



Environment Protection Authority

Bushfire dumping program

Bushfire Recovery Program



© 2020 State of NSW and the NSW Environment Protection Authority

With the exception of photographs, the State of NSW and the NSW Environment Protection Authority (EPA) are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required for the reproduction of photographs.

The EPA has compiled this guideline in good faith, exercising all due care and attention. No representation is made about the accuracy, completeness or suitability of the information in this publication for any particular purpose. The EPA shall not be liable for any damage which may occur to any person or organisation taking action or not on the basis of this publication. Readers should seek appropriate advice when applying the information to their specific needs.

All content in this publication is owned by the EPA and is protected by Crown Copyright, unless credited otherwise. It is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0), subject to the exemptions contained in the licence. The legal code for the licence is available at Creative Commons.

The EPA asserts the right to be attributed as author of the original material in the following manner:
© State of New South Wales and the NSW Environment Protection Authority 2020.

Cover: Bushland recovering on the Braeside trail, Blue Mountains National Park; Photo: Tim Johnson/NSW National Parks and Wildlife Service

Published by:

NSW Environment Protection Authority
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Locked Bag 5022, Parramatta 2124

Phone: +61 2 9995 5000 (switchboard)

Phone: 131 555 (NSW only – environment information and publications requests)

Fax: +61 2 9995 5999

TTY users: phone 133 677, then ask for 131 555

Speak and listen users: phone 1300 555 727, then ask for 131 555

Email: info@epa.nsw.gov.au

Website: www.epa.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@epa.nsw.gov.au

See also www.epa.nsw.gov.au

ISBN 978 1 922447 15 9

EPA 2021P2984

November 2020

Updated April 2021

Contents

About the NSW Environment Protection Authority	5
About the Bushfire Recovery Program Package	5
Bushfire-Generated Green Waste Clean-Up and Processing	5
Aboriginal Lands	5
FenceCycle	5
Bushfire Recovery Program for Council Landfills	5
Bushfire Dumping	6
Bushfire Dumping Program	6
Purpose	6
Objectives	6
Phases	6
Definitions	7
Key dates	8
Eligibility	8
Who can apply?	8
Eligibility criteria	8
Requirements	8
Funding and support	9
Phase 1: Scoping the extent of bushfire dumping	9
Phase 2: Clean-up, disposal and prevention	9
Application process	9
How to apply	9
Assessment of applications	10
Notification of funding	11
Successful applicants	11
What you need to do	11
Where to get help	11
Bushfire Recovery Programs Team	11
Additional program resources	11

There is no single solution that will prevent illegal dumping in NSW.

A range of strategies is required to target different types of dumping, along with active collaboration between the NSW Government, public land managers, waste industries and the community.

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 Program 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 and closing dates will be on the [EPA website](#)¹.

Bushfire-Generated Green Waste Clean-Up and Processing

This program 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 assess, plan and organise the clean-up of waste, and to repair or rebuild infrastructure, following the 2019–20 bushfires.

Note: To reduce double handling, 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.

Bushfire Recovery Program for Council Landfills

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

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

Bushfire Dumping

The Bushfire Dumping Program, covered by this document, 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 Dumping Program

Disasters such as bushfires have lasting impacts on communities well after the initial relief is provided.

In previous years, the aftermath of bushfires has seen an increase in both illegal dumping of bushfire-related waste and the uncovering of old illegal dump sites. Old dumping sites that may have been previously covered with undergrowth, are often exposed after bushfires and become more accessible to the community. Often these dumps contain asbestos, which poses a significant risk to human health. Burnt asbestos is friable and the most toxic form of asbestos to people and the environment. There may also be a rise in new illegal dumps following the bushfires, particularly in areas where old tracks and trails have been cleared by the fires.

The Bushfire Dumping Program focuses on the impacts of illegal dumping following the 2019–20 NSW bushfires.

In January 2020, the Commonwealth and NSW Governments announced they would fund the clean-up of bushfire waste from eligible properties across the state. Funding of the Bushfire Dumping Program builds on this earlier commitment.

Purpose

This program seeks to reduce the environmental and financial impacts of illegal dumping following the 2019–20 NSW bushfires by assisting public land managers to clean up and dispose of bushfire-related waste that has been illegally dumped on public land. It also seeks to implement preventative measures that will reduce future dumping.

The Bushfire Dumping Program aligns with the [NSW Illegal Dumping Strategy 2017–21](#).

Objectives

The objectives of this program are to:

- lawfully manage known bushfire dumps resulting from the 2019-20 bushfires and ensure they do not pose any further risks to humans or the environment
- reduce the financial impact on public land managers to clean up and dispose of bushfire dumps resulting from the 2019-20 bushfires
- improve data quality on the extent of bushfire dumping across NSW as a result of the 2019–20 bushfires. This will provide important baseline evidence of the lingering impact of the bushfires
- better prepare public land managers to deter future bushfire dumping by supporting the implementation of prevention and deterrence measures
- provide regional employment opportunities in bushfire affected areas.

Phases

This targeted program will be administered in two phases and will provide funding to public land managers to effectively deal with the full extent of dumped bushfire waste in their region.

Phase 1: Scoping the extent of bushfire dumping (closed)

Eligible applicants have been provided with a designated consultant to scope the extent of bushfire dumping in their region. This information will be the basis for their application in Phase 2. **Phase 1 is optional.** Applications may be made in Phase 2 without participating in Phase 1.

Phase 2: Clean-up, disposal and prevention

Applicants will be provided with funds to clean up and dispose of dumped bushfire waste and implement dumping-prevention measures.

Each application must present a specific clean-up proposal, including evidence of the dump(s) with defined location(s), estimates of the amount and type of waste, clean-up cost breakdowns, details of contractors, and proposed preventative measures and their intended outcome.

Each application will be assessed on its merits and will be subject to the assessment and approval of a technical review committee. If funding permits, a second round of funding will be opened.

Definitions

Bushfire related waste is burnt material associated with the 2019–20 bushfires. This is typically waste from burnt buildings and structures, including concrete, bricks and associated rubble. Waste can also be burnt fencing, green waste or trees².

Bushfire dumping includes:

- bushfire-related waste illegally dumped on public land
- historic illegal dumps uncovered by the 2019–20 bushfires
- new illegal dumps on a **bushfire affected area** due to improved access to tracks and trails after the 2019–20 bushfires.

A **bushfire affected area**³ is defined as a NSW local government area that has been declared as a natural disaster zone due to the 2019–20 bushfires.

² If you have to deal with a substantial volume of green waste, please read the Green Waste Program Guidelines. You may be eligible for funding under this program, which supports the reuse of green waste to avoid unnecessary landfilling.

³ In this program a **bushfire affected area** is defined as a local government area (LGA) in NSW that has been marked as a natural disaster zone due to the 2019–20 bushfires. The Office of Emergency Management has declared the following LGAs as such: Armidale Regional, Ballina, Bega Valley, Bellingen, Blue Mountains, Byron, Central Coast, Cessnock, Clarence Valley, Coffs Harbour City, Cootamundra–Gundagai, Dungog, Eurobodalla, Glen Innes Severn, Goulburn Mulwaree, Greater Hume, Gwydir, Hawkesbury, Inverell, Kempsey, Ku-ring-gai, Kyogle, Lake Macquarie, Lismore, Lithgow, Mid-Coast, Mid-Western, Muswellbrook, Nambucca, Narrabri, Oberon, Penrith, Port Macquarie–Hastings, Queanbeyan–Palerang, Richmond Valley, Shoalhaven, Singleton, Snowy Monaro, Snowy Valleys, Sutherland, Tamworth Regional, Tenterfield, Tweed, Upper Hunter, Upper Lachlan, Uralla, Wagga Wagga, Walcha, Wingecarribee and Wollondilly.

Key dates

Phase 1: Scoping the extent of bushfire dumping (closed)

Visit the EPA website for [closing dates](#).

Phase 2: Clean-up, disposal and prevention

Round 1: Visit the EPA website for [closing dates](#).

Round 2: Visit the EPA website for [closing dates](#) (if funding is still available)

Please note: Round 2 will only be opened if there is funding available after Round 1.

Eligibility

Who can apply?

NSW public land managers including local councils (as well as regional organisations of councils, or another local government-controlled organisation), Crown Lands, National Parks and Wildlife Service, and Forestry Corporation are eligible to apply for funding under this program. Local Aboriginal Land Councils are to apply under the Aboriginal Lands Program.

Joint applications between public land managers will be permitted where a signed joint application form is received from all parties.

Eligibility criteria

The applicant must:

- have been impacted by the effects of illegal **bushfire dumping**
- be responsible for the management of a **bushfire affected area**
- be primarily responsible for managing the financial costs claimed in the application (i.e. the clean-up).

Requirements

Your application must include the following:

- evidence of the illegal dump. This must include close-up photos of the dumped waste, and the dumping location in context to its surroundings
- the location of the waste dumped, including full address, GPS coordinates and marked-up aerial map
- an estimate of the volume **and** tonnage of waste
- a description of the types of waste dumped
- a description of all investigations undertaken to date to identify the waste offender
- a description of any environmental controls put in place to manage the waste
- a cost breakdown for clean-up, disposal, and dumping-prevention measures
- details of all contractors proposed to undertake the clean-up, disposal or infrastructure works_
- proposed dumping prevention measures and their intended outcomes.

Funding and support

Phase 1: Scoping the extent of bushfire dumping (closed)

In Phase 1 the EPA provided all public land managers with an experienced consultant. Consultants worked with applicants to discover dumping hotspots and perform a scoping exercise to locate and define the full extent of bushfire dumping across their region.

Phase 2: Clean-up, disposal and prevention

Phase 2 will be open to competitive assessment, and no applicant can be guaranteed full or partial funding.

Successful applicants will be required to report against milestones, including the initial clean-up of dumped waste and progress on the implementation of deterrence measures.

Successful applicants will be given upfront approval to deliver projects and the agreed funding will be provided in staged payments.

No funding cap is being placed on each application due to the discrepancies between the size, complexity and location of each clean-up. On average however, individual projects are expected to have an upper limit of \$400,000 to ensure funding reaches multiple impacted applicants.

Applicants can still request funding over \$400,000, however the applications need to be well justified against each assessment criterion and in-kind contributions will be encouraged.

How funding may be used

Funds may be used for approved activities such as safely removing and lawfully disposing of illegally dumped waste (including asbestos) and implementing measures to deter future dumping. Funding may be made available to successful applicants to cover salaries or wages of staff directly involved with illegal dumping clean-up and/or prevention measures. Applicants must clearly demonstrate in their application the need for funding to cover salary costs, with this to be assessed and determined as part of the application process.

Application process

How to apply

The Bushfire Dumping Program will be administered through [SmartyGrants](https://www.epa.smartygrants.com.au)⁴. Successful applicants will also use SmartyGrants to submit milestone reports, financial records and final evaluation reporting. Applicants will receive reminders of submission dates.

⁴ www.epa.smartygrants.com.au

Assessment of applications

Eligibility will be reviewed by the EPA Bushfire Recovery Programs Team. Applications will be assessed by a technical review committee (TRC) established by the EPA, within four weeks of the program's closing date. The below criteria will be used to develop this assessment.

All applicants will be informed of the outcome of their submission and can seek feedback regarding their proposal.

Assessment criteria

Table 1 Assessment criterion, Phase 1

No.	Criterion	Marking
1	Eligibility	Pass/fail

Table 2 Assessment criteria, Phase 2

No.	Criterion	Weighting	Marking
1	Eligibility		Pass/fail
2	Completed application		Pass/fail
3	Demonstrated ability to deliver the project to a high standard <ul style="list-style-type: none"> • Clear objectives and targets • Thorough project planning and methodology • A detailed timeline including clean-up, disposal and implementation of prevention and deterrence measure(s) • Appropriate skills and relevant experience. 	10%	Scaled
4	Extent and location of bushfire dumping <ul style="list-style-type: none"> • Detailed description of the type(s) of bushfire waste • Amount of waste dumped (in tonnes and volume) • Spatial information including street address, GPS location and marked aerial map • Identified and surrounding sensitive receivers • Any additional findings from scoping phase (if applicable) • Outline of any environmental controls put in place • Reasonable measures taken to identify the waste offender 	20%	Scaled
5	Positive benefits to the local community <ul style="list-style-type: none"> • Consider social, cultural and economic • Comprehensive analysis of various prevention measure options and their intended outcomes • Consideration of fire-resistant options 	20%	Scaled
6	Positive impact on the environment <ul style="list-style-type: none"> • Detail environmental benefits of clean-up and dumping-prevention measure 	20%	Scaled
7	The project represents good value for money <ul style="list-style-type: none"> • Detailed project budget containing comprehensive cost breakdown • Detail value for money (cost-benefit analysis) • Provide relevant quotes • Detail proposed contractor(s) and proposed disposal location(s) 		
8	The project offers opportunities for regional employment and Aboriginal participation in bushfire affected communities?	10%	Scaled

Notification of funding

All applicants will be notified within eight weeks of the closing date (for each funding round).

Unsuccessful applicants can request feedback on their applications by contacting the EPA. Decisions by the EPA are final. There is no appeal process.

Any concerns about the program or individual applications should be submitted in writing to bushfirerecovery.programs@epa.nsw.gov.au. If you do not agree with the way the EPA handled the issue, you may wish to contact the NSW Ombudsman via ombo.nsw.gov.au.

Successful applicants

Successful applicants will need to provide the following via SmartyGrants:

- a signed funding agreement. This agreement will be provided to applicants through SmartyGrants when notified of their successful application. It will outline all funding obligations and conditions
- invoices made out to the NSW Environment Protection Authority.

What you need to do

Use this checklist to ensure you complete all the steps needed to apply for the program.

- Read these guidelines carefully.
- Confirm that you are eligible by completing the eligibility checklist via [SmartyGrants](#)⁵.
- Complete an application for Phase 2 via SmartyGrants (for Round 1 funding).
- Complete an application for Phase 2 via SmartyGrants (for Round 2 funding if funding permits).
- Visit the EPA website for all [closing dates](#).

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

Additional program resources

Additional resources for the program are available on the [program website](#)⁶.

⁵ www.epa.smartygrants.com.au

⁶ <https://epa.nsw.gov.au/working-together/grants/bushfire-recovery-programs/bushfire-dumping-program>