



Waste Less, Recycle More Initiative

Circulate Industrial Ecology Grant Program

Round 3 Guidelines for Applicants



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The Circulate Program is designed to fund innovative, commercially oriented industrial ecology projects that focus on the commercial and industrial (C&I) and construction and demolition (C&D) sectors in NSW.

In May 2018, Circulate was revised to include industrial ecology projects that focus on materials affected by the China National Sword Policy.

Circulate supports projects that will recover materials that would otherwise be sent to landfill (or plastic, mixed paper and cardboard stockpiled because of the China National Sword Policy) and instead use them as feedstock for other commercial, industrial or construction processes.

This document provides guidance on project eligibility and on how to apply for funding. Please read these guidelines carefully before completing the application form.

About the program

The NSW Environment Protection Authority

The NSW Environment Protection Authority (EPA) is the primary environmental regulator for New South Wales. We partner with business, government and the community to reduce pollution and waste, protect human health, and prevent degradation of the environment.

The Waste Less, Recycle More Initiative

Since 2012, the NSW Government has been delivering the \$802.7 million Waste Less, Recycle More Initiative. This initiative aims to modernise the waste sector in NSW, deliver effective waste and recycling services to the community, and ensure a safe and healthy environment. Under this initiative, \$57.5 million has been allocated to working with businesses to improve waste outcomes.

The Waste Less, Recycle More Initiative is funded through the NSW waste levy and is the largest waste and recycling funding program in Australia.

The targets for the NSW Waste Avoidance and Resource Recovery (WARR) Strategy are to, by 2021–22, increase recycling rates for:

C&I waste from 57% (in 2010–11) to 70%

C&D waste from 75% (in 2010–11) to 80%.

Industrial ecology

The NSW WARR Strategy 2014–21 describes industrial ecology as a waste avoidance activity in which the by-products of production in one process or company are used as resources by another organisation. Linking companies directly to use each other's by-products will keep materials out of the waste stream.

'Industrial ecology is trying to mirror natural ecology. You have biological ecology where there is no such concept as waste, so industrial ecology is striving to design industrial systems so that we design waste out of the process. That is the ultimate goal.'

Peter Bragge, Jim Curtis and Mark Boulet,
Effectiveness of strategies to promote industrial ecology: A rapid review
Monash University, 2017

Program aim

Circulate aims to recover valuable resources by supporting the establishment of viable industrial ecology relationships.

Program objectives

Circulate is designed to fund innovative, commercially oriented, industrial ecology projects that focus on the C&I and C&D sectors in NSW.

In May 2018, Circulate was revised to include projects that focus on materials affected by the China National Sword Policy.

Circulate supports projects that will recover materials that would otherwise be sent to landfill (or plastic, mixed paper and cardboard stockpiled as a result of commodity price changes due to the China National Sword Policy), to be used as feedstock for other commercial, industrial or construction processes. Circulate aims to:

- assist organisations to develop and progress viable industrial ecology opportunities
- overcome barriers to change associated with existing waste and resource recovery management practices
- support the development of realistic business cases for the use of recovered and recycled products in the manufacture of new products
- divert C&I and C&D waste from landfill
- strengthen local markets for recycle from municipal recycling streams.

‘Effective waste management is a fundamental responsibility for the NSW community as well as the global community. Without it we risk compromising our environment, our health and our economy.’

NSW WARR Strategy, 2014–21

Australian Waste Export Ban

In March 2020, the Council of Australian Governments (COAG) agreed to phase out the export of certain waste materials. The COAG decision followed increasing community concern about the impact of exported Australian waste on developing countries and changes to the local recycling industry resulting from import restrictions on waste, particularly China’s National Sword Policy. Following this policy, other countries also increased controls around imported waste, further disrupting the business models of some local recyclers.

The intention is to stop the export of untreated and unprocessed wastes which may have a negative human health and/or environmental impact in the receiving country. The ban also aims to maximise the capability of Australia’s waste management and recycling sector to collect, recover, recycle, reuse, and convert waste. This presents opportunities for strategic co-investment from industry, local councils and government to stimulate new and expanded local recycling markets, generate new jobs and economic benefits for the State.

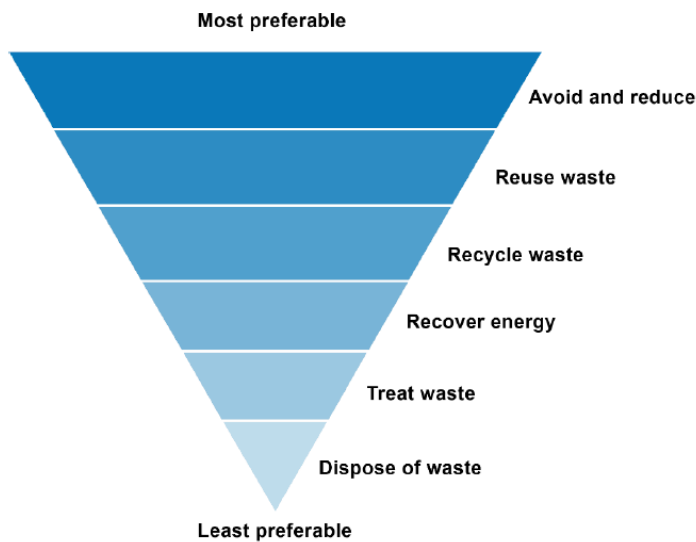
Round 3 of the Circulate Program

Round 3 of Circulate has built upon the learnings from the projects funded in previous rounds. The key features of this round are summarised below.

- The program will follow a project-based model, with funding awarded to specific projects that have specific, measurable, achievable, relevant, time-bound (SMART) objectives.
- Applicants will be able to apply for funding directly, with or without the assistance/involvement of consultants. Consultants may still apply for funding in partnership with a business or businesses.
- Projects must be conducted in NSW and address waste produced in NSW.
- Projects can deal with multiple types of C&I or C&D waste.
- From July 2018, projects can use recycle from municipal sectors affected by the China National Sword Policy
- Any sized organisation can be involved, including small, medium and large enterprises.
- Under Intake 8, projects may run for up to 12 months. All projects must be completed by 30 June 2022, including the submission of a final report.
- Projects that promote the circular economy and have outcomes that sit higher on the waste hierarchy (see Figure 1) will be prioritised for funding.
- Energy-from-waste projects will not be considered for funding under Round 3 of Circulate.

- Circulate applications will be assessed by an independent technical review committee (TRC) with specialist knowledge of the industrial ecology, waste and resource recovery sectors and experience in project management and grant administration. The TRC membership is confidential to avoid opportunity for influence and members are required to declare any conflicts of interest.
- The Circulate assessment process will be overseen by an independent probity auditor.

Figure 1 EPA waste hierarchy



Previous rounds of the Circulate Program

In the past, Circulate was structured to fund facilitators who nominated a resource stream and a region within which to operate. Facilitators recruited and linked organisations, helping them to identify and develop industrial ecology opportunities. Rounds 1 and 2 of Circulate led to the diversion of over 60,000 tonnes of valuable material from landfill.

Your project team

Who is the project manager?

The project manager has overall responsibility for delivering the project, including:

- collating relevant information to be included in the grant application
- being available to respond to questions and requests for information from the EPA during the application and assessment process and for the duration of the grant
- coordinating grant-funded activities
- facilitating communication between the lead organisation, project partners and project stakeholders
- ensuring data relating to the grant is up-to-date and accurate
- preparing and submitting milestone reports, including data on material movement, verified by project partners and stakeholders.

The EPA acknowledges that the lead organisation may engage third parties to carry out the project. The engagement of a third party does not relieve the lead organisation from any liabilities or obligations. The lead organisation must ensure that any third party engaged complies with all obligations with the funding agreement.

In the event that the project manager is no longer able to carry out their function, the EPA must be notified, and a suitable replacement must be provided by the lead organisation.

What is the lead organisation?

The lead organisation has financial and legal responsibility for the grant. The lead organisation will be the main point of contact for the EPA during the life of the project.

The lead organisation is responsible for:

- submitting a complete application on behalf of all project partners
- signing the deed of agreement
- invoicing the EPA for grant monies
- disbursing grant monies to project partners as per the detailed project plan
- ensuring milestone reports are submitted on time by the project manager.

What is a project partner?

A project partner is any organisation or individual, other than the applicant and its employees, that:

- is directly involved in the implementation or delivery of the project
- stands to receive direct benefit for its involvement in the project (e.g. through staffing or contractor costs, funding for equipment hire/purchase or staff training opportunities).

Project partners must agree to:

- provide information to the project manager on activities, achievements and expenditure relevant to the grant, for inclusion in milestone reports
- provide data relating to the transfer of materials between organisations, to the project manager, for inclusion in milestone reports
- provide signed verification of data relating to the transfer of materials between organisations

- submit to checks by the EPA and its representatives, as part of the Circulate monitoring and evaluation program, to verify the:
 - installation and performance of any equipment for which the EPA has provided part funding
 - tonnage diversion data submitted to the EPA in milestone reports.

Project partners do not include organisations or individuals that only lease or provide land to the applicant or project partners and have no other role in the project.

Project partners may, but do not necessarily, include organisations or individuals that are involved in the collection, aggregation, transportation or processing of the project materials. These organisations may also be defined as project stakeholders.

All project partners must be listed in the Application Form and must provide a letter of support to accompany your grant application.

What is a project stakeholder?

A project stakeholder is any organisation or individual – other than the applicant, project partners and their employees – that is involved in the collection, aggregation, transportation or processing of the project materials, but that does not wish to be named as a project partner.

Project stakeholders may gain indirect benefit from their involvement with the project through:

- reduced waste management costs
- reduced resource costs
- fees for services provided to the lead organisation or project partners.

Project stakeholders do not include organisations or individuals that only lease or provide land to the applicant or project partners and have no other role in the project.

You do not need to include letters of support from project stakeholders with your application. However, provision of letters of support from project stakeholders may help the technical review committee determine the viability of your proposed activities.

Funding

Total funding

Round 3 of the Circulate Program has been allocated \$2.5 million.

Grant amounts

Successful projects will be awarded between \$20,000 and \$150,000, depending on scale, duration and likely impact.

Additional funding for eligible equipment may be available through the EPA's Bin Trim Rebates Program. See section 'Equipment purchase' below for more details.

Duration of funding

Projects may be funded for one year. All projects must be completed, and the grant fully acquitted, (including submission of the final report) by 30 June 2022.

What can be funded

Activities that will be considered for funding include, but are not limited to, those described in this section.

Staff time

Funding for staff time may include funding for:

- existing staff to carry out work specific to the funded project that is above and beyond their normal duties
- new staff required to carry out work that is specific to the funded project.

Consultant time

Funding for consultant time may include, but is not limited to, time spent:

- developing the detailed project plan
- coordinating and brokering material exchange arrangements between the various project partners and stakeholders
- assisting in relevant licencing and approvals processes
- developing new markets for either the supply of materials or demand for recycled content products.

Sampling, testing and monitoring costs

Funding for sampling, testing and monitoring costs may include, but is not limited to:

- establishing the suitability of a recovered material's chemical or physical properties for use in an industrial process
- comparing the chemical or physical properties of a recovered resource to those of a virgin resource
- validating the chemical or physical properties of a product made from recovered resources.

Transportation of materials

Funding for transportation costs will be considered only for short periods at the start of the grant to enable proof of concept. It is expected that once the project is established ongoing transportation costs will be internalised by the businesses involved, before the completion of the funding period. Thus, Circulate funding can only be used to fund the transportation of materials for the first 20% of the project tonnes, after which transport costs must be covered by the project partners. This restriction is in place to encourage the development of activities that will be self-sustaining beyond the life of the grant funding.

Funding of transportation costs is limited to the transportation of materials within Australia. Applicants seeking funding support to transport materials out of NSW will be required to provide justification as to why the materials cannot be processed in NSW.

Equipment/infrastructure hire

Funding for equipment or infrastructure hire will only be considered for short-term periods to enable testing and/or proof of concept. It is expected that once the project is established:

- ongoing hire or leasing costs will be internalised by the businesses involved, or
- relevant equipment/infrastructure will be purchased by the businesses involved.

Equipment purchase may be eligible for support through the Bin Trim Rebates Program (see the next section).

Equipment purchase

Funding for the purchase of equipment will require a minimum co-contribution of 50% by the applicant or project.

If you are requesting funding for recovery, recycling or reprocessing equipment, you must complete an Equipment Rebate Application Form for:

- each individual piece of equipment that costs more than \$10,000
- multiple pieces of the same equipment that collectively cost more than \$10,000.

Equipment funding through the Bin Trim Rebates Program

If your application includes funding requests for the purchase of reprocessing or recycling equipment, this component of your funding may be administered through the [EPA's Bin Trim Rebates Program](#) and can be in excess of the \$150,000 Circulate project funding cap.

If your Circulate application is successful, and your equipment request meets the eligibility criteria of the Bin Trim Rebates Program, you will be required to submit additional supporting documents to the EPA, sign a separate funding agreement and undertake additional reporting for the equipment component of your project.

When you apply for a Circulate grant, you do not have to complete a separate Bin Trim Rebate application at this point in time. However, you must complete an Equipment Rebate Application Form for each piece of equipment valued over \$10,000 that you are seeking funding for OR for multiple pieces of the same equipment (e.g. collection receptacles) that are collectively valued at over \$10,000. This will help the EPA to determine how your equipment will be funded.

Eligible Circulate projects may apply for Bin Trim rebates for more than one site, which may bring the total EPA funding for your project to greater than the \$150,000 Circulate project cap. For instance, if your project involves six businesses that each require an \$80,000 piece of recycling equipment your project may be eligible for 6 x \$40,000 in Bin Trim rebates + up to \$150,000 in Circulate funding for other project costs. Thus, your project may be eligible for total EPA funding of \$390,000.

Funding for recycling or reprocessing equipment through a Bin Trim rebate requires a minimum 50% co-contribution by the applicant and/or project partners and is for a maximum of \$50,000 EPA funding.

If you are not sure whether your request meets the conditions of the Bin Trim Rebates Program please contact the EPA via industrial.ecology@epa.nsw.gov.au or Environment Line 131 555 to discuss.

Please note that rebates are only available to organisations participating in the Bin Trim Rebates Program and/or the Circulate Program. If your Circulate application is unsuccessful, and you are not working with participating businesses under Round 3 of the Bin Trim Rebates Program, your Bin Trim Rebate application will not be eligible for consideration as a standalone funding request.

Other equipment purchase

The technical review committee may consider equipment funding requests that do not meet the conditions of the Bin Trim Rebates Program if the equipment:

- supports effective and appropriate recovery, recycling or reprocessing of resources and
- is vital to the success of the project.

Funding for recycling or reprocessing equipment will require a minimum 50% co-contribution by the applicant and/or project partners. Funding requests for equipment that is not eligible under the Bin Trim Rebates Program cannot exceed \$50,000.

Delivery and installation of equipment/infrastructure

Funding to cover the costs of delivery and installation of equipment or infrastructure will only be considered for up to 10% of the total cost of the equipment. Costs can be co-funded by the applicant and project partners.

If you are requesting funding support for the delivery or installation of equipment please include this as a separate expenditure item in Table 39 in section 'Budget summary' of the Application Form, and do not include it in the amount requested in any Equipment Rebate Application Forms you submit as part of this application.

Please include quotes for this work as attachments to your application.

What will not be funded

Activities that will not be considered for funding include:

- land acquisition
- ongoing operational costs, including rent, electricity, and salaries of existing staff working their usual hours
- works already underway or completed at the time the funding is awarded
- ongoing maintenance of projects to which organisations have committed as part of a previous grant
- administrative costs associated with getting a licence or lodging a development application. etc.
- ineligible activities as outlined in section 'Ineligible activities and expenditure'.

Funding from multiple sources

Projects may involve multiple sources of funding.

To ensure the technical review committee can set funding priorities, make fair recommendations about the awarding of grants and avoid duplication with other government agencies, you are required to advise if you:

- have secured funding from another government agency or any other organisation for the same or related activities to those requested of the Circulate Program
- have current applications lodged with other government agencies for the same or related activities
- receive funding from other government agencies or any other organisation for the same or related activities while your project is underway.

The EPA supports applications that include partnerships, collaboration, other funding sources and in-kind contributions. These factors can improve project outcomes and make your application more competitive.

In the event that your project receives funding from more than one source for the same activities, the EPA may, at its sole discretion, explore opportunities with the applicant to augment the scope and outcomes of the project.

Milestone payments

If you are successful in receiving grant funding, you will be paid in six-monthly milestone payments over the life of your grant.

Grantees are required to prepare and submit milestone reports throughout their project to qualify for milestone payments. Milestone reports will include updates on:

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

Each milestone report will be reviewed by the EPA. If your report demonstrates that your project is progressing well, and is meeting diversion targets, the EPA will authorise the next instalment of your 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 your Funding agreement. However, as a general rule, milestone payments will occur in accordance with Table 1 below.

Table 1 Milestone payment schedule

	Time from commencement	Cumulative tonnes diverted (% of total target tonnes)	Milestone funding (%of total funds awarded)
Grant commencement	0 months	0%	25%
Milestone 1	6 months	30%	35%
Milestone 2	12 months	100%	40%
		Total	100%

Value for money

The EPA recognises that many variables impact on the level of support different industrial ecology projects need to become established. These variables include that:

- opportunities and markets for reuse can vary significantly for different materials
- industrial ecology opportunities for some material types are much more developed and mature than for others
- it can be more challenging to segregate, transport and divert lighter materials than heavier materials.

The EPA has therefore developed funding thresholds and benchmarks for the more common types of materials. These thresholds and benchmarks have been designed to:

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

The thresholds and benchmarks have been determined through analysis of:

- current resource markets
- previous rounds of Circulate
- the EPA's Bin Trim Rebates Program
- consultation with the EPA's Organics team.

Table 2 below includes the thresholds and benchmarks developed by the EPA for the Circulate Program.

Table 2 Value for money by material type

Material type	A – Maximum \$/tonne	B – Benchmark \$/tonne
Glass	200	40
Gyprock	50	10
Masonry	50	10
Metals	50	10
Organics	250	70
Plastics, hard/rigid	250	70
Plastics, soft/flexible/polystyrene	1,000	300
Textiles	1,000	200
Timber/wood	50	25
Cardboard	50	25
Mixed paper	Current market value	Current market value

In Table 2:

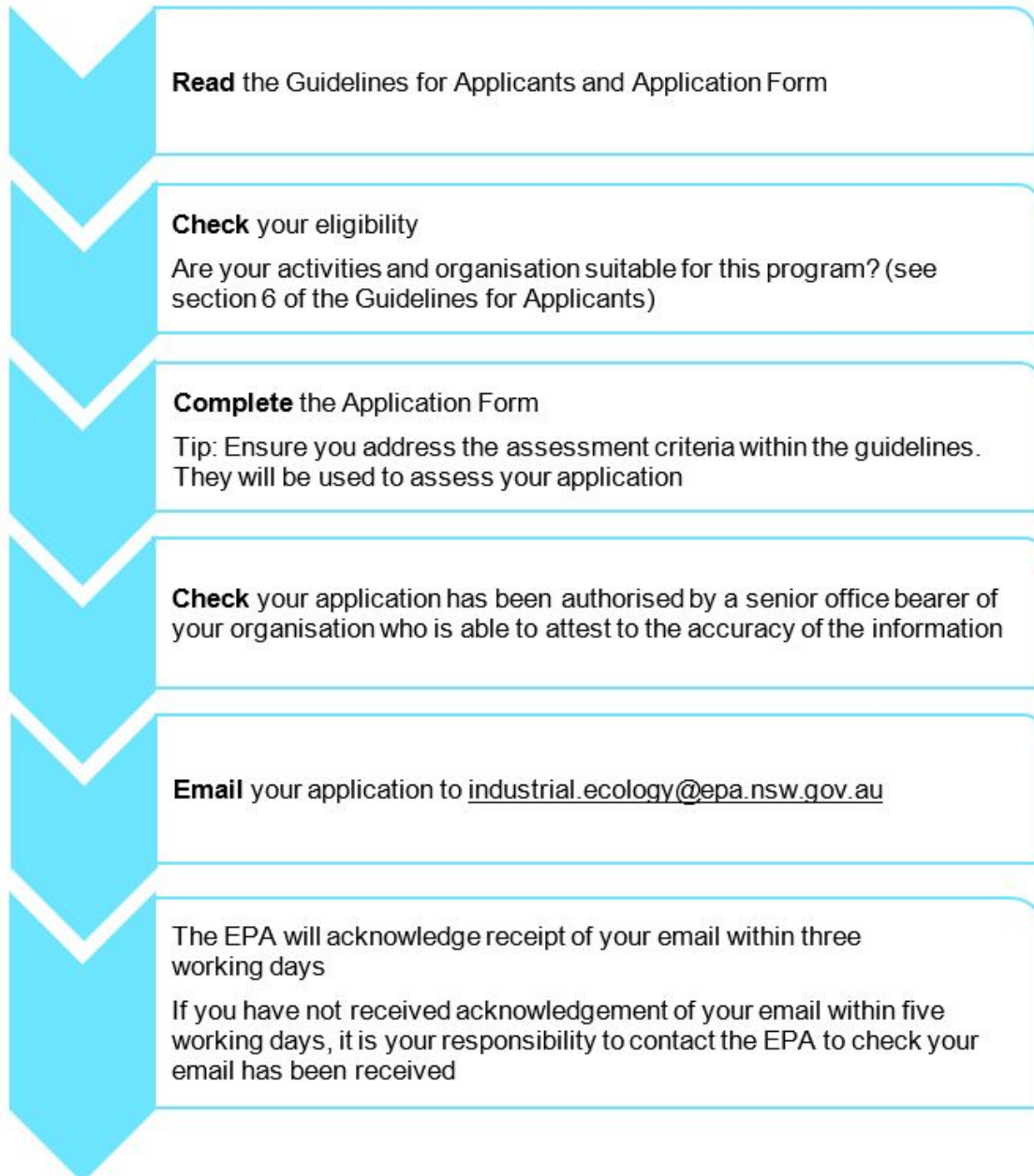
- Column A refers to the maximum \$/tonne the EPA is willing to pay for various common C&I and C&D materials. Applications exceeding this amount are not considered to represent reasonable value to the EPA and will not be forwarded to the technical review committee for assessment
- Column B refers to the benchmark \$/tonne (as at May 2018) the EPA has determined for the material types. The benchmark \$/tonne will be used as a guide to the technical review committee when comparing the value of applications relating to different material types but will not be the only consideration when assessing value for money.

Please note that these thresholds and benchmarks only relate to the amount of funding requested from the EPA. Applicants may co-fund projects to any amount that they choose. For instance, an applicant may request funding support for only 20% of total project costs.

Application process

The Circulate application process is outlined in Figure 2.

Figure 2 Circulate application process flow diagram



Who should apply?

Your application should be submitted by the project manager on behalf of the lead organisation. The application must be authorised by two office bearers from the lead organisation.

The project manager must be available to respond to questions and requests for information from the EPA during the application and assessment process, and, if the application is successful, for the duration of the project.

In the event that the project manager is no longer able to carry out their function, the EPA must be notified, and a suitable replacement must be provided by the lead organisation.

When should I apply?

Applications for funding can be submitted at any time up until 5pm on 12 February 2021. Evaluation by the technical review committee will occur in early March 2021.

What happens if I miss the cut-off date?

If you miss the application close date your application will not be considered.

Multiple applications

Eligible organisations may apply for more than one grant. Separate applications must be completed for each grant-funded project and submitted in separate emails to industrial.ecology@epa.nsw.gov.au.

Confidentiality and intellectual property

The EPA and the Circulate technical review committee will use the information you supply to assess your project for funding. Information on funded projects may be used by the EPA and the NSW Government for promotional purposes. The EPA may also disclose information you supply for the purpose of evaluating and/or auditing its grant programs.

The EPA will endeavour to treat as confidential any sensitive personal and confidential information that you provide. If you require strict commercial confidentiality, you must request this in your application. Please note, all documents held by the EPA are subject to the NSW [Government Information \(Public Access\) Act 2009](#).

Note: It is a condition of funding that all Intellectual Property created as part of successful projects will be owned by you, and you shall grant to the EPA a royalty-free licence to use, reproduce, communicate to the public, or adapt any such Intellectual Property on a non-profit basis. This includes the use and reproduction of photographs for EPA purposes.

The applicant must own or be able to lawfully use any intellectual property required to carry out the project. The EPA holds the copyright for all the resources produced under the funded project.

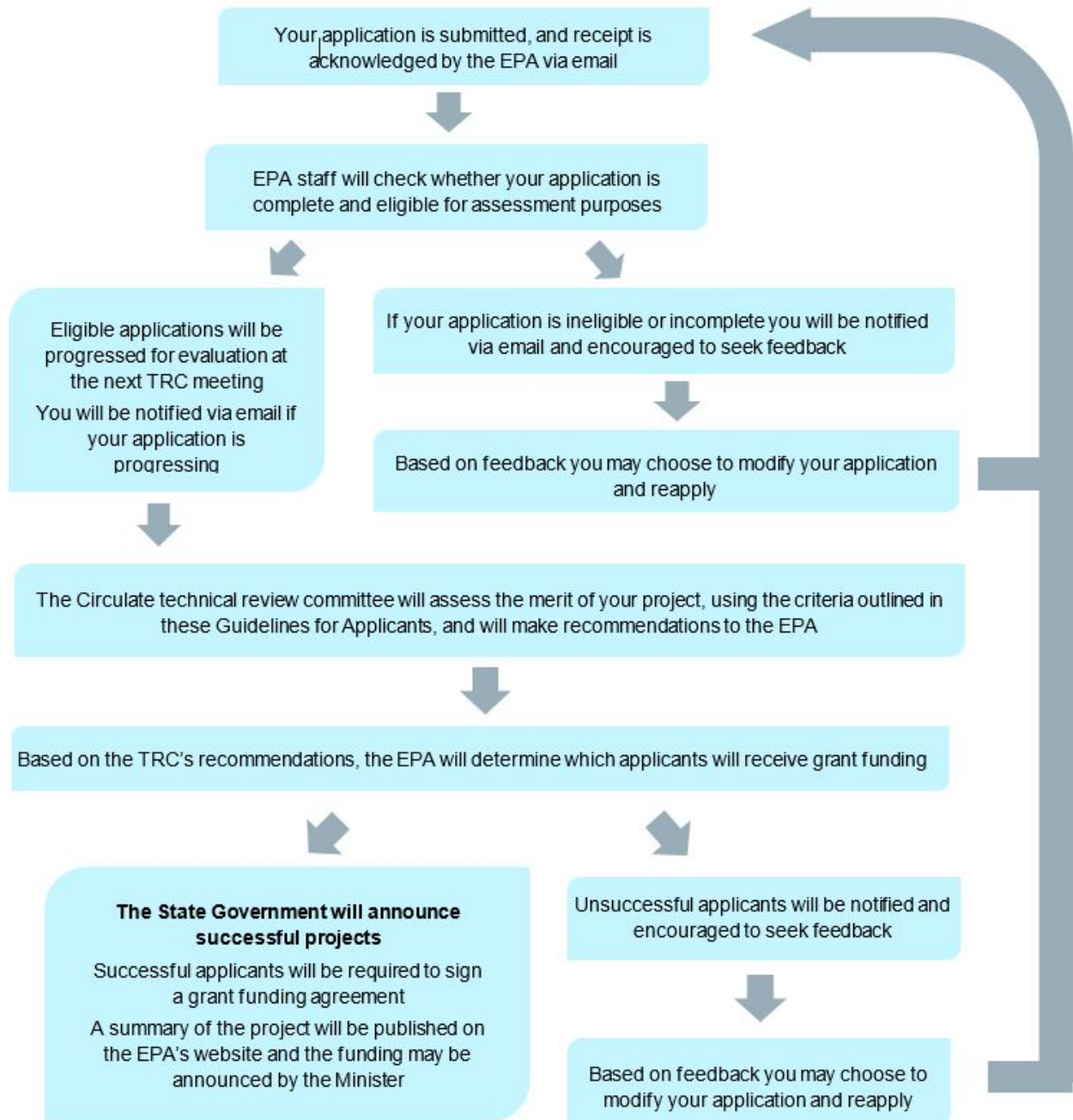
Incomplete applications

Applications that are incomplete, or that do not provide the necessary level of detail to facilitate an adequate assessment of the project against others on a state-wide basis, will be ineligible for consideration.

Assessment and approval process

The selection process for NSW EPA Circulate grants is state-wide and merit based. Eligible applications will be assessed by the program's independent technical review committee against the program assessment criteria. Figure 3 shows the assessment process for Circulate applications.

Figure 3 Circulate assessment process



Eligibility

Eligible organisations

The following types of organisation are encouraged to apply for Circulate funding:

- private corporations
- not-for-profit organisations
- consultancies
- industry associations or peak bodies
- waste and resource recovery providers
- product stewardship groups
- government agencies and organisations, and government-owned/controlled entities
- a consortium of any of the above.

The lead organisation must meet one of the following legal definitions to be eligible for funding:

- private industry or partnership as defined under the Commonwealth Corporations Act 2001
- industrial organisation or peak council registered with the NSW Industrial Relations Commission
- non-government/not-for-profit organisation (must comply with the ATO's definition) with an established legal status
- government agency or organisation, or government-owned/controlled entity.

If the lead organisation does not meet one of the above legal definitions, it may not be eligible for funding. You may wish to nominate another project partner to be the lead organisation on this application or contact the EPA to discuss before progressing with your application.

Insurance

It is a condition of this grant that the lead organisation (and all partner organisations) hold adequate insurance cover, including public liability insurance of \$10 million, workers compensation and volunteer insurance.

Lead organisations are required to provide a copy of their certificate of currency with this application. If you do not hold the adequate level of cover your project will not be eligible for consideration.

Project eligibility

To be considered for Circulate funding your project must meet all the following eligibility criteria:

- The project diverts materials from landfill or safeguards against landfilling of recyclate affected by the China National Sword Policy, which would not be possible without the assistance of Circulate funding.
- The project involves business-to-business transfer of materials, resulting in the retention of resources within the productive economy.
- The material this project relates to is from the C&I and/or C&D sectors in NSW or targets NSW municipal recyclate affected by the China National Sword Policy.
- The project will achieve at least the minimum tonnes of diversion for the relevant waste material (see Table 3 below). For material types not listed in Table 3, please contact the EPA on industrial.ecology@epa.nsw.gov.au or Environment Line 131 555 to discuss minimum diversion targets before proceeding with your application.
- The total funding requested from the EPA does not exceed the maximum \$/tonne set for the relevant material (see Table 4 below). For material types not listed in Table 4, please contact the EPA on industrial.ecology@epa.nsw.gov.au or Environment Line 131 555 to discuss before proceeding with your application.
- The first transfer of materials will occur within six months of signing the funding agreement.
- All the material diversion to be funded by the EPA under your Circulate application will occur after funding is awarded and before 30 June 2022.
- The project will not result in long-term stockpiling of any materials.

Table 3 Minimum diversion over 12 months by material type

Material type	Minimum project tonnes diverted
Glass	100
Gyprock	400
Metals	400
Masonry	400
Organics	80
Plastics, hard/rigid	80
Plastics, soft/flexible/polystyrene	20
Textiles	20
Timber/wood	400
Cardboard	250
Mixed paper	Consult with the EPA

Table 4 Maximum \$/tonne the EPA will fund

Material type	Maximum \$/tonne
Glass	200
Gyprock	50
Metals	50
Masonry	50
Organics	250
Plastics, hard/rigid	250
Plastics, soft/flexible/polystyrene	1,000
Textiles	1,000
Timber/wood	50
Cardboard	80
Mixed paper	Current market value

In response to the China National Sword Policy, recycling facilities can apply to the EPA to temporarily vary their stockpile limits. The facilities will be assessed to demonstrate that appropriate safety measures will remain in place.

If your project does not meet all the above criteria, it is not eligible for this grant funding.

If you still believe that the grant funding is relevant to your project, please discuss with the EPA before preparing an application.

Ineligible activities and expenditure

The EPA has identified certain activities and forms of expenditure that cannot be funded through the Circulate Program. Ineligible activities and costs include the following.

- diversion of asbestos or asbestos-containing products
- diversion of inert material, including virgin excavated natural material or excavated natural material
- energy-from-waste activities, with the exception of onsite energy generation or pyrolysis that meets the criteria and considerations set out in the NSW [Energy from Waste Policy Statement](#)
- ongoing maintenance of projects or programs to which organisations have committed as part of a previous grant or their core business operations
- diversion of liquid or gaseous wastes
- diversion of municipal waste, except for plastic, mixed paper and cardboard affected by the China National Sword Policy.
 - In relation to this activity, evidence must be supplied to demonstrate materials are being stockpiled due to the China National Sword Policy. A project containing any of the activities and costs listed above may be eligible for assessment, but the ineligible components will not be considered for funding, and landfill diversion achieved through these activities will not be considered in the overall assessment of the value of the project.

The above items will not be considered for funding, and the tonnes diverted as a result of any of these components will not be considered in the overall assessment of the value for money of your project.

Compliance with NSW environment protection laws

The EPA will consider the compliance history of applicants under NSW environment protection laws, including penalty notices, clean-up notices, prevention notices, licence suspensions, licence revocations, convictions or prosecutions under the *National Parks and Wildlife Act 1974*, *Protection of the Environment Operations Act 1997* (POEO Act), POEO (Waste) Regulation 2014 (POEO Waste Regulation) and the *Native Vegetation Act 2003*.

In addition, applicants are not eligible for the grant if, on or after 1 July 2017, they, or any directors or managers of the applicant (whether as directors or managers of the applicant or otherwise in their personal capacity or including where they have been directors or managers of other companies), have contravened any provision of the POEO Act or POEO Waste Regulation with the result of avoiding, minimising or undermining the requirement to pay any waste contributions required. This also includes a contravention of any clause of a resource recovery exemption.

These matters can be considered whether or not any regulatory action has taken place in relation to those contraventions, including whether or not court proceedings have been commenced or an offence has been proven in court proceedings.

Assessment criteria

The selection process for Circulate funding is merit-based. Eligible applications will be assessed by the program's independent technical review committee against the program assessment criteria set out in the following table.

Criterion 1: The project proposes a suitable way to use NSW C&I materials, C&D materials or recycle affected by the China National Sword Policy to keep it within the circular economy.

The project applies industrial ecology principles to the movement of target materials in a manner that represents an improvement on current waste and resource recovery practices for this site and/or sector.

Weighting: 20%

Criterion 2: The project can and will divert the target tonnes within the planned timeframes.

Supply and demand aspects of the project materials and products are well understood, logistics have been considered, and uncertainty and risks have been identified and managed.

Weighting: 20%

Criterion 3: The lead organisation and project partners have demonstrated an ability to deliver the project to a high standard.

The lead organisation and the partners are capable (have the right skills, knowledge, resources and experience) to deliver this project and, where relevant, have the right networks to form new partnerships and/or broker lasting business relationships.

Weighting: 20%

Criterion 4: The project has clear potential to become business as usual for the participating organisations.

The recovery and reuse of project resources will continue after the Circulate funding ceases because:

- the material exchanges are economically viable and make good business sense, and
- ongoing costs of the material exchanges can and will be absorbed by the businesses involved.

Weighting: 20%

Criterion 5: The project has broader benefits for the community of NSW, the industrial ecology sector and the circular economy and represents value for money.

The project can be replicated, work carried out has broader implications and impact beyond the targeted tonnes of recovered materials and the budget is well detailed and appropriate for project outcomes and scale.

Weighting: 20%

Managing your grant

The EPA will notify you if your Circulate grant application is successful. Upon commencement, and for the duration of your project, you will work with the EPA to prepare and submit reports and the required documentation outlined below.

Getting started

Prior to commencing your grant, you will be required to submit the following documents.

Signed funding agreement

Successful applicants will be required to sign a funding agreement that will be issued with their letter of offer. The funding agreement will be drawn up by the EPA, and will set out:

- conditions of the funding
- recipient obligations
- grant payment schedule
- additional schedules and conditions specific to your project.

Detailed project plan

The detailed project plan provides a framework for how you will deliver your project, including how you will communicate with stakeholders and manage risks. The EPA will provide a template for the detailed project plan.

Tax invoice

An invoice will be required for the amount of the inception payment of your grant, plus GST if applicable. The first payment will be made when the EPA receives and approves your signed funding agreement and detailed project plan.

During your project

Milestone reporting

Grantees will be required to prepare and submit milestone reports throughout their project to qualify for milestone payments. Milestone progress reports will include the following information:

- activities
- achievements
- expenditure
- tonnage diversion data
- verification documentation relating to the tonnes diverted.

Each milestone report will be reviewed by the EPA. If your report demonstrates that your project is progressing well, the EPA will authorise the next instalment of your grant and provide feedback.

The timeframe for reporting and progress payments will be finalised when your grant is awarded and will be outlined in your Funding agreement. However, as a general rule, milestone payments will occur in accordance with Table 1 in section 'Milestone payments'.

Verification of diversion

It will be the responsibility of the lead organisation to track the flow of the target materials between the various organisations involved in the generation, aggregation, transport and processing of the material and ensure its beneficial use. This information must be provided to the EPA as per the milestone schedule outlined in your grant application.

The information must also be verified by the organisations involved in the generation, aggregation and processing of the target material. The EPA will provide a data recording instrument through which you will submit this information.

Audit, monitoring and evaluation

The EPA will be undertaking auditing, monitoring and evaluation activities to track the progress and outcomes of this grant program. Grantees may be required to permit the EPA-appointed auditor to review project outcomes at any time and may be interviewed or asked to complete surveys as part of the evaluation process.

Case studies

The EPA is committed to promoting industrial ecology success stories and may publish a case study on your project.

Acknowledgement

Grantees must acknowledge the support of the NSW EPA Circulate Program where opportunities arise. Such opportunities may include, but are not limited to:

- media enquiries
- award nominations and acceptances
- conference papers and presentations.

Grantees must ensure that an invitation is issued to a NSW State Government representative to any launch or public event associated with this funding, and that where they can attend, they are acknowledged as official guests. Where practicable, representatives should be offered the opportunity of publicly addressing the event.

Attendance at Circulate networking and promotional events

Grantee networking and promotional events provide a valuable opportunity to showcase project successes, workshop barriers and learn from the experiences of others.

The EPA may host up to two events per year, and it is an expectation that each event will be attended by the Project Manager, or an appropriate alternative representative, of each funded project.

Events will be held within the Sydney Metropolitan Area. The EPA, at its discretion, may provide subsidised travel costs to grantees based outside the Sydney Metropolitan Area.

The EPA may at times elect to modify the format of the events so that the learnings of the Circulate Program reach a broader audience.

Project variation

The EPA recognises that delays or changes to your project are sometimes inevitable due to unforeseen circumstances. If a potential delay to your project arises, it is your responsibility to notify the EPA as soon as possible so that an appropriate plan of action can be developed. This may, at the sole discretion of the EPA, involve a variation to the timing or scope of your project and funding agreement.

Failure to notify the EPA of any delays or barriers to the progression of your project may result in the termination of the grant for that project.

Failure to perform

If a funded project is found to not be fulfilling the requirements of the Circulate Program, then the EPA may terminate the grant for that project. This may include failure to deliver or show sufficient progress over a period of six months.

Further information

If you have any questions about the Circulate Program, please contact the EPA on industrial.ecology@epa.nsw.gov.au or on Environment Line 131 555.

Appendix: Guide for writing letters of support

All letters of support should include:

- a statement of support for the industrial ecology project
- a brief description of the organisation's role in the project (e.g. supply material, transport material, aggregate material or process material)
- a commitment to six-monthly reporting on the transfer of the target material for the duration of the funded component of the project. Note: the data collection for this reporting can be undertaken by the Lead Organisation or Project Manager and signed off by the Project Partner
- contact information for the person signing the letter.

Letters of support from material generators should also include:

- an estimate of the quantity of material they will supply over a set period of time (e.g. 20 tonnes of timber a week or 40 cubic metres of soft plastic a month).
- an estimate of cost savings to the organisation
- details of any other benefits to the organisation.

Letters of support from material processors should also include:

- an estimate of processing capacity
- an estimate of how much the business is willing to pay or charge in order to receive the materials (e.g. pay \$10/tonne or charge \$75/tonne for clean timber offcuts)
- a very brief description of how and where the processing will take place
- a brief description of end-market opportunities
- an estimate of cost savings to the organisation, if any
- details of any other benefits to the organisation.

Letters of support from project partners should also include:

- an agreement to submit to checks by the EPA and its representatives, as part of the Circulate monitoring and evaluation program, to verify the:
 - installation and performance of any equipment for which the EPA has provided part funding
 - tonnage diversion data submitted to the EPA in milestone reports.