



Transport
for NSW

NSW Boating Now Round 4

Boating Infrastructure Emergency Repair Pool Scheme

Grant Guidelines

Contents

1	Overview.....	3
1.1	Introduction	3
1.2	About the BIERP Scheme.....	3
1.3	What the BIERP Scheme funds	3
1.4	How the BIERP Scheme Works.....	4
1.5	The BIERP application and payment process	4
2	BIERP Particulars	6
2.1	Nature of financial assistance	6
2.2	Asset owners role and responsibilities	6
2.3	Cost collection.....	6
2.4	Evidence of damage	6
2.5	Inspection of works	6
2.6	Insurance and self help	6
2.7	Uninsured items	7
2.8	Building standards	7
2.9	Betterment	7
2.10	Inadequate maintenance	7
2.11	Timing	7

1 Overview

1.1 Introduction

In December 2021, the NSW Minister for Transport and Roads launched Round 4 of the NSW Boating Now Program (Program).

Up to \$28 million has been allocated to Round 4 of the Program which will continue to support infrastructure projects that improve boating access, amenities and safety and will support the [Maritime Infrastructure Plan 2018](#). This Program funding comes from boating licence and registration fees which are reinvested back into initiatives that improve boating in local communities.

In addition to planned infrastructure improvements, the NSW Government recognises that after severe weather events, such as storms or floods, financial assistance may also be required to repair damaged boating assets and facilities. Under Round 4 of the Program, the Boating Infrastructure Repair Pool Scheme (BIERP) will provide funding to projects that aim to speed up the delivery of replacement or repair of boating facilities to return them to service. Where the replacement or repairs are covered by insurance, repayment of grants under this element will be required, up to the value of the grant provided to the asset owner.

1.2 About the BIERP Scheme

The BIERP provides funding support towards the repair or replacement of publicly owned recreational boating facilities that are lost or damaged in severe weather events.

The Round 4 BIERP runs from 1 July 2022 until 30 June 2024 and is administered by Transport for NSW (TfNSW). Funding requests for emergency repairs or replacement under the BIERP can be made at any time by completing and submitting the relevant application form and supporting documentation.

1.3 What the BIERP Scheme funds

The BIERP funds the repair or replacement of publicly owned recreational boating facilities that are damaged by severe weather events such as floods and storms. The boating facilities that are eligible for funding under the BIERP include recreational jetties and wharves, boat ramps, pontoons, pump out facilities, slipways, storage facilities, boat ramp trailer parking areas and some supporting amenities that provide direct benefits to boaters (boating facilities or assets).

Funding for boating facilities that are owned by a registered club or voluntary organisation may also be considered, provided that the asset provides direct benefits to the general boating public and is publicly accessible.

Recipients may be eligible for funding of up to 100 per cent of the repair or replacement costs, up to a total of \$500,000 per asset, provided the asset owner can demonstrate that the asset has been appropriately insured and maintained prior to the loss or damage occurring. A financial contribution from the asset owner is also welcomed and taken into account during the assessment of BIERP applications.

The BIERP does not fund repair work for facilities that do not directly benefit boaters such as pedestrian boardwalks, toilet facilities and other amenities that are ancillary to the primary boating asset. Debris removal and dredging works are also not eligible for funding under the BIERP.

The BIERP also does not fund repair and maintenance work associated with the general wear and tear of boating infrastructure and facilities that have occurred over long periods of time.

1.4 How the BIERP Scheme Works

Following the loss or damage of a boating asset as a result of a severe weather event, the asset owner must submit a BIERP Grant Application Form (**Appendix A**) to TfNSW. Further details on how to apply for a BIERP grant are provided under Section 1.5.

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

Under most circumstances, the asset should be insured and the asset owner must submit a claim for the loss or damage with the insurer (usually the Treasury Managed Fund, if the asset is state owned; or a private insurer if the asset is underwritten for local government or a club or voluntary organisation). Evidence of the insurance claim should be provided to TfNSW once available.

Funding under the BIERP is generally intended to expedite repair or replacement of the asset prior to the resolution of any insurance claim, which may take an extended period of time to resolve. In the event of a successful insurance claim, the asset owner will be required to reimburse TfNSW for the value of the grant once the insurer makes payment.

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

There are likely to be a number of scenarios where an insurance claim cannot be lodged because the nature of the claim is not covered by the insurance policy, or the asset is not appropriately insured. TfNSW reserves the discretion to pay for the repair or replacement of uninsured or improperly maintained asset solely at its expense or may seek a contribution towards the replacement cost from the asset owner. In making this decision TfNSW will consider factors such as exceptional hardship or significant public benefit from the asset.

1.5 The BIERP application and payment process

- In the event that a recreational boating asset is lost or damaged in a severe weather event such as a storm or a flood, the asset owner should first contact TfNSW via mido@transport.nsw.gov.au to give notice of intent to apply for BIERP funding and determine if the replacement or repair works are eligible to be assessed for BIERP funding. Details such as date of the event, the asset requiring repair or replacement, the extent of the damage and if possible photographs of the damaged asset should be provided at that time.
- If the replacement or repair works are considered eligible, the asset owner should submit a BIERP funding application that includes evidence of the damage and a cost estimate of the proposed repair works. This evidence includes photographs of the infrastructure before and after it was damaged, maintenance plans, latest inspection reports, formal quotes and any other relevant information.
- Applications for works that have already commenced will only be considered if TfNSW was notified prior to works commencing of the asset owner's intention to apply for funding under the BIERP. However, commencing works prior to approval of a final application is at the risk of the asset owner and funding is not guaranteed without a Letter of Offer from TfNSW.
- TfNSW will assess the BIERP application against the following mandatory eligibility criteria:
 - The project must comply with the BIERP guidelines and be consistent with the types of projects that can be funded under the program as

outlined in Section 1.3.

- The asset must have been damaged by a severe weather event such as a storm or flood.
 - The asset must have been appropriately maintained and insured.
 - The cost estimate of the repairs is considered reasonable and presents value for money.
 - The asset must be available for use by the general boating public and must provide direct benefits to recreational boaters.
- Subject to meeting each of the mandatory eligibility criteria, TfNSW will make a recommendation to the relevant delegate for approval.
 - If approval of funding is provided, a Letter of Offer is issued to the asset owner.
 - Once the asset owner completes the eligible works they will seek reimbursement by submitting a completed certificate of expenditure.
 - TfNSW verifies the value of the completed works, that the works have been undertaken in accordance with the Letter of Offer and makes a recommendation to the relevant delegate for payment of the BIERP funding.
 - The asset owner is reimbursed if payment is approved. Note all payments under BIERP are made exclusive of GST.
 - If the asset is insured and an insurance claim by the asset owner is successful, the asset owner reimburses TfNSW up to the value of the grant provided to the asset owner.

2 BIERP Particulars

2.1 Nature of financial assistance

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

2.2 Asset owners role and responsibilities

The asset owner is responsible for lodging the BIERP Application Form and arranging for the replacement or physical restoration of the asset(s) in consultation with TfNSW. The asset owner must also ensure that if an insurance policy is held, an appropriate claim is filed with the insurer, and any subsequent payment of claim from the insurer to the asset owner is passed on to TfNSW, up to the value of the grant provided by TfNSW to the asset owner.

2.3 Cost collection

A record of all costs incurred is required to be maintained by the asset owner. The breakdown of costs should be sufficiently detailed to enable TfNSW assessors to determine if the claimed amounts are fair and reasonable. Should an audit of the asset owner's expenditure be necessary, the asset owner will be responsible for the costs incurred. Should the audit indicate the claimed amounts are not fair and reasonable, TfNSW may seek reimbursement for costs not considered fair and reasonable.

2.4 Evidence of damage

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

2.5 Inspection of works

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

2.6 Insurance and self help

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

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

While BIERP funding is intended to provide immediate assistance to repair or replace an asset prior to the settlement of a claim by the insurer, insurance premiums and insurance excess is not covered by the BIERP and it is a condition of acceptance of the BIERP funding that any

payment made by the insurer to the asset owner must be passed on to TfNSW, up to the value of the grant provided to the asset owner. The asset owner must claim on insurance where available for any damaged item. The financial assistance provided by the BIERP notionally covers the gap or difference between the insurance payout (including the insurance excess) and the total cost to restore the item, should an insurance claim be made.

2.7 Uninsured items

Replacement or restoration of damage to uninsured assets will be considered. However, applications relating to assets that could reasonably be expected to be insured may be disallowed as financial assistance is not to take the place of normal insurances. TfNSW reserves the discretion to provide funding if the asset is uninsured or improperly maintained in certain circumstances, such as cases of exceptional hardship or significant public benefit, but generally will not do so.

2.8 Building standards

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

2.9 Betterment

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

2.10 Inadequate maintenance

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

Asset owners are required to conduct appropriate routine maintenance of their assets, and only assets for which the owner can provide routine or periodic asset maintenance plans or schedules that evidence an appropriate level of maintenance has occurred, will be eligible for funding in the event of loss or damage. An appropriate level of maintenance can be demonstrated by the inclusion of the asset in an asset maintenance plan or similar document. Asset owners should also provide the latest inspection report, including photographs, if available.

2.11 Timing

- The asset owner must email mido@transport.nsw.gov.au within 14 days of the event to give notice of intention to submit a BIERP application.
- The final application, with the required evidence, must be submitted within 3 months after the event, however TfNSW will consider exemptions in exceptional circumstances.
- Any works funded by a BIERP grant must be completed within 12 months of the BIERP grant being approved, however TfNSW will consider extensions of time in exceptional circumstances.



Transport
for NSW

Boating Infrastructure Emergency Repair Pool (BIERP) Scheme

Appendix A - Grant Application

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

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

Please send the completed form, including supporting attachments seen in section 6, to mido@transport.nsw.gov.au. Receipt of your application will be provided within 7 days.

Applicant Response

The final application, with the required evidence and completion of the remaining sections, must be submitted within 3 months after the event, however TfNSW will consider exemptions in exceptional circumstances.

Section 1 – Respondent details

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

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

Section 2 – About the asset

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

Asset name	
Asset Location (street address if applicable)	
Who owns the asset?	
Who owns the land the asset is located on? State all if multiple.	
What is / was the asset? E.g. Pontoon, Jetty, BoatRamp	

Section 3 – Delivery and financials

Please confirm key details for which funds are sought:

<p>What needs to be repaired / replaced? Please list all major components where funding is sought, or state total asset.</p>	
<p>What is the estimated cost of repair or replacement? Please list major components.</p>	
<p>How much BIERP funding is being sought as part of this application?</p>	
<p>How much funding is the applicant contributing?</p>	
<p>Please provide estimated timeframes for completion of the milestones:</p> <ul style="list-style-type: none"> • Procurement • Construction 	

Section 4 - Insurance

Please confirm insurance arrangements relating to the asset:

<p>Is the asset currently insured? If No, go to section 5.</p>	
<p>How much is the asset insured for?</p>	
<p>Does the insurance adequately cover the asset for the event that has led to its loss or damage?</p>	
<p>Has the insurer been notified of the claim?</p>	
<p>Has the insurer determined the claim? If so, what was their determination?</p>	

Section 5 – Other information

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

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

Section 6 – Additional returnable attachments.

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

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

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