



Environment Protection Authority

# Green waste clean-up and processing program

Bushfire Recovery Program



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The Bushfire-Generated Green Waste Clean-Up and Processing Program will ensure the appropriate management of green waste generated by the 2019–20 bushfires, and, where possible, that the processed materials will be beneficially reused in the region from which it was generated.

# About the NSW Environment Protection Authority

The NSW Environment Protection Authority (EPA) is an independent statutory authority and the principal environmental regulator in NSW.

It leads the state's response to managing a diverse range of activities that can impact on the health of the NSW environment and its people, using a mix of tools, including education; partnerships; licensing and approvals; and audit, enforcement and financial mechanisms. The EPA is empowered under the Protection of the Environment Administration Act 1991 (POEA Act).

## About the Bushfire Recovery Programs Package

In late 2019 and early 2020, bushfires devastated NSW, causing significant damage to communities, infrastructure and the environment. In response, the NSW and Commonwealth Governments established a clean-up program for bushfire-generated waste in January 2020.

In addition to this program, the NSW Government has allocated up to \$95 million for the EPA to deliver a package of five Bushfire Recovery Programs.

The Bushfire Recovery Programs Package addresses ongoing bushfire waste challenges faced by public land managers in NSW. The five Bushfire Recovery Programs are outlined below. For program closing dates, visit the [EPA website](#)<sup>1</sup>.

### **Bushfire-Generated Green Waste Clean-Up and Processing**

The Bushfire-Generated Green Waste Clean-Up and Processing Program, covered in this document, is a \$45 million initiative to manage up to 500,000 tonnes of green waste generated by the 2019–20 bushfires – waste that would otherwise present significant environmental, safety and bushfire risks.

### **Aboriginal Lands**

The Aboriginal Lands Program is a \$20 million support package to help Aboriginal landowners and communities to assess, plan and organise the clean-up of waste, and to repair or rebuild infrastructure, following the 2019–20 bushfires.

Note: To reduce double handing, the Aboriginal Lands Program includes relevant aspects of the other four programs. Local Aboriginal Land Councils should apply for funding **only** through this program.

### **FenceCycle**

The FenceCycle Program provides \$10 million to support councils in collecting and recycling the metal components of burnt rural fencing from bushfire-affected landholders.

<sup>1</sup> <https://www.epa.nsw.gov.au/working-together/grants/bushfire-recovery-programs>

## Bushfire Recovery Program for Council Landfills

This program provides \$15 million to support councils in their recovery from the 2019–20 bushfires. It is intended to ensure councils are no worse off as a result of receiving bushfire-generated waste at their landfills, a commitment given by the NSW Government as part of the state-wide clean-up program.

## Bushfire Dumping

This is a \$5 million program that seeks to reduce the environmental and financial impacts of the 2019–20 NSW bushfires by helping public land managers:

- clean up and dispose of bushfire-related waste that has been illegally dumped on public land
- implement prevention and deterrence measures that will reduce dumping in the future.

If you are eligible, the EPA encourages you to apply for grants under each of the programs in the Bushfire Recovery Package. Each program has been designed to address specific waste challenges, and therefore there is an opportunity to receive assistance to target several waste issues.

# Bushfire-Generated Green Waste Clean-Up and Processing Program

## Purpose

Following the unprecedented 2019–20 bushfire season, the NSW and Commonwealth Governments established a program to clean up eligible properties destroyed by bushfires since 1 July 2019.

Based on the progress of the clean-up to date, the EPA has ascertained that a large volume of bushfire-generated green waste falls outside of the scope of the Laing O'Rourke clean-up contract<sup>2</sup>, and that this waste presents significant ongoing environmental, safety and bushfire-hazard risks for the NSW community. The Bushfire-Generated Green Waste Clean-up and Processing Program will ensure this waste is effectively managed and, where possible, the processed materials will be beneficially reused in the region from which it was generated.

The program offers funding in two streams:

- **Stream A: Data collection initiative**

This is for funding to undertake an assessment of bushfire-generated green waste

- **Stream B: Clean-up and processing projects**

This is for funding to clean-up and process outstanding bushfire-generated green waste. To apply under Stream B, you will need to provide evidence of the type, volume and location of outstanding bushfire-generated green waste. To develop this evidence base, we recommend you also seek funding under Stream A.

<sup>2</sup> <https://cleanup.inbr.com.au/>

## Objectives

The program directly supports local communities and seeks to:

- reduce stockpiled green waste that has been left on private or public land as a result of bushfire-related firefighting authorities or emergency services activity
- reduce stockpiled green waste that has been left on private land as a result of preventative or safety-related works undertaken by councils during or immediately following the bushfire season
- reduce stockpiled green waste that has been stored at waste facilities or other locations as a result of the bushfires
- remove fire-damaged trees on public or private land that pose a significant risk to public safety. The tree must be assessed by a qualified arborist or other suitably qualified person and meet the following definition of a **hazardous tree**: a tree that has significant structural defects that increase the risk of falling causing injury or death, damage to a residential structure, or obstruction of a road or access route. The effect of fire can cause or worsen defects at the bowl, trunk or major limbs and may include the following characteristics:
  - a reduction of more than half of wood at any cross section of the trunk or major limb
  - dead and/or decaying tree or major branches
  - suspected loose or broken branches
  - evidence of longitudinal cracking
  - evidence of roots lifting or disturbed root system
  - significant lean with indicators of failure.

The Bushfire-Generated Green Waste Clean-Up and Processing Program will:

- assess and document outstanding green waste generated by the 2019-20 bushfires
- manage the clean-up of outstanding green waste generated by the 2019-20 bushfires
- provide opportunities to beneficially reuse processed green waste products in bushfire-affected regions
- provide regional employment opportunities in bushfire-affected communities.

The program also contributes to these targets:

- increase the proportion of waste diverted from landfill to 75%
- increase the recycling rate of municipal waste to 70%.

## Eligibility

### Who can apply?

To be eligible for this funding, applicants must:

- be a council (as defined under the NSW Local Government Act 1993), a regional organisation of councils, or another local government-controlled organisation
- operate within or across one or more of the local government areas declared a natural disaster area due to NSW bushfires from 31 August 2019 onwards (under AGRN 871)<sup>3</sup>.

<sup>3</sup> LGAs declared under ADRN 871 <https://www.emergency.nsw.gov.au/Pages/publications/natural-disaster-declarations/2019-2020.aspx>. They are listed at the end of this document.

Stream B is also open to non-Government organisations, provided they have a partnership agreement in place to manage the grant and green waste on behalf of the council/s and carry out the project in the council area/s

**Important:** Eligible organisations may apply for stream A and B, or stream B only if an assessment has already been done.

## Funding

Up to \$45 million is available for the program.

Immediate funding of \$10,000 is available to eligible organisations to assess and document the outstanding bushfire-generated green waste in the areas they manage. An additional \$20,000 per council area may be requested if the \$10,000 was not sufficient to undertake the assessment.

The outputs of this assessment and documentation project will form the evidence base to support eligible organisations in:

- applying for funding under the green waste grants program
- managing the green waste with their own resources
- making an informed decision not to pursue the management of outstanding bushfire-generated green waste.

In addition, grants of between \$20,000 and \$3,000,000 are available to fund the clean-up, processing and beneficial reuse of bushfire-generated green waste. Grants are available to:

- manage the clean-up and processing of materials
- support the reuse of processed products in the regions from which they were generated.

These grants will support up to 75% of the capital costs for equipment and up to 100% of the costs for labour, equipment rental and related processing.

### Stream A: Data collection initiative

This funding targets the assessment of outstanding green waste generated by the 2019–20 bushfires.

Stream A provides a flat fee of \$10,000 (excl. GST) for eligible organisations to:

- undertake an assessment of the remaining bushfire-generated green waste in one or more local government areas declared a natural disaster
- provide this information to the EPA in the specified format and in the timeframe required, noting that this information may be shared with other government agencies to inform future bushfire response and recovery initiatives.

The outputs of the assessment and documentation project will form the evidence base to support eligible organisations in:

- applying for funding under Stream B of this program
- managing the green waste with their own resources
- making an informed decision not to pursue the management of outstanding bushfire-generated green waste.

Stream A funds can be used for any items necessary to complete the assessment and reporting, including:

- labour hire or wages
- vehicle hire and fuel

- equipment hire and purchase
- project management and administration.

This program will not fund:

- assessments that cannot be completed by the specified due date
- assessment reporting methods that are not the format specified
- assessments that have been funded or otherwise resourced by another organisation.

Additional funding of up to \$20,000 per council area will be considered in cases where;

- a) councils received Stream A funding and the \$10,000 was not sufficient to complete the assessment; or
- b) councils did not receive Stream A funding and have still carried out a green waste assessment in order to apply for Stream B funding.

Applications for up to an additional \$20,000 will be made through the Stream B application process and evidence of expenditure must be provided with the request.

## **Stream B: Clean-up and processing grants**

Stream B provides grants of between \$20,000 and \$3,000,000 to fund the clean-up, processing and beneficial reuse of bushfire-generated green waste. Grants are available to:

- manage the clean-up and processing of materials
- support the reuse of processed products in the regions from which they were generated.

These grants will support up to 75% of the capital costs for equipment and up to 100% of the costs for labour, equipment rental and related processing.

This stream will fund projects that:

- address bushfire-generated green waste by
  - cleaning up materials at bushfire-impacted sites (e.g. stockpiled green waste, burnt or partially burnt biomass, unsafe trees or tree limbs)
  - processing materials at bushfire-impacted sites for on-site reuse (e.g. chipping with mobile equipment and applying on site)
  - processing materials from bushfire-impacted sites at a remote location (e.g. composting collected materials, or previously stockpiled materials, at a waste facility)
- secure beneficial reuse pathways for products made from bushfire-generated green waste in environmental and/or restoration applications.

Preference will be given to projects that will beneficially reuse bushfire-generated green waste products in the local government area or region from which it was generated.

Project elements that are eligible for funding include:

- equipment hire and purchase (e.g. vehicles, vehicular attachments or modifications, mobile chippers, chainsaws)
- skills hire and labour related to clean-up and processing (e.g. vehicle operators, arborists)
- processing fees (e.g. green waste facility service charges)
- market development (e.g. driving use of processed green waste products by primary producers, land managers, residents)
- product distribution for reuse (e.g. transport)
- project management and administration.

**Important:** Please see '[Additional requirements for Stream B projects](#)' for a list of what this program will not fund.

## Funding agreements and milestone payments

### Stream A

Funding recipients will be required to provide only a final report, in the specified format, to the EPA by the due date. This final report will include:

- the volume, location and type of bushfire-generated green waste assessed
- number of people and hours spent working on the project.

Assessments must be completed, and reports submitted by the closing date. If after this you find that you do not need to apply for Stream B, you must still submit a report.

### Stream B

Successful applicants will be required to provide streamlined project updates to the EPA every month. A detailed milestone report (including financial statements) at the mid-point of the grant will form part of the reporting obligations. Once projects are complete, a final evaluation report and photographic record will also be required.

If the project involves hiring staff, salaries are expected to be in line with industry standards. It is also expected that staff working conditions will be according to all applicable laws. This includes meeting work health and safety requirements.

To qualify for milestone payments, successful applicants will be required to prepare and submit milestone reports at the mid-point and end of their projects. These reports will include updates on:

- activities
- achievements
- expenditure
- tonnes diverted (including verification documentation).

Milestone reports will be reviewed by the EPA. Where they show that projects are progressing well, the EPA will authorise the next instalment of grant funding and provide feedback.

The timeframe for reporting and progress payments will be finalised when your grant is awarded and will be outlined in the funding agreement.

## Application process

### Timeline – step by step.

For closing dates, visit the [EPA's website](#).

- Stream A applications open.
- Stream A projects are finalised and Stream B applications open.
- Stream B applications close and the EPA conducts a preliminary eligibility assessment of Stream B applications and contacts applicants if further information is required.
- An independent Technical Review Committee reviews Stream B applications and makes recommendations for funding.
- Successful Stream B applicants are officially announced, and funding agreements are sent for signature.

## Assessment criteria

### Stream A

Applications that satisfy the selection criteria will be funded; no further assessment criteria apply.

### Stream B

The following table sets out the six assessment criteria for Stream B grants. Please also refer to [Additional requirements for Stream B projects](#) at the end of this document.

Table 1 Stream B assessment criteria

No.	Criterion	Weighting
1	<b>The project provides credible supporting evidence to quantify the volume of bushfire-generated green waste to be targeted.</b> <ul style="list-style-type: none"><li>Green waste is identified and broken down into different types.</li><li>Locations and treatments required are mapped.</li></ul>	20%
2	<b>The project proposes suitable methods to clean-up and process the bushfire-generated green waste.</b> <ul style="list-style-type: none"><li>The project is suitable for the location.</li><li>Suitable processing facilities and processes are nominated.</li><li>Treatment processes by GW type are described.</li><li>Quotes are provided for labour and capital.</li><li>The project complies with relevant planning and environmental regulations, including the ability to obtain relevant planning and licensing approvals as well as performance and compliance history of existing licences.</li></ul>	20%
3	<b>The project offers opportunities to beneficially reuse processed green waste products.</b> <ul style="list-style-type: none"><li>Suitable beneficial reuse applications for the green waste products have been identified and secured, ideally within the region from which it was generated.</li><li>Partnerships have been explored and developed, where relevant.</li><li>Logistics have been considered.</li></ul>	20%
4	<b>The project offers regional employment and Aboriginal participation opportunities in bushfire-affected communities.</b> <ul style="list-style-type: none"><li>Does the project offer local employment?</li><li>What Aboriginal participation and/or consultation will take place, including about how green waste products will be reused?</li></ul>	10%
5	<b>The project represents value for money to the EPA and may have broader benefits to the NSW community.</b> <ul style="list-style-type: none"><li>Cost-effectiveness is shown.</li><li>A detailed budget is provided.</li><li>Long-term benefits to the community, including environmental, social, economic, are described.</li></ul>	20%
6	<b>The applicant has a demonstrated ability to deliver the project on time and to a high standard.</b> <ul style="list-style-type: none"><li>Appropriate skills and experience to deliver the project have been considered.</li><li>Clear objectives and targets have been identified.</li><li>Clear measurements are proposed to measure the success of the project.</li></ul>	10%

- Partners (where applicable) and service providers have committed to being active in the projects.
- Risks have been identified and there is a plan to eliminate and manage risks.

# Application process

## How to apply

Use [SmartyGrants](#) to apply for Stream A and Stream B.

## Key dates

### Stream A: Data collection initiative

Visit the [EPA's website](#).

### Stream B: Clean-up and processing grants

Visit the [EPA's website](#).

# Assessment and notification

## Assessment

Applications for Stream B will be assessed by a Technical Review Committee (TRC) established by the EPA. The TRC will assess all applications received within approximately four weeks of the closing date for this program. An assessment of each received application against the assessment criteria above will be undertaken.

No applicant can be guaranteed grant funding, nor can any applicant be guaranteed to receive the full amount requested.

Applicants that submit an unsuccessful application will be advised in writing and given the opportunity to seek feedback by contacting the EPA. Decisions by the EPA are final. There is no appeal process.

## Notification of grant decisions

The EPA will notify successful applicants within approximately four weeks of the Technical Review Committee completing the assessment of all applications received.

Successful applicants will be required to enter into a grant deed of agreement with the EPA. Funds will be released according to the terms and conditions set out in the funding deed of agreement.

Any concerns about the program or individual applications should be submitted in writing to [bushfirerecovery.programs@epa.nsw.gov.au](mailto:bushfirerecovery.programs@epa.nsw.gov.au). If you do not agree with the way the department handled the issue, you may wish to contact the NSW Ombudsman via [ombo.nsw.gov.au](http://ombo.nsw.gov.au).

# Where to get help

## Bushfire Recovery Programs Team

Please contact the Bushfire Recovery Programs Team if you have questions or need help at any point during the program.

**Phone: 131 555**

**Email: [bushfirerecovery.programs@epa.nsw.gov.au](mailto:bushfirerecovery.programs@epa.nsw.gov.au)**

## Additional program resources

Additional resources for the program are being developed and will be available on the [program website](#)<sup>4</sup>.

# Additional requirements for Stream B projects

## What Stream B will not fund

This Stream **will not** fund:

- projects that do not align with the objectives of the grant program
- projects that cannot be completed by the due date
- projects not located in and servicing local government areas declared a natural disaster due to NSW bushfires from 31 August 2019 onwards (under AGRN 871)
- projects that request funds to produce documents or plans only (e.g. feasibility studies, scoping documentation)
- projects that request funds to deliver permanent infrastructure for storing and processing green waste. The [Organics Infrastructure Fund](#)<sup>5</sup> provides funding for permanent infrastructure
- projects or project components that are eligible for funding through the [Restoration of Essential Public Assets](#)<sup>6</sup> program under the joint Commonwealth–State Disaster Recovery Funding Arrangements
- projects or project components that are education activities
- requests for retrospective funding, where projects are completed or under contract prior to signing a funding agreement with the EPA (unless the funding is for a separate stage of the project)
- applicant organisations that are unable to demonstrate capability to undertake the project
- proposals that propose to send bushfire-generated green waste to landfill

<sup>4</sup> <https://epa.nsw.gov.au/working-together/grants/bushfire-recovery-programs/bushfire-generated-green-waste-grants>

<sup>5</sup> <http://www.epa.nsw.gov.au/working-together/grants/organics-infrastructure-fund>

<sup>6</sup> <https://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/grant-programs/natural-disasters.html>

- projects that seek to thermally treat bushfire-generated green waste using a technology within the scope of the Energy from Waste Policy Statement<sup>7</sup>
- projects that do not meet all applicable processing standards and protocols (including ensuring that organic products satisfy the EPA resource recovery orders and exemptions)
- projects that focus on routine or cyclical maintenance works
- land acquisition
- vehicle registration or insurance
- ongoing operational costs such as, but not limited to, salaries of existing staff working their usual hours, electricity, water and other utilities
- costs associated with the application or gaining of funding
- costs of obtaining planning approval or Environment Protection Licences
- ongoing maintenance or implementation of projects to which organisations have committed as part of a previous NSW Government grant or another project
- projects where applicants have received funding or support for the same activities from other sources
- applications submitted after the closing date.

## Planning approvals and licensing

Some proposals may not be permissible or may have significant planning challenges because of their location. Applicants must ensure that their proposed project is permissible under the NSW Environmental Planning and Assessment Act 1979. Applicants should also be aware that if the lead time for approval is too long the proposal may not be viable.

Applicants must:

- familiarise themselves with the planning approvals required for the project to proceed
- contact the relevant consent authority (council or Department of Planning, Industry and Environment) to discuss the proposal.

When submitting an application to the EPA, provide the following supporting information to strengthen your application:

- evidence of any discussions with the relevant consent authority (e.g. emails, letters, details of meetings)
- any other material that demonstrates required approvals will be achieved in a timely way.

Note: Where the applicant is, or engages, a green-waste processor that seeks to expand current operations on an existing site, a development consent and an Environment Protection Licence may be required. The licensing limits specified in Schedule 1 of the Protection of the Environment Operations Act 1997 are:

- where it takes place inside the regulated area, or takes place outside the regulated area but receives organics from inside the regulated area (whether or not it also receives organics from outside the regulated area)—
  - it has on-site at any time more than 200 tonnes of organics received from off site, or
  - it receives from off-site more than 5,000 tonnes per year or non-putrescible organics or more than 200 tonnes per year of putrescible organics, or

<sup>7</sup> <https://www.epa.nsw.gov.au/your-environment/waste/waste-facilities/energy-recovery>

- where it takes place outside the regulated area and does not receive organics from inside the regulated area—
  - it has on-site at any time more than 2,000 tonnes of organics received from off site, or
  - it receives from off-site more than 5,000 tonnes per year of non-putrescible organics or more than 200 tonnes per year of putrescible organics.

For further information on licence applications contact the EPA or visit our [webpage on Environment Protection Licences](#)<sup>8</sup>.

## Regulations governing the use of green waste products

The EPA grants resource recovery exemptions and orders where the land application of waste is a bona-fide, fit-for-purpose reuse opportunity. We issue both general and specific exemptions and orders.

General exemptions and orders are issued for commonly recovered, high-volume and well-characterised waste materials. A general exemption and order may be used by anyone, without seeking approval from the EPA, provided that the generators, processors and consumers fully comply with the conditions of the exemption and order.

Where no general exemption and order are available for the intended use, a specific exemption and order may be issued after an application is made to the EPA.

There are three relevant general exemptions and orders:

- pasteurised garden organics
- compost
- mulch.

For more information, see our [webpage on orders and exemptions](#)<sup>9</sup>.

## Value for money

Green waste projects will need different levels of support. The need will vary with:

- the location of, and accessibility to, the green waste material
- the type of processing and equipment required
- the distance to suitable processing facilities
- whether specific expertise is required e.g. arborists.

The EPA has developed a funding threshold and benchmark (in Table 2 below) for bushfire-generated green waste. This is to:

- support a fair and equitable allocation of funding
- ensure a wide range of innovative and beneficial projects receive funding
- provide guidance to applicants on what the EPA considers to be a reasonable return on investment.

<sup>8</sup> <https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licence-forms>

<sup>9</sup> <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/current-orders-and-exemption>

**Table 2 Value for money**

<b>Material</b>	<b>Maximum \$/tonne</b>	<b>Benchmark \$/tonne</b>
Bushfire-generated green waste	250	90

Please note that this threshold and benchmark only relate to the amount of funding requested from the EPA. Applicants may co-fund projects to any amount that they choose. For example, an applicant may request funding support for only 40% of total project costs.

## **Applicant co-contribution**

Grants of between \$20,000 and \$3,000,000 are available to provide up to 75% of the capital costs for equipment and up to 100% of the costs for labour, equipment rental and related processing.

A co-contribution from the applicant is required for any capital costs. The applicant's co-contribution must be cash-based and can be attributed to the payment of specific invoices covering at least 25% of the eligible costs.

The assessment process will consider more favourably those applications that include a co-contribution towards labour costs and a co-contribution greater for any capital costs that is greater than the minimum 25% required.

Applicants are encouraged to list any in-kind contributions. Examples of in-kind contributions include volunteer labour (e.g. calculated at \$25/hour), project management, and use of equipment (provided at no cost). These do not form part of your co-contribution but are part of your overall financial commitment to the project.

## **Partnership projects**

Partnerships can improve the implementation and reach of projects. An organisation must be appointed to act as the grant applicant and administrator of the project: it must sign the funding agreement and submit milestone reports. Partner organisations should reach an agreement about project management, roles, responsibilities and funding contributions before applying for funds. This agreement should be included in the grant application. It can be provided in the form of a Memorandum of Understanding signed by each partner, or a letter from each partner detailing its roles, responsibilities and commitments.

## **Funding from multiple sources**

Some projects may require multiple sources of government funding. You must advise the EPA if you:

- have secured funding from another government agency for the same activities you are seeking funds for from the EPA, or related activities
- have current applications lodged with other government agencies
- receive funding from other government agencies while your project is underway.

The EPA encourages applicants to develop projects that include partnerships, collaboration, other funding sources and in-kind contributions. For example, councils that intend to collect and process bushfire-generated green waste may partner with organisations or groups that will use the processed green waste products in environmental applications. Collaborative applications will require a lead applicant that will be accountable for implementing the funding agreement.

## Local government areas declared bushfire natural disasters

As listed on the [website of Resilience NSW](#)

1. Armidale Regional
2. Ballina
3. Bega Valley
4. Bellingen
5. Blue Mountains
6. Byron
7. Central Coast
8. Cessnock
9. Clarence Valley
10. Coffs Harbour City
11. Cootamundra-Gundagai
12. Dungog
13. Eurobodalla
14. Glen Innes Severn
15. Goulburn Mulwaree
16. Greater Hume
17. Gwydir
18. Hawkesbury
19. Inverell
20. Kempsey
21. Ku-ring-gai
22. Kyogle
23. Lake Macquarie
24. Lismore
25. Lithgow
26. MidCoast
27. Mid-Western
28. Muswellbrook
29. Nambucca
30. Narrabri
31. Oberon
32. Penrith
33. Port Macquarie-Hastings
34. Queanbeyan-Palerang
35. Richmond Valley
36. Shoalhaven
37. Singleton
38. Snowy Monaro
39. Snowy Valleys
40. Sutherland
41. Tamworth Regional
42. Tenterfield
43. Tweed
44. Upper Hunter
45. Upper Lachlan
46. Uralla
47. Wagga Wagga
48. Walcha
49. Wingecarribee
50. Wollondilly