation, and may subsequently update or amend these Guidelines, including to reflect and comply with any changes to the DRG Program, RA policy and applicable laws and regulations. Any updates or amendments to the Guidelines will, unless otherwise stated in the update or amendment, apply only to:

- applications that have already been made under the DRG Program but not yet determined as at the date the update or amendment takes effect,
- applications that have been made under the DRG Program that relate to a High Natural Hazard Risk Property as at, or after, the date the update or amendment takes effect, and
- applications under the DRG Program made after the date the update or amendment takes effect.

Any updates or amendments to the DRG Program or the Guidelines will be notified on the nsw.gov.au and service.nsw.gov.au websites. These websites should be regularly checked for up-to-date information. Where an application is with RA for consideration but has not yet been determined, RA will notify applicants of any changes affecting their application.

2

Eligibility criteria

2 Eligibility criteria

In order to receive assistance under the DRG Program, all applicants must submit an application and undergo an assessment to confirm their ongoing eligibility to receive a DRG. Information provided in an application must be true and correct. It is a serious offence to provide false or misleading information to a public authority. Where false or misleading information is provided, applications may be referred to law enforcement and penalties may apply.

The eligibility criteria are outlined below. Applicants are advised to read the associated FAQs for further details and guidance.

2.1 Identity

All applicants are required to establish their identity. This will involve the submission of the following documentation:

- a) An applicant who is an Australian resident must verify their identity by providing any one of the Australian ID documents listed below:
 - Australian driver licence
 - Australian passport
 - Australian visa
 - Australian Medicare Card
 - Australian Birth Certificate
 - Australian Marriage Certificate
 - Australian Change of Name Certificate
 - Australian Certificate of Registration by Descent
 - Australian Citizenship Certificate
 - Australian ImmiCard
 - NSW Photo Card (issued by the NSW Government as a form of identification for any resident over the age of 16).
- b) applicants who are not Australian residents, and do not have one of the Australian ID documents listed above, must prove their identity by providing suitable foreign ID documentation, which may include:
 - a foreign birth certificate
 - a current foreign passport.

2.2 DRG Eligibility criteria

Eligibility is determined based on the following criteria:

Criteria 1 Income Test	The applicant's Disposable Income, including where relevant determined jointly with their partner and/or other Registered Proprietors of the Property to which the DRG application relates, must be below specified thresholds (Income Test)
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Criteria 2 Insurance Test	The damage must not be covered by insurance – the applicant’s insurance (if any) is considered to determine if the claimed loss or damage is insured (Insurance Test)
Criteria 3 Principal Place of Residence Test	The affected Residence or Temporary Dwelling must be the applicant’s Principal Place of Residence at the time of disaster. For repairs or rebuilds to a residence, the property must have been lawfully erected at the time of the disaster. (Principal Place of Residence Test)
Criteria 4 Cause of Damage Test	The claim must relate to damage caused by the Natural Disaster (Cause of Damage Test)
Criteria 5 Within Scope Test	The claim must be within the scope of the DRG Program (Within Scope Test)
Criteria 6 Realisable Assets Test	The applicant and other Registered Proprietors of the Property to which the DRG application relates must not hold Realisable Assets over a certain value (Realisable Assets Test)

2.2.1 Criteria One – Income Test

An applicant’s Income and Disposable Income is relevant to their eligibility for a DRG.

In circumstances where the Property to which the DRG application relates is owned by 2 or more people (i.e. joint tenancy or tenancy in common), all owners of the Property must provide income information. This requirement does not apply to a Principal Place of Residence (PPR) on a Multiple Occupancy such as a co-operative or company title.

Applicants will need to provide details of all of their income together with supporting documentation as part of their DRG Application Form. To determine Disposable Income evidence of accommodation expenses (e.g. weekly rent, mortgage) and PAYG tax will be required, including evidence of whether any above minimum mortgage payments are made.

Depending on the applicant’s circumstances and the types of Income being received, supporting documentation may include:

Income type	Supporting evidence requirements
Bank deposits	All applicants must provide at least three months of bank statements for all accounts held.
Employment income (this is gross employment income, before deduction of any salary sacrifice or other similar amounts)	PAYG payslips, letter from your employer, Centrelink income statements or ATO income tax statements (including notification of any salary sacrificing into superannuation), for applicants receiving employment income.
Superannuation income	Balance statements for an applicant’s superannuation fund (including any self-managed superannuation fund if the applicant is over the preservation age).

Income type	Supporting evidence requirements
Benefits or pensions	<ul style="list-style-type: none"> • A provider statement, for applicants receiving benefits or pensions • Evidence of income from the Department of Veterans Affairs or workers compensation payments • Evidence of income from parenting payments or carer payments • Letter from Work Cover or insurance company in relation to workers compensation payments.
Sole trader, partnership or other business income	Financial statements, including from an appropriate approved source profit and loss statements showing 12 months of earnings or a current income tax assessment (affirmed by accountant), for applicants who are sole traders, partners in a partnership or business owners.
Other Income sources	<ul style="list-style-type: none"> • Evidence of income streams from superannuation pensions • Evidence of income from rental property or other investments • Evidence of any other income which would otherwise be declared in an annual tax return • Records from the last 12 months of any cash, shares or term deposits (e.g. share certificates or securities or crypto currency) • Overseas pensions.

For more information, refer to the *FAQ Income Test?*

2.2.2 Criteria Two – Insurance Test

DRG assistance is only available in respect of loss or damage caused by a Natural Disaster which is not covered by insurance.

The applicant must:

- a) confirm there is no insurance policy existing for the Residence, Temporary Dwelling, Property and/or the contents of the Residence or Temporary Dwelling, or
- b) if there is insurance for the Residence, Temporary Dwelling, Property and/or the contents of the Residence or Temporary Dwelling:
 - i) provide details of the insurance policy
 - ii) if the applicant is unsure or cannot confirm if the loss or damage to the Residence, Temporary Dwelling, Property and/or the contents of the Residence or Temporary Dwelling is covered by that insurance, make a written claim on their policy and provide confirmation of its rejection from the insurer (including, if an appeal is made by the applicant, details of the appeal and its outcome), and
 - iii) if the insurer has made a payment or a settlement offer in writing to the applicant in respect of the loss or damage, details of the payment or a copy of each settlement offer.

The applicant must also disclose any voluntary payments made to them by an insurer. For example, when a Natural Disaster occurs, insurers will on occasion make payments to customers regardless of their insured status, to facilitate recovery.

If an applicant does not have insurance, or the insurance or a payment under the insurance does not cover the relevant loss or damage, then the applicant may be eligible for DRG in respect of a contribution towards the uncovered loss or damage.

In some cases, a DRG payment of up to \$20,000 may be made prior to an applicant's insurance being verified for payment by the applicant's insurer. If, following payment of any DRG amounts, insurance coverage (or voluntary insurer payments) is identified in relation to the loss or damage, the applicant must immediately notify RA and may be required to repay the DRG amount and debt recovery action may be required.

2.2.3 Criteria Three – Principal Place of Residence (PPR) Test

To be eligible for DRG, applicants must prove that the relevant Residence or Temporary Dwelling is their PPR (or in the case of an Access Grant, provides lawful access to the Residence or Temporary Dwelling which is their PPR). Where the PPR was also a place of business, the grant will only apply to the portion of the dwelling that was separate to the operation or conduct of the business.

PPR means the single dwelling in which the applicant would normally reside at (typically for 9 months of the year or more) at the time of the Natural Disaster and at which they maintain essential items of clothing, bedding, furniture and other items necessary for the provision of day-to-day shelter, comfort and sustenance. An applicant cannot have two PPRs.

A PPR that is a Temporary Dwelling must be on a property owned by the applicant, or on a property where the landowner has agreed that the applicant may reside and the applicant will be required to submit evidence to establish this.

If an applicant is:

- an Owner-Occupier of the affected Residence or Property, they must provide a recent council rates notice (not a reminder notice) with their application
- an Owner-Occupier of the affected Temporary Dwelling, they must provide suitable evidence (such as vehicle registration for a motorhome, statement from a caravan park owner confirming ownership or a statutory declaration) of their ownership of the Temporary Dwelling with their application.
- a Tenant of the affected Residence or Temporary Dwelling, they must provide a lease, rental receipt or a statutory declaration from the owner of the affected property attesting to their tenancy with their application
- an independent adult living in an affected Residence or Temporary Dwelling, who is not a Tenant, they must provide other suitable evidence (e.g. Centrelink Income statement, utility bills or statutory declarations) with their application to prove that the affected property is their PPR
- an Owner-Occupier on a Multiple Occupancy, such as a company title, they may be required to produce further information, such as the Company constitution, by-laws.

For more information, refer to the *FAQ What is considered a Principal Place of Residence?*

2.2.4 Criteria Four – Cause of Damage Test

DRG assistance is only available as a contribution towards restoring the loss or damage caused by a declared Natural Disaster. Applicants must:

- demonstrate that the loss or damage they are claiming in respect of their PPR, whether in terms of structural damage to a Residence or Temporary Dwelling or damage to an Accessway, or loss of Essential Household Goods, is the direct result of the Natural Disaster
- submit their DRG Application Form within 6 months of the time the loss or damage caused by Natural Disaster occurs (or such other longer period as determined by RA – see section 3.2.)

- demonstrate that the Property or Accessway had been maintained in a safe and structurally sound manner and complied with all applicable building codes and NSW government and local council regulations.

Evidence will be required of loss or damage before a DRG will be assessed. Photographic evidence together with written reports of loss or damage must be included with all DRG Application Forms.

2.2.5 Criteria Five – Within Scope Test

Grants are only available in respect of loss or damage which is within the scope of the DRG Program, the purpose of which is to ensure people have a safe and habitable home to live in.

If RA requires further information to properly assess a DRG application, it may conduct a Home Visit. A Home Visit is an appointment (notified to the applicant in advance) during which RA will attend the affected Residence or Temporary Dwelling to undertake a further assessment, including:

1. interviewing the applicant
2. completing a Home Visit checklist, in such form determined by RA
3. capturing information, comments and notes for the applicant’s case file, and
4. taking photos of the Residence, Temporary Dwelling and/or Property to assist in determining the scope of works (whether repair or rebuild).

The applicant may add any additional items to their application during the Home Visit which will be assessed by RA.

If an applicant declines a Home Visit, their DRG application may be declined.

In circumstances where a DRG application relates to a High Natural Hazard Risk Property, the Property will be assessed as being outside of scope for the DRG Program (see section 1.2.4).

In exceptional circumstances, an out-of-scope decision may be made by the Minister on the recommendation of RA (see section 4.2).

2.2.6 Criteria Six – Realisable Assets Test

A Realisable Asset is an asset that can be converted to cash in a timely manner depending on the nature of the asset. A non-exhaustive list of Realisable Assets and assets that are not Realisable Assets is set out below. An item that is included as Income in an application should not be included in that application as a Realisable Asset. As per the Income Test, all Registered Proprietors of the Property to which the DRG application relates must provide information on Realisable Assets.

Examples of Realisable Assets	Examples of assets that are not Realisable Assets
<ul style="list-style-type: none"> • All monies in bank accounts • Non-preserved superannuation funds • Financial investments (including units, shares and cryptocurrency) • Beneficial entitlements under a will • Interests in businesses • Beneficial trust interests • Real property (other than the PPR) • Any interest in timeshare properties • Any motor vehicle owned by the applicant that is not the primary motor vehicle (one per household or on a needs basis for work/study purposes) • Boats or caravans that are not the PPR • Jewellery 	<ul style="list-style-type: none"> • Basic personal effects (such as clothing) • The primary motor vehicle owned by the applicant (one per household or on a needs basis for work/study purposes) • Any interest in a business which the applicant carries on as the primary source of their income • Beneficial interests in trusts held for specific purposes, for example, for the education of an applicant • Preserved superannuation funds • Worker’s compensation funds (both lump sum and work cover payments) • Funds from a Victims Compensation outcome such as a Childhood Sexual

Examples of Realisable Assets	Examples of assets that are not Realisable Assets
<ul style="list-style-type: none"> Collections, including hobby, trading or investment collections, for example, of items such as art, bullion, coins, or stamps. 	Assault redress scheme or for ongoing medical treatment.

The above are examples only and assets included as examples of Realisable Assets will not always be Realisable Assets. For example, real property may not be a Realisable Asset if it has been for sale at market value with no offers for a long period of time or is the subject of divorce or settlement proceedings.

For more information, refer to the *FAQ What is a Realisable Asset?*

2.2.6.1 Co-Payments

In some circumstances, a co-payment may be required, such as where an applicant's Realisable Assets exceed the base threshold. The table below indicates what the threshold is and how the co-payment is determined.

Individual Applicant	Couple Applicants	Impact on financial assistance
Realisable Asset value of \$10,000 or less (Base Threshold)	Realisable Asset value of \$20,000 or less (Base Threshold)	If an applicant has, or applicants have, Realisable Assets below the relevant threshold limit, the amount of financial assistance the applicant(s) may receive under the DRG Program will not be impacted.
Realisable Asset value of <u>more than</u> \$10,000	Realisable Asset value of <u>more than</u> \$20,000	If an applicant has, or applicants have, Realisable Assets above the relevant threshold limit, the amount of the DRG otherwise payable will be reduced by the value of Realisable Assets, less the Base Threshold.

2.3 Grant requirements

The following outlines the requirements that an applicant(s) must meet and the assessment that will be undertaken by RA for each grant available under the DRG Program.

2.3.1 Essential Household Goods (HHG) Grant

Essential Household Goods (HHG) Grant	
When is it available?	An Essential Household Goods (HHG) Grant is available to eligible applicants to contribute towards the purchase or repair of essential household contents considered necessary to maintain a basic standard of living that are lost, damaged or destroyed by a Natural Disaster. For more information, refer to the <i>FAQ What Household Items are eligible under the DRG?</i>
Who is it available to?	An eligible Tenant or Owner-Occupier of a Residence or Temporary Dwelling affected by a Natural Disaster.

Essential Household Goods (HHG) Grant	
	<p>Couples living in the same Residence or Temporary Dwelling are required to make a joint application.</p> <p>Each independent adult living with other independent adults, whether paying rent or not, can apply for a HHG Grant separately, provided that the damaged household items for which they claim are not included in any other application by that household for a DRG.</p> <p>Where the individual household composition is large or where there are special circumstances, RA may consider additional forms of support.</p>
Eligibility	See Part 2.2 of these Guidelines.
Inclusions	<p>A full list of Essential Household Goods is included in the DRG Application Form (HC list) and listed in the FAQ.</p> <p>Except where an Exclusion set out below applies, Essential Household Goods may include furniture and other items (fridge, washing machine, lounge suite), certain electrical appliances (computer, toaster), floor coverings, beds and bedding, and clothing.</p>
Exclusions	<ul style="list-style-type: none"> • The HHG Grant is a contribution towards the cost of replacing or, where economical, repairing these items – it does not provide compensation or funding for the purpose of securing and items may not be replaced to their previous value, size, quality or other specification on a like for like basis. • If an item is not included on the HC List or listed in the FAQ, a HHG Grant cannot be obtained to provide a contribution to replacing or repairing that item. Examples of items which are excluded under the HHG Grant are: <ul style="list-style-type: none"> – cars, car seats, bikes, boats, – photographs, memorabilia – fences, retaining walls – freezers, dryers, air conditioners, blenders, coffee machines, hair straighteners – phones, iPads and tablets (unless these items are compulsory school or employment requirements) – gaming consoles, and – other items that an individual could reasonably be expected to live without while maintaining a basic standard of living. • If an item is impacted by mould arising from weather impacts over a period of time and all impacts cannot be demonstrated to have been caused by the declared disaster event, a HHG Grant cannot be obtained to provide a contribution towards replacing or repairing that item, even if that item is on the HC List. • HHG Grants are not available to contribute towards the costs of replacing or repairing Essential Household Goods held in storage unless the applicant can demonstrate that the stored items were essential, notwithstanding they were in storage. For example, the applicant may demonstrate that the items are in storage due to a relocation or family or domestic violence circumstances, which have compelled the applicant to place these items in storage. Where this occurs, the onus is on the applicant to demonstrate the basis for the application of the exception. The maximum amount of time during

Essential Household Goods (HHG) Grant	
	<p>which the Essential Household Goods to be replaced or repaired can have been held in storage at the time of the Natural Disaster is:</p> <ul style="list-style-type: none"> - 3 months, - up to 12 months, if RA determines, at its discretion, that the applicant lives in an area with a high level of housing shortage and 'couch surfing' or other temporary forms of housing are practiced in the area; or as otherwise determined by RA. <ul style="list-style-type: none"> • Reimbursements are not available for funds already spent towards the cost of replacing essential and eligible HHG prior to the time of the HHG Grant. • If an applicant has insurance that covers the relevant loss or damage to Essential Household Goods, then the applicant will not be eligible for a HHG Grant in respect of that loss or damage.

2.3.2 Rough Sleepers/Camping Package

Rough Sleepers/Camping Package	
When is it available and who is it available to?	To assist eligible applicants who live an itinerant lifestyle with a tent, car, or similar, as their PPR.
Eligibility	See Part 2.2 of the Guidelines.
Inclusions	<ul style="list-style-type: none"> • Assistance may be provided for Essential Household Goods. • This package is a flat rate package to assist with the costs of additional items deemed to be essential for eligible applicants in rough sleeping or camping arrangements
Exclusions	<p>Rough Sleepers/Camping Packages are not available to provide assistance to meet the costs of:</p> <ul style="list-style-type: none"> • services to repair or replace an access road or driveway • unapproved repair works which have been undertaken directly by or on behalf of the applicant without RA approval. <p>If an applicant has insurance that covers the relevant damage to or replacement of the goods or other items, then the applicant will not be eligible for the Rough Sleepers/Camping Package.</p> <p>An applicant will also not be eligible if the DRG application relates to a High Natural Hazard Risk Property (see section 1.2.4).</p> <p>Where an applicant is eligible for or has received other forms of disaster relief assistance, this may also affect eligibility or the amount of a Temporary Dwelling Grant. For more information, refer to the <i>FAQ Other forms of Government Assistance</i>.</p>

2.4 Structural Grants

The following Structural Grants may be available to eligible applicants and are designed to address different circumstances as outlined below:

1. Repair Grant for a Residence which was lawfully erected at the time of disaster.
2. Rebuild Grant for a Residence which was lawfully erected at the time of disaster.

3. Temporary Dwelling Grant, and/or

4. Access Grant.

Refer to the Glossary in section 6.6 for a list of defined terms.

2.4.1 Repair Grant

The purpose of a Repair Grant is to provide a contribution towards the repair of an eligible applicant's PPR to restore it to a safe and habitable condition.

Repair Grant	
When is it available?	<p>A Repair Grant is available to eligible applicants when there is damage done to a Residence and supporting infrastructure, but the damage is not so significant or extensive that the Residence is either written off or rendered unfit for habitation.</p> <p><i>If a Residence is written off or unfit for habitation, see Rebuild Grant.</i></p>
Who is it available to?	An eligible Owner-Occupier of a Residence.
Eligibility	See Part 2.2 of the Guidelines.
Conditions	<p>The Residence must have been lawfully erected at the time of the disaster to be eligible.</p> <p><i>If the residence is not deemed to be lawfully erected, see Temporary Dwelling Grant.</i></p> <p>Where the residence is on a Multiple Occupancy, for example a co-operative or company title, additional information may be sought in relation to ownership and entitlement arrangements to confirm eligibility.</p> <p>Grants are provided on the basis that they are only used for the purpose shown in the approved grant application and must not be used for any other purpose.</p> <p>The NSW Government considers all grants for the extent to which they are an efficient and effective use of public funds and demonstrate value for money. Where RA has evidence to indicate the projected cost of repairs or rebuilds eligible under the DRG do not demonstrate an efficient and effective use of public money compared to other options, RA retains the right to decline a grant under the DRG. RA may consider alternative assistance in these instances.</p> <p>Where a Repair Grant is approved, RA may require two or more repair quotes be provided from licensed trade contractors for review, selection and approval prior to commencement of the repairs. Quotes exceeding \$10,000 may be referred to such other relevant and accredited bodies that RA may appoint for the purpose of assessment and verification. In the case of Relocatable Homes, it will be mandatory to obtain two repair quotes, unless otherwise approved by RA.</p>
Inclusions	<ul style="list-style-type: none"> A Repair Grant may contribute to the cost of a repair of eligible items as determined by RA. Examples of items which may be eligible for repair include attached garages with internal access to living areas, subfloors, electrical items and items with mould (provided the relevant damage is directly attributable to the Natural Disaster, that is, items that develop mould directly as a

Repair Grant	
	<p>consequence of water impacts from the Natural Disaster and not where the mould is caused by pre-existing conditions).</p> <ul style="list-style-type: none"> • A Repair Grant may contribute to the cost of repairs to supporting infrastructure separate to a Residence where those items are part of the essential services needed for the Residence to be safe and habitable. Such items may include for example, generators, solar panels, rainwater tanks, pumps or septic systems and pumps (where the Property cannot be connected to existing networks or town systems). Costs will be capped according to the approved building cost guide as determined by a suitably qualified assessor appointed by RA and demonstrated as an efficient and effective use of public money.
Exclusions	<p>A Repair Grant does not cover contributions towards meeting the costs of:</p> <ul style="list-style-type: none"> • repair works for items that are not needed to deliver a safe and habitable Residence, like carports, garages, verandas, sheds, fixed window coverings, cosmetic damage, landscaping, pools, unless determined otherwise by RA. RA may approve exceptions where these items are an integral part of the structure of a Residence and failure to repair would endanger the safety of the Residence • unapproved repair works which have been undertaken directly by or on behalf of an applicant without RA approval. RA must assess the damage and give approval for the repairs to be undertaken by approved licenced trades before any repair works are carried out • repair works for damage that was not directly caused by the Natural Disaster (including pre-existing damage or damage caused by a lack of maintenance). <p>The grants are not provided as compensation, and structural repairs may not restore homes to their previous value, size, quality or other specification on a like for like basis.</p> <p>If an applicant has insurance that covers the relevant damage to the Residence, then the applicant will not be eligible for a Repair Grant.</p> <p>An applicant will also not be eligible if the DRG application relates to a High Natural Hazard Risk Property (see section 1.2.4).</p> <p>Where an applicant is eligible for or has received other forms of disaster relief assistance, this may also affect eligibility or the amount of a Repair Grant. For more information, refer to the <i>FAQ Other forms of Government Assistance</i>.</p>

2.4.2 Rebuild Grant

The purpose of a Rebuild Grant is to contribute towards the cost of a rebuild of a Residence that cannot be repaired to a safe and habitable condition.

Rebuild Grant	
When is it available?	A Rebuild Grant is available to eligible applicants to contribute towards the construction of a basic home where a Natural Disaster results in a Residence being written off or rendered unfit for habitation. <i>If a Residence and supporting infrastructure is damaged but not so significantly as to be written off or unfit for habitation, see Repair Grant.</i>
Who is it available to?	An eligible Owner-Occupier of a Residence.
Eligibility	See Part 2.2 of the Guidelines.
Conditions	The residence must have been lawfully erected at the time of the disaster to be eligible. <i>If the residence is not deemed to be lawfully erected, see Temporary Dwelling Grant.</i> Where the residence is on a Multiple Occupancy, for example a co-operative or company title, additional information may be sought in relation to ownership and entitlement arrangements to confirm eligibility. Grants are provided on the basis that they are only used for the purpose shown in the approved grant application and must not be used for any other purpose.
	The completed rebuild must not be located on High Natural Risk Property. RA may require that a natural hazard risk assessment is undertaken of the relevant Property to determine if it is High Natural Hazard Risk Property as part of the assessment of a DRG application. Property may be considered high risk (a High Natural Hazard Risk Property) if: <ul style="list-style-type: none"> a) the Property has undergone a natural hazard risk assessment by a suitably qualified expert approved by RA, and b) the expert has determined that the Property is in a high natural hazard risk area, being an area that: <ul style="list-style-type: none"> i) is in a Flame Zone or has a Bushfire Attack Level (BAL) rating of 40 or above which cannot be reduced to BAL 29 by reasonable rebuild works ii) has an unmanageable Asset Protection Zone (APZ) iii) is in a high flood risk zone, and/or iv) is subject to other natural hazards that render it incompatible with the construction of a safe and habitable dwelling, such as landslides. An applicant whose rebuild would be located on High Natural Hazard Risk Property may be eligible for alternative assistance which RA determines from time to time.
	Where the rebuild would require an APZ in order for the Property on which the rebuild is intended to occur not to be deemed High Natural Hazard Risk Property, the applicant must be capable of maintaining any

Rebuild Grant	
	mitigation measures in that APZ, as advised by RA on the advice of the suitably qualified expert or agency engaged by RA.
Inclusions	<p>In the case of a Relocatable Home, the value of the contribution provided will be based on a type or design equivalent to the destroyed structure and will be determined by the designated assessor.</p> <p>For Residences other than Relocatable Homes, the value of the contribution towards the Rebuild will be the construction costs, capped according to the approved building cost guide as determined by a suitably qualified assessor appointed by RA and demonstrated as an efficient and effective use of public money.</p>
Exclusions	<p>A Rebuild Grant does not cover assistance towards meeting the costs of:</p> <ul style="list-style-type: none"> • rebuild works where the damage was not directly caused by the Natural Disaster (including pre-existing damage) • unapproved rebuild works which have been undertaken directly by or on behalf of an applicant without RA approval. RA must assess the damage and give approval for rebuild works to be undertaken by approved licenced trades before those rebuild works are carried out. <p>The grants are not provided as compensation, and structural repairs may not restore homes to their previous value, size, quality or other specification on a like for like basis.</p> <p>If an applicant has insurance that covers the costs of the rebuild works, then the applicant will not be eligible for a Rebuild Grant.</p> <p>An applicant will also not be eligible if the DRG application relates to a High Natural Hazard Risk Property (see section 1.2.4).</p> <p>Where an applicant is eligible for or has received other forms of disaster relief assistance, this may also affect eligibility or the amount of a Rebuild Grant. For more information, refer to the <i>FAQ Other forms of Government Assistance</i>.</p>

2.4.3 Temporary Dwelling Grant

The purpose of a Temporary Dwelling Grant is to contribute towards the repair or replacement of eligible Temporary Dwellings, being any PPR that is not deemed to have been lawfully erected at the time of the disaster (**Temporary Dwelling**). Temporary Dwellings include caravans, motorhomes, cabins, houseboats etc.

The grant is a Flat-rate Temporary Dwelling Package – flat rate of \$5,000 for repairs and up to \$10,000 if the Temporary Dwelling has been rendered uninhabitable

2.4.3.1 Flat-rate Temporary Dwelling Package

Flat-rate Temporary Dwelling Package	
When is it available?	<p>To assist eligible applicants by providing a flat-rate contribution towards the repair or replacement of eligible Temporary Dwellings that have been damaged or written-off due to a Natural Disaster.</p> <p>This type of Temporary Dwelling Grant is not available where a Rough Sleepers/Camping Package is available.</p> <p><i>A Relocatable Home is not a Temporary Dwelling and may be considered a Residence; see Glossary for definition of Relocatable Home.</i></p> <p><i>If a cabin is an approved development under the relevant consent authority and otherwise meets all local government planning requirements, it is not a</i></p>

Flat-rate Temporary Dwelling Package	
	<i>Temporary Dwelling and an application should be made for a Repair Grant not a Temporary Dwelling Grant.</i>
Who is it available to?	An eligible Owner-Occupier of a Temporary Dwelling or eligible applicants residing in a Temporary Dwelling
Eligibility	See Part 2.2 of the Guidelines.
	Eligible Temporary Dwellings include motor homes and houseboats, shipping containers, relocatable homes that do not satisfy all local government planning requirements, combinations of shed structures, tepees, lean-tos and caravans that are on Property owned by the applicant or on other land where the applicant has obtained valid approval from the Registered Proprietor to reside on that land. These dwellings are often located in off the grid communities not connected to utilities such as water or power.
Conditions	<ul style="list-style-type: none"> • All applications in relation to Temporary Dwellings are assessed on a case-by-case basis. • If the Temporary Dwelling is located in a caravan park which is identified as the applicant's PPR, then the caravan park must have the requisite long-term accommodation approvals, including local council approval (unless determined otherwise by RA). • Where the residence is on a Multiple Occupancy, for example a co-operative or company title, additional information may be sought in relation to ownership and entitlement arrangements to confirm eligibility. • Repairs to a Temporary Dwelling located on Property where the permission of the Registered proprietor of the Property and/or the relevant local council has not been obtained will not be eligible.
Inclusions	<ul style="list-style-type: none"> • The assistance provided under a Flat-rate Temporary Dwelling Package can be used by the applicant to relocate to rental accommodation, including to contribute to bond, advance payment of rent and the purchase or repair of Essential Household Goods.
Exclusions	<p>Flat-rate Temporary Dwelling Packages are not available as a contribution towards meeting the costs of:</p> <ul style="list-style-type: none"> • unapproved repair works which have been undertaken directly by or on behalf of the applicant without RA approval. Both the damage and required repair works must be assessed and approved by RA or delegate prior to RA determining that it will contribute towards any such repair works undertaken by approved licenced trades. <p>If an applicant has insurance that covers the relevant damage to or replacement of the Temporary Dwelling, then the applicant will not be eligible for this type of Temporary Dwelling Grant.</p> <p>An applicant will also not be eligible if the DRG application relates to a High Natural Hazard Risk Property (see section 1.2.4).</p> <p>Where an applicant is eligible for or has received other forms of disaster relief assistance, this may also affect eligibility for Temporary Dwelling Grant. For more information, refer to the <i>FAQ Other forms of Government Assistance</i>.</p>

2.4.4 Accessways on Private Property Grant

Access Grant	
When is it available?	To contribute up to \$50,000 towards essential repairs to impassable lawful privately-owned Accessways to a DA approved PPR where the Accessway has been damaged or destroyed by a Natural Disaster and an eligible Owner-Occupier has no safe alternate access route to the Residence or Temporary Dwelling.
Who is it available to?	Owner-Occupier of Property affected by a Natural Disaster or, in the case of a Multiple Occupancy, a person with a legal right to use the Accessway.
Eligibility	See Part 2.2 of the Guidelines.
Conditions	<p>Eligibility is conditional on Public Works (PW) or such other entity appointed by RA determining that:</p> <ul style="list-style-type: none"> the damage was caused by the Natural Disaster (rather than, for example, poor maintenance) the Accessway has been rendered impassable by the natural hazard and there are no safe alternate routes (permanent or temporary) to the home/PPR The PPR was lawfully erected at the time of the disaster The Accessway was lawfully carried out at the time of the disaster. <p>RA retains the right to not provide a grant should the projected cost be considered to not be within the threshold of the DRG Program, or represent an efficient and effective use of public funds.</p> <p>Both the damage and required repair works must be assessed and approved by RA before a grant contributing to the cost of the repair works are undertaken by licenced trades approved by RA.</p> <p>Where an Accessway extends through multiple properties, the applicant must be the owner of the damaged section of the Accessway.</p> <p>Where the Accessway is on a Multiple Occupancy, for example a co-operative or company title, additional information may be sought in relation to ownership and entitlement arrangements to confirm eligibility.</p>
Inclusions	<ul style="list-style-type: none"> The Access Grant may be available notwithstanding the applicant is a primary producer or business owner who conducts a business on the affected Property. If RA cannot assist, a referral can be made to the Rural Assistance Authority (RAA).
Exclusions	<p>An Access Grant is not available:</p> <ul style="list-style-type: none"> where the access is required for the purposes of farming or business activities only. Where this occurs, an application should be made direct to RAA where another means of access to the Residence or Temporary Dwelling on the Property is available. to provide a contribution towards the costs of unapproved repair works which have been undertaken directly by or on behalf of the applicant without RA approval.

Access Grant	
	<p>If an applicant has insurance that covers the relevant damage to or replacement of the Accessway, then the applicant will not be eligible for an Access Grant.</p> <p>An applicant will also not be eligible if the DRG application relates to a High Natural Hazard Risk Property (see section 1.2.4).</p> <p>Where an applicant is eligible for or has received other forms of disaster relief assistance, this may also affect eligibility or the amount of an Access Grant. For more information, refer to the <i>FAQ Other forms of Government Assistance</i>.</p>

3

Application process

3 Application process

3.1 How to apply

Following a Natural Disaster, there are many ways an individual may be provided with an opportunity to apply for a DRG by completing the Application Form available. Applicants may find information on how to submit an application through the following pathways:

1. referrals by Service NSW (including via the Disaster Welfare Assistance Line – 13 77 88)
2. referrals by Department of Communities and Justice (including via evacuation centres or recovery centres)
3. being identified through an outreach strategy undertaken following the Natural Disaster
4. being referred by another service
5. contacting RA via the nsw.gov.au and service.nsw.gov.au websites.

People who indicate that they have suffered damage to their Essential Household Goods and/or Residence or Temporary Dwelling, and whose circumstances indicate that they may meet the eligibility criteria for support under the DRG Program, can apply for a DRG.

3.2 Application requirements

3.2.1 DRG Application Form

A completed DRG application will include:

- Personal identification (see section 2.1)
- Proof of income (see section 2.2.1)
- Insurance details (if insured) (see section 2.2.2)
- Proof of ownership or Tenancy, as well as PPR (as applicable) (see section 2.2.3)
- Details of the damage or loss incurred and that it was caused by the Natural Disaster (see section 2.2.4)
- Proof of assets (see section 2.2.6)
- A signed declaration (which acknowledges the terms and conditions, including consequences of a fraudulent claim).

Applicants must not provide false or misleading information. Providing false and misleading information may result in the application being declined, or referral to other agencies for other actions, which may include criminal prosecution and recovery of any funding provided.

3.2.2 Getting support

Frequently Asked Questions and other resources to assist with applications may be updated regularly at nsw.gov.au/grants-and-funding. The Grants and Funding Finder should be considered the authoritative source of all Grant information.

Assistance with completing applications is available. Please contact drg@reconstruction.nsw.gov.au or call Service NSW on 13 77 88. Where available, we can also connect you with your local Recovery Support Service who can assist.

3.2.3 Time limits for DRG applications

Applications for DRG must be submitted within 6 months of the date that the Natural Disaster that caused the loss or damage occurred (or such other period as determined by RA).

TRA may grant leniency to a person who was unable to submit a DRG application within the required timeframe due to exceptional circumstances.

3.2.4 Requests for further information

In making a DRG application, applicants must provide reasonable assistance to RA to enable it to assess their application. This includes providing additional information in connection with their application for DRG within a reasonable time of request by RA (RFI).

If both:

- an RFI is made and the applicant has not provided (to RA's satisfaction) the information within 28 days of the RFI, and
- the applicant has not provided a reasonable explanation for the delay in responding to the RFI,

a letter and or email, may be sent to the applicant notifying them of the intention to decline the application for DRG if the information is not received within a further 28 days of that notice.

4

Assessment process

4 Assessment process

4.1 Assessment of DRG applications

The DRG Program is an open grants program for those affected by a Natural Disaster that meet the eligibility criteria.

Applications will be assessed against the eligibility criteria by Assessment Officers within the DRG Program Team, who are responsible for routine assessment against the criteria in these guidelines and recommending assessment outcomes to the delegated decision maker within RA. The DRG Program Team may also be supported by other NSW government agency staff during application surge periods or for initial eligibility triaging assistance.

Program Managers ensure the DRG Program is administered in accordance with these guidelines and the policy intent and recommend approval of grants based on recommendations by Assessment Officers to the delegated decision maker.

The Chief Executive Officer of RA is the decision-maker, however, has the discretion to delegate decision making to the relevant departmental delegate in line with the Department's instrument of delegations.

The decision-maker is responsible for ensuring the DRG Program is administered in accordance with approved eligibility and policy intent.

4.1.1 Assessment process

Once a DRG application is received, RA will assess the application and the applicant's eligibility. In assessing an application, reference may be had to impact assessment data received through the Flood Property Assessment Program, Public Work assessments, SES impact assessments, communications with third parties and, in some instances, via a Home Visit. RA may seek advice (including recommendations) from any independent third party as it determines in its absolute discretion.

A determination will then be made as to:

- whether or not the applicant is eligible for assistance under the DRG Program, i.e. meets the test outlined in the eligibility criteria in Part 2
- if eligible, the type of DRG through which assistance may be provided – this may be conditional and dependent on scope of works and site assessments, threshold considerations and whether the grant represents an efficient use of public money
- the amount of any contribution under the DRG to be provided.

4.1.2 Assistance in relation to Structural Grants

When assessing an application for a contribution towards Structural Grants, RA may engage third parties, such as NSW Public Works, independent and accredited assessors or local councils, or utilise such other data sources as it considers fit, to conduct an assessment of the property in order to determine the scope of works required, and whether they align with the intent of the DRG program.

Applicants must provide reasonable assistance and co-operation to assist and facilitate RA's delivery of the DRG Program and DRGs (see also 3.2.4 of these Guidelines).

Applicants must:

- treat RA staff and agents respectfully at all times and refrain from abusive, intimidating or harassing behaviour
- provide accurate information within a reasonable time where requested by RA, including in response to an RFI and following the grant of a DRG
- provide reasonable assistance and co-operation to facilitate the processing of their application and administration of a DRG, including where applicable providing reasonable access to the applicant's Residence or Temporary Dwelling for the purpose of a Home Visit, High Natural Hazard Risk assessment or contractor access
- not pursue frivolous or vexatious DRG applications.
- Not provide false or misleading information in support of their grant application. To do so is a serious offence and any such applications may be referred to law enforcement and penalties may apply.

4.1.3 Probity Advice

Independent probity advisors may be engaged by RA on any issues concerning integrity, fairness and accountability that may arise throughout the application, assessment, and decision-making process. This will ensure decisions are made with integrity, fairness and accountability, while delivering value for money for NSW.

4.2 Out of scope applications

RA may at times receive applications for assistance towards meeting the costs of the repair or replacement of items or towards meeting the costs of repairing damage which, in any case, fall outside the scope of the Guidelines and DRG Program objectives of providing assistance to ensure a 'safe and habitable home'.

In exceptional circumstances, where the application of the Guidelines would result in a significantly adverse outcome, RA may ask the Minister (or the Minister's delegate) to make a discretionary decision that falls outside of the Guidelines. It is not possible for applicants to submit requests directly to the Minister. Such requests will rarely be made by RA. If RA requests the Minister to make a discretionary decision, this does not mean that the Minister will grant the approval.

4.3 Notification of application outcome

An applicant will be advised of the outcome in writing and any other communication method provided by the applicant (eg phone, email, post), which will outline the amount of the grant and the terms and conditions applicable.

An applicant will be notified of the outcome of their application within the following time periods of submitting a complete application, including all necessary supporting evidence:

- Essential Household Goods Grant – 3 months
- Structural Grants – 6 months

During this assessment period, RA will maintain regular contact with applicants to provide status updates and, if necessary, request any outstanding supporting evidence.

Applications may be declined if the applicant, or the loss or damage which is the subject of the DRG application, does not satisfy the DRG Program eligibility criteria or otherwise comply with the Guidelines.

For example, an application may be declined if:

- the applicant is not an eligible Owner-Occupier or Tenant
- the applicant's Disposable Income or Realisable Assets exceed the relevant thresholds
- the relevant Residence or Temporary Dwelling is not the PPR of the applicant
- the applicant has insurance that provides coverage for the relevant loss or damage
- the loss or damage was not caused by the Natural Disaster, cannot be substantiated or is out-of-scope for the DRG Program (e.g. cosmetic damage only)
- the applicant fails to provide information requested by RA or applicant refuses a Home Visit
- the applicant, or their application, does not comply with the Guidelines in some other way
- the applicant's property has been assessed as presenting a safety impact or is a High Natural Hazard Risk Property
- the cost of works required to restore a residence to a safe and habitable condition exceeds relevant thresholds and/or does not represent an efficient use of public money.

5

DRG outcome

5 DRG outcomes

5.1 Successful grant applications

5.1.1 Payments

If an application for a DRG is approved, the applicant will be notified in writing, with communication provided in all forms nominated by the applicant. Payment of the grant will be made in the following format:

- Co-payment – if a co-payment is required to be made (see section 2.2.6.1) that must be used first to meet the relevant costs before any amount of a DRG will be available for any purpose.
- Structural Grants – if any contribution towards a structural repair or is required to be made to an approved contractor(s) for any construction related works, it will be paid directly to the approved contractor(s) in periodic instalments based on the delivery of agreed repair or rebuild milestones to a satisfactory standard.
- Other DRG payments – subject to the above, any other DRG to which an applicant is entitled will be made directly to the applicant by electronic transfer to the applicant's nominated account (or as otherwise determined by RA).

5.1.2 Conditions for Structural Grants

Any repairs under a Structural Grant are to restore a property to a safe and habitable condition. RA does not guarantee that the property will be returned to its original value, size, quality or other specification.

If a Structural Grant is approved, the following conditions apply:

- the applicant must enter into a deed of works with such entity as appointed by RA
- there must be safe access to the property to complete the structural works
- any development consent or other approval to complete the works must be obtained by the applicant and remain valid for the duration of the works.
- RA may cease a repair or rebuild at any time, and may revoke the grant, if:
 - It is not possible to repair or rebuild a safe and habitable dwelling for the applicant for the grant amount (eg if asbestos is found on the property following commencement of works) and/or
 - RA cannot reach an agreement with the applicant to revise the scope of works to deliver a safe and habitable dwelling for a cost that represents an ongoing efficient and effective use of public money.

5.2 Appealing a decision

If an applicant disagrees with a DRG decision by RA the applicant (or their authorised representative) may appeal that decision in accordance with the appeal process set out below.

The appeal decision is final and binding on all parties. Applicants do not have a right of further appeal to the NSW Civil and Administrative Tribunal.

5.2.1 When can an appeal be made?

The conditions for an appeal are:

- Appeals are only available in relation to decisions:
 - to decline a grant application on the basis it does not meet the eligibility criteria
 - to reduce the amount of a DRG by application of the Realisable Assets Test (see section 2.2.6).
- An appeal is not available where an application has been declined or revoked as a result of other non-compliance with the Guidelines (such as an RFI deadline being missed, refusal to co-operate or the submission of false information as part of an application)
- An appeal will only be considered if there is new or updated information that is relevant to eligibility, the assessment of the Property as High Natural Hazard Risk Property or the application of the Realisable Assets Test, as applicable, and which could reasonably be expected to have resulted in a different outcome
- An appeal must be lodged in writing within 30 days of the date the applicant receives notice of the decision in relation to the DRG (which will be, if the applicant is notified by email, deemed to be the date the email is sent or if the applicant is notified by post, 14 days after the notice is posted to the applicant)
- An applicant can only make one appeal regarding a decision to decline, or to reduce the amount of a DRG, as applicable
- An appeal is not available for an out of scope, or discretionary, decision made by the Minister.

5.2.2 Who manages the appeal process?

If an appeal is made in accordance with section 5.2, it will be considered by an employee of RA who was not involved in making the original decision. That employee will apply the Guidelines to any information provided by the applicant to determine if the original decision was correct. RA may seek advice (including recommendations) from any independent third party as it determines in its absolute discretion.

5.3 Publication of grants information

The Grants Administration Guide requires that certain information is published in relation to grants awarded no later than 45 calendar days after the grant agreement takes effect (see section 6.5 of the Guide and Appendix A to the Guide). This information is also open access information under the *Government Information (Public Access) Act 2009 (NSW) (GIPA Act)*, which must be made publicly available unless there is an overriding public interest against disclosure of the information, or legal requirements under the *Privacy and Personal Information Protection Act 1998 (NSW) (PPIP Act)*.

In accordance with these requirements, relevant information about the grants awarded will be made available on the NSW Government Grants and Funding Finder as soon as possible after the grant funding is approved or declined.

All records in relation to this decision will be managed in accordance with the requirements of the *State Records Act 1998 (NSW)*.

6

Additional information and
resources

6 Additional information and resources

6.1 Complaint handling

Any concerns about the DRG application and assessment process should be submitted in writing to governance@reconstruction.nsw.gov.au. RA is committed to responding to external complaints fairly, efficiently, and effectively. Concerns and complaints procedures for the DRG Program follow the processes set out in the External Complaints Handling Policy available [here](#). This policy sets out the steps for managing an external complaint received by RA.

If you are a person with a disability or experience difficulties in providing your complaint in writing, you can make a verbal complaint by contacting (02) 9212 9200. RA may require a verbal complaint by made in writing in circumstances where the matter is complex or contentious.

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

6.2 Access to information

The GIPA Act provides for the proactive release of government information by agencies and gives members of the public an enforceable right to access government information held by an agency (which includes Ministerial offices). Access to government information is only to be restricted if there is an overriding public interest against disclosure.

The NSW Legislative Council has the power to order the production of State papers by the Executive Government. Standing Order 52 provides that the House may order documents to be tabled by the Government in the House. The Cabinet Office coordinates the preparation of the papers – that is, the return to order. The return to order may contain privileged and public documents. Privileged documents are available only to members of the Legislative Council.

Note that documents submitted as part of a grant application may be subject to an application under the GIPA Act or an order for papers under Standing Order 52.

6.3 Privacy

RA is regulated by the Privacy and Personal Information Protection Act 1998.

When you submit an application, RA collects information from this process. This information may include personal information, such as your name, address, phone number and email address.

RA will use your personal information for the primary purposes of providing further information about the DRG Program and processing your application. RA may also use this information for a directly related purpose, or where RA is otherwise authorised or required to do so by law.

RA may disclose your personal information to other government agencies, staff administering the DRG Program and to external stakeholders (including independent and accredited assessors). This may be to assist with the assessment of your application or to provide you with information about other forms of assistance available.

Further information about how your information will be collected, stored and used by RA can be found in the Privacy Collection Notice (PCN) for the DRG Program available [here](#).

[For enquiries regarding privacy, please contact RA at drg@reconstruction.nsw.gov.au.](mailto:drg@reconstruction.nsw.gov.au)

6.4 Ethical conduct

All RA personnel involved in the receipt, assessment and management of applications are bound by RA's Code of Conduct and the NSW Public Sector's Ethical Framework. This requires that personnel:

- assess all applicants equally, without prejudice or favour
- act with honesty, consistency and impartiality
- disclose and manage any actual or perceived conflicts of interest
- observe confidentiality and privacy requirements.

6.4.1 Confidentiality

All applications will be managed on assessed on a confidential basis. When required to report on the performance of the DRG program, public facing information will de-identify all applicants.

Successful applicants may be required to keep the outcome of the application process confidential until the Government makes a public announcement.

6.5 DRG Program Principles of Support

The below principles guide the administration of the DRG Program and the delivery of processes required to support the overall DRG Program objectives.

Principles of Support

Principle 1

The DRG Program seeks to reduce financial hardship and provide safe places to live.

An underlying principle of the DRG Program is to provide resources to those people in the community who are in need and likely to experience severe hardship if assistance is not provided. The aim of the assistance is to support individual and community recovery by providing resources to return to a basic standard of living and provide a safe place to live.

The DRG Program requires a natural hazard risk assessment to be undertaken by a suitably qualified expert for a Rebuild to determine if an impacted dwelling is located on land in a high natural hazard risk area (i.e. is High Natural Hazard Risk Property).

DRGs are provided within the framework of a needs assessment which looks at the needs of the household, connection to support systems and resources.

Principle 2

The DRG Program targets its support to those who are most in need.

To receive assistance, either for Essential Household Goods or structural repairs or any other assistance provided under the DRG Program, all applicants are tested against eligibility criteria relating to:

- income and assets
- PPR
- non-insurance coverage
- the damage must have been caused by the Natural Disaster, and
- losses must be in scope of the DRG Program.

Applicants can be determined as ineligible if they do not meet the Disposable Income threshold, the value of their Realisable Assets is greater than the thresholds provided under the DRG Program, or where it is determined that insurance will cover the damages or losses.

Applicants may also be ineligible if the Residence or Temporary Dwelling is not their PPR at the time of the event.

Further details on eligibility criteria can be found in earlier sections of the Guidelines.

Principle 3

The program will be administered in a trauma informed, and person-centred manner.

Where available applicants will be connected to Recovery Support Services (RSS) (subject to consent) to assist with them through the process.

Where DRGs are not available, DRG staff and RSS seek to identify other forms of support which may be available.

While delivering the DRG Program, assessors will come into contact with a diverse range of applicants and many will have suffered impacts or losses that are not within the scope of the DRG Program. Assessors will provide links and referrals to other services and support that may be available to support these individuals, this may include reference to the Service NSW Disaster Assistance Line or seeking local advice from RA.

RA will provide advice on sources of assistance which may include:

- non-government community agencies such as neighbourhood centres, food banks, local charities
- local appeals that may be established to provide other assistance such as large charities, local council
- services provided by other government agencies such as such as:
 - Service NSW – Disaster Assistance Finder
 - Department of Communities and Justice Housing
 - community/social housing providers
 - RAA
 - local mental health support services
 - Department of Primary Industries
 - First Nation services
 - local charities and not for profit organisations for material needs.
 - RA funded Recovery Support Services.
- assistance administered by the Commonwealth government. For example, income support, crisis payments and other types of assistance, the Australian Government Disaster Relief Payment – if announced for the affected community.

6.6 Glossary

Term	Definition or reference
Access Grant	A contribution of up to \$50,000 towards essential repairs to an Accessway which has been damaged or destroyed by a Natural Disaster and an eligible Owner-Occupier has no safe alternate access route to the Residence or Temporary Dwelling.

Accessway	Privately-owned roads, bridges, culverts etc, whether temporary or permanent, that provide access to a PPR and that were lawfully carried out at the time of the disaster.
Adult child	A child 18 years of age or older
Application Form	The form used by applicants to apply for a DRG
APZ	Asset Protection Zone, being a fuel reduced area surrounding a built structure
ATO	Australian Taxation Office
BAL	Bushfire Attack Level, a measure used by the NSW Rural Fire Service to determine the level of bush fire risk of any type of development
Cause of Damage Test	The claim must relate to damage caused by a declared Natural Disaster. See section 2.2.4 for further details
Dependent child	A child under the age of 18 years
DAP	Disaster affected person
Disposable Income	See section 2.2.1
DRFA	Disaster Recovery Funding Arrangements
DRG	Disaster Relief Grant
DRG Program	NSW Disaster Relief Grant Program
Dwelling entitlement	Means that dwellings are permitted with or without consent on the Property under the EP&A Act
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Essential Household Goods (HHG Grant)	A grant of up to \$18,000 to assist with a contribution toward the cost of reestablishing essential household items considered necessary to maintain a basic standard of living. See section 2.3.1 for further details
Rebuild Grant	A contribution towards the rebuild of a Residence (including a Relocatable Home) to a basic level that has been rendered uninhabitable. See section 2.4.2 for further details
HHG Grant	Essential Household Goods Grant
High Natural Hazard Risk Property	A property which: <ul style="list-style-type: none"> a) has undergone a natural hazard risk assessment by a suitably qualified expert approved by RA, and b) the expert has determined that the Property is in a high natural hazard risk area, being an area that: <ul style="list-style-type: none"> i) is in a Flame Zone or has a Bushfire Attack Level (BAL) rating of 40 or above which cannot be reduced to BAL 29 by reasonable rebuild works ii) has an unmanageable Asset Protection Zone (APZ) iii) is in a high flood risk zone, and/or

	<p>iv) is subject to other natural hazards that render it incompatible with the construction of a safe and habitable dwelling, such as landslides.</p> <p>See section 1.2.4 for further details</p>
Home Visit	An appointment (notified to the applicant in advance) during which RA will attend the affected Residence or Temporary Dwelling to undertake a further assessment
Income Test	<p>The applicant's Disposable Income, including where relevant determined jointly with their partner and/or other Registered Proprietors of the Property to which the DRG application relates, must be below specified thresholds. May include:</p> <ul style="list-style-type: none"> • Bank deposits • Employment income (this is gross employment income, before deduction of any salary sacrifice or other similar amounts) • Superannuation income • Benefits or pensions • Sole trader, partnership or other business income • Other Income sources <p>See section 2.2.1 and the FAQ for further details</p>
Insurance Test	The damage must not be covered by insurance – the applicant's insurance (if any) is considered to determine if the claimed loss or damage is insured. See section 2.2.2 and the FAQ for further detail
Minister	Minister for Emergency Services and Resilience or any other NSW Government Minister responsible for the administration of the DRG Program from time to time
Multiple Occupancy	A type of development where a group of people reside on a single Property in several dwellings, such as a cooperative or company title
Natural Disaster	Includes a bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, or tornado that is subject to a Natural Disaster Declaration or has been deemed an eligible disaster event by the RA
NSW EMLAN	NSW State Emergency Management Plan
RA	NSW Reconstruction Authority
Owner-Occupier	<p>Means:</p> <p>a) in the case of a Residence or Property, a person who is the Registered Proprietor of a Property on which the Residence is or will be located or of the Property, as applicable; or</p> <p>b) in the case of a Temporary Dwelling, is the owner of that Temporary Dwelling,</p> <p>and, in either case, would, but for loss or damage caused by a Natural Disaster, normally reside at the Residence, Property or Temporary Dwelling, in any case, as their PPR.</p>
PPR	Principal Place of Residence. See section 2.2.3

Principal Place of Residence Test	The affected Residence or Temporary Dwelling must be the applicant's Principal Place of Residence and for structural grants, must have been lawfully erected at the time of disaster
Property	Means the land on which a Residence or Temporary Dwelling is located
RAA	Rural Assistance Authority
Realisable Asset	An asset that can be converted to cash in a timely manner depending on the nature of the asset. See section 2.2.6 for further details.
Realisable Assets Test	The applicant and other Registered Proprietors of the Property to which the DRG application relates must not hold Realisable Assets over a certain value. See section 2.2.6 for further details.
Registered Proprietor	Means, in respect of any Property: <ul style="list-style-type: none"> a) a registered proprietor of the freehold title of the Property b) the lessee under a long term statutory leasehold of that Property (such as a Western Lands lease in the Western Division of NSW) c) in the case where an apartment is located on the Property, the holder of the strata title to that apartment, or d) any other ownership interest in the Property which entitles the relevant person to occupy that Property and to exclude others.
Relocatable Home	Means a manufactured home or other moveable dwelling, other than a tent, caravan, campervan or vehicle capable of being registered - <ul style="list-style-type: none"> (a) whether or not self-contained, and. (b) that consists of at least 1 major section, including an associated structure forming part of the dwelling.
Residence	Means: <ul style="list-style-type: none"> a) a permanent house or apartment that satisfies all local government planning requirements, or b) a Relocatable Home. Residence does not include any Temporary Dwelling.
RFI	Request for Information – see section 3.2.4
SES	State Emergency Services
Structural Grant	Structural Grant, being any of a Repair Grant, Rebuild Grant, Temporary Dwelling Grant or Access Grant
A suitably qualified expert	A professional accredited by a recognised professional body to determine the level of natural hazard risk associated with a property (such as an engineer)
Repair Grant	A contribution towards essential structural repairs to a Residence (including a Relocatable Home) to assist in restoring it to a safe and habitable condition. See section 2.4.1 for further details
Temporary Dwelling	Any PPR that was not lawfully erected at the time of disaster. See section 2.4.3 for further details
Temporary Dwelling Grant	Flat-rate Temporary Dwelling Package – flat rate of \$5,000 for repairs and \$10,000 if the Temporary Dwelling has been rendered uninhabitable. See section 2.4.3 for further details
Tenant	A person with a current lease agreement or other tenancy arrangement that is legally enforceable for Residence or Temporary

	Dwelling and would, but for damage or loss to that Residence or Temporary Dwelling caused by a Natural Disaster, normally reside at the Residence or Temporary Dwelling as their PPR
Within Scope Test	The claim must be within the scope of the DRG program. See section 2.2.5.

7

Appendices

Appendix A - Disaster Relief Grant Terms and Conditions

The below provides the Terms and Condition for the Disaster Relief Grant Program.

1. Application and acceptance of Terms and Conditions

1.1. By applying to receive a payment under the Disaster Relief Grants (DRG) Program which is delivered by the NSW Reconstruction Authority (RA), you acknowledge that you have read, understood and agree to be bound by these Terms and Conditions.

1.2. More detailed information about the Program is available in the body of these DRG Program Guidelines (Guidelines).

2. Definitions and interpretation

2.1. In these Terms and Conditions, unless the context otherwise requires:

- **Applicant** or **you** means a household (including owner-occupier and rental properties) that applies to receive payment under the Program.
- **DCS** means Department of Customer Service.
- **Disaster Relief Grant Guidelines** (Guidelines) means this document.
- **Eligible Disaster** means a bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, or tornado that has a Natural Disaster Declaration (NDD) or has been deemed an eligible disaster by the Reconstruction Authority for the purpose of activating a Category A measure under the Disaster Recovery Funding Arrangements.
- **Safe and Habitable Condition** means, in respect of a residence, fit for human habitation, possessing basic amenities in working order, and not being in substantial disrepair.
- **GSF Act** means Government Sector Finance Act 2018 (NSW).
- **NSW Reconstruction Authority** is a corporation and a NSW Government agency.
- **NSW Public Works** is a statutory agency that provides expert advice and services to the Government of NSW.
- **Residence** means a) a permanent house or apartment that satisfies all local government planning requirements, or b) a Relocatable Home. Residence does not include any Temporary Dwelling.
- **Revenue NSW** means the Crown in the right of the State of NSW acting through Revenue NSW.
- **The DRG Program** or the **Program** means the program described in these Guidelines
- **Tenant** means a person who has a current lease agreement for a Residence in which they would (but for the Eligible Disaster) normally reside and maintain Essential Household Items.
- **Terms and Conditions** means these Terms and Conditions for participation in the DRG Program, as amended from time to time.
- **We** or **us** means one or more of DCS, Service NSW, NSW Public Works and/or the RA (as the case requires).

3. Application process and requirements

3.1. Applications must be submitted and completed as per instructions stated on the NSW Grants and Funding Finder and must be accompanied by all requisite documentation and submitted to

DRG@reconstruction.nsw.gov.au. Applicants must provide evidence in relation to the eligibility criteria as outlined in these Guidelines.

3.2. Notwithstanding any other provision in these Terms and Conditions, Service NSW, DCS, Revenue NSW and/or the RA may require additional information or clarification from an Applicant or from any other public entity or person, before determining whether the eligibility criteria in the Guidelines have been met and whether the application should be approved. Failure to comply with a request for further information may result in the application being rejected.

3.3. The RA may determine that it is necessary to conduct a site visit to a Residence before determining whether the eligibility criteria have been met and whether the application should be approved. Applicants will be given reasonable notice of any proposed site visit. If an Applicant refuses to allow us to conduct the site visit, the application may be rejected.

3.4. Applicants must retain and provide on request, for a minimum of 24 months following the completion of their DRG grant, all documentation and evidence related to their eligibility and the application requirements outlined in these Terms and Conditions and their use of the payments made under the DRG Program (including Evidence of Monies paid).

3.5. By applying to receive a payment under the DRG Program, you consent to Service NSW, DCS, Revenue NSW, PW and the RA disclosing personal information provided in accordance with these Terms and Conditions to each other for the purposes of administering, auditing or reporting on the DRG Program. Without limiting this clause, Service NSW, DCS, Revenue NSW, PW and/or the RA may share an Applicant's information with other NSW Government agencies, including:

- for the purposes of verifying other NSW Government home and/or contents support received by the Applicant;
- for the purposes of seeking to recover any payments made under the DRG Program, including where Service NSW suspects that an Applicant has contravened the payment conditions;
- for the purposes of verifying other NSW Government home and/or contents support received by the Applicant and for Program monitoring and evaluation;
- identified disclosure to NSW Police of suspected cases of fraud.

3.6. Information provided in an application or otherwise in accordance with these Terms and Conditions must be true and correct. It is a serious offence to provide false or misleading information to a public authority. Where false or misleading information is provided, applications may be referred to law enforcement and penalties may apply.

4. Conditions on payment under the DRG Program

4.1. All payments to an Applicant under the DRG Program are made on the condition that:

- the eligibility criteria in the Guidelines are met;
- the Applicant complies with the legal requirements of the grant as detailed in these Terms and Conditions at all times;
- the application complies with the requirements as stated in the Guidelines.

4.2. An Applicant must take all reasonable steps to ensure that the conditions in clause 4.1 are or have been satisfied at all relevant times.

4.3. Upon receipt of payment under the DRG Program, an Applicant declares that:

- to the best of their knowledge, the conditions in clause 4.1 are or have been satisfied at all relevant times; and
- they took and will take all reasonable steps to ensure that the conditions in clause 4.1 are or have been satisfied.

4.4. Notwithstanding any other provision in these Terms and Conditions, Service NSW, PW, Revenue NSW and/or the RA may take civil and/or criminal action (where appropriate), including referral to NSW Police, where Service NSW, Revenue NSW, PW and/or the RA reasonably suspect that an Applicant or any person acting on behalf of an Applicant provider has failed to comply with the law or these Terms and Conditions.

4.5. Applicants may be audited or investigated by Service NSW, Revenue NSW, PW and/or the RA to determine whether they are complying with these Terms and Conditions. Applicants must provide any information or documentation that is reasonably required for the purpose of any such audit or investigation.

4.6. Applicants consent to being contacted by Service NSW, Revenue NSW, PW and/or the RA for a period of 24 months after receiving a payment under the DRG Program for the purposes of reporting on and evaluating the DRG Program. Applicants agree to provide any information that is reasonably required under this clause.

4.7 If an Applicant has already received a payment under the Back Home Program or other government grant deemed to deliver the same objective, the amount the Applicant may be eligible to receive under the DRG Program (subject to meeting all eligibility criteria) may be reduced by the amount received by the Applicant under the other grant program, or alternatively the Applicant may be required to contribute the amount of the payment under the other grant program towards any Structural Grant under the DRG Program.

5. Payments

5.1. Payment made under the DRG Program will be credited to the bank account identified in an Applicant's application or to the relevant contractor.

6. Recovery of payments

6.1. If an Applicant has received a payment under the DRG Program, and Service NSW, Revenue NSW and/or the RA is satisfied that the conditions in clause 4.1 were, or have been, contravened, the payment or part of the payment may be recovered from the Applicant by the Crown in a court of competent jurisdiction as debt due to the Crown, pursuant to section 5.7(3) of the GSF Act.

7. Suspension, variation or termination of the Program

7.1. Notwithstanding any other provision of these Terms and Conditions, we reserve the right, at any time, to:

- suspend or terminate the entirety or any part of the DRG Program;
- refuse to approve an application for payment under the DRG Program for any reason and at our sole discretion;
- vary the Guidelines, these Terms and Conditions and the application process;
- suspend the operation of, or close, the application process;
- alter or change the opening and closing date for applications; and
- reduce or extend the application period.

7.2. Any changes to the Guidelines, these Terms and Conditions or action taken to suspend or end the DRG Program will be published on the NSW Grants and Funding Finder

8. Limitation of Liability

8.1. To the extent permitted by law, Service NSW, DCS, Revenue NSW, PW and the RA (including their officers, employees and agents) will not be liable for any direct, indirect, incidental, special or consequential loss or damage or for any death, illness, personal injury, financial loss or property damage however caused (including by negligence) which may be suffered or incurred by an

Applicant or any person arising directly or indirectly out of or in any way connected with the DRG Program, including:

- any decision to make or refuse to make a payment under the DRG Program, including on the basis that funds are unavailable;
- the fraudulent application for payments made under the DRG Program;
- any breach of these Terms and Conditions; and/or
- any decision to suspend or terminate the entirety or any part of the DRG Program.

9. Indemnity

9.1. An Applicant agrees to indemnify and keep indemnified DCS, Service NSW, PW, Revenue NSW and the RA (including their officers, employees and agents) from and against any liability or loss (including reasonable legal costs and expenses), which may be suffered or incurred by any of those indemnified by reason of or in connection with the Applicant's application for payment under the DRG Program.

10. General

10.1. Applicants are responsible for seeking their own independent legal, business and financial advice regarding these Terms and Conditions, including any tax implications.

10.2. Failure by us to enforce any of our rights at any stage does not constitute a waiver of those rights. No rights under these Terms and Conditions will be waived except by notice in writing signed by both the Applicant and us.

10.3. These Terms and Conditions shall be governed by the laws of the State of New South Wales. We and all Applicants submit to the exclusive jurisdiction of the court of NSW and any court competent to hear appeals from those courts.

10.4. Where we issue a notice to the email address provided by an Applicant, the notice will be deemed to have been received by the Applicant immediately upon receipt of electronic transmission confirmation.

10.5. If any term in these Terms and Conditions is prohibited, void, voidable, illegal or unenforceable for any reason whatsoever, then that part is severed from these Terms and Conditions but without affecting the continued operation of the remaining Terms and Conditions.

10.6. Clauses 6, 8 and 9 contain continuing obligations and will survive termination of these Terms and Conditions.