

Sustainable Business Solutions (SuBS) Grant Program Terms and Conditions

Contents

1. Introduction.....	3
2. Background	3
3. About the Program	3
Objectives	3
4. Eligibility Criteria.....	4
4.1 Applicants eligibility criteria.....	4
Excluded Recipients.....	4
4.2 Works eligibility criteria.....	4
Examples of what can be funded.....	5
Excluded works.....	5
4.3 Funding.....	5
5. Application and assessment process.....	5
Stage 1: Complete initial waste assessment using the Bin Trim App.....	5
Stage 2: Submit Application Form.....	6
Stage 3: Assessment of application.....	6
Stage 4: Letter of Agreement	6
Stage 5: Procure, install and commence use of the equipment or technology	6
Stage 6: Complete follow-up waste assessment	6
General Terms and Conditions	7
5. Program duration and changes.....	7
6. Program definitions	7
7. Information on the pre-application waste assessment (Stage 1)	7
8. Advice and support.....	8
9. Buy Local.....	8
10. Confidentiality	8
11. Relationship.....	8
12. Participation at applicant’s cost	9
13. Privacy.....	9
14. Public Accountability.....	10
Recipients acknowledge and agree:	10
15. Compliance with Laws and Indemnity	10

1. Introduction

The Sustainable Business Solutions Grant Program (**SuBS**) (the Program) is an initiative by the Department of Industry, Tourism and Trade (DITT) to reduce business waste and support the Territory's transition towards a circular economy.

The Program is an equipment rebate program offering grant funding between \$1,000 to \$20,000 on a 1:1 co-contribution basis for Territory businesses as well as not-for-profit organisations to purchase equipment or technology to reduce waste and improve recycling outcomes.

The grant program supports strategic priorities 2 and 3 of the NT Circular Economy Strategy 2022-27 and contributes to achieving targets 3 and 6 of the National Waste Policy Action Plan.

2. Background

The NT Circular Economy Strategy 2022-27 was launched in April 2022 to meet the Territory's responsibilities under the National Waste Policy to reduce waste, increase the use of waste as a resource and minimise the impact of waste on the environment.

The Territory's estimated waste recycling rate is relatively low (19%) compared to the national recycling rate (63%) and well below the 80% target set by the National Waste Policy Action Plan. This is generally attributed to low awareness amongst Territory businesses and limited economic incentives to recycle or recover materials in the Territory.

The grant program aims to address these challenges by providing Territory businesses with information and support to reduce their waste and participate in improved waste recycling services.

The Northern Territory Government, through the Department of Industry, Tourism and Trade (DITT) has signed a Deed of Agreement with New South Wales Environment Protection Authority (NSW EPA) to use its Bin Trim Application (the App) to support implementation of the Sustainable Business Solutions grant program.

The App will support participating Territory businesses to undertake a free waste assessment to quantify the amount and type of materials in the business' general waste. It will also provide a customised Waste and Recycling Action Plan for the business in its efforts to reduce waste and improve recycling outcomes.

3. About the Program

The Program will accept applications until 30 June 2025 or until allocated funding is fully utilised. Applications will be assessed on a first come first served basis.

The Program offers funding between \$1,000 to \$20,000 on a co-contribution basis for the purchase of equipment or technology to reduce waste and improve recycling outcomes. Prior to applying for funding under the Program, applicants must undergo a waste assessment of the business premises using the Bin Trim App. There is no financial contribution required from the business to undertake the waste assessment. Businesses can undertake the waste assessment themselves using the [Bin Trim Business App](#) . If necessary assistance can be sought from the Department's Small Business Champion (SBC) team.

Objectives

The Program aims to help Territory businesses transition towards a circular economy through waste avoidance and sustainable waste management practices by:

- Providing Territory businesses a complimentary waste assessment service;
- Designing a customised action plan to improve their waste management practices;
- Providing financial support to enact the plan.

The key objectives of the grant program are to:

- a) incentivise businesses to find alternatives to waste disposal (waste reduction) as a cost saving measure
- b) prioritise actions higher on the Waste Hierarchy (e.g. waste avoidance, re-use, recycling, etc.).

Waste Hierarchy



4. Eligibility Criteria

4.1 Applicants eligibility criteria

Applications must be made by an authorised representative of the intended recipient business. An eligible applicant must:

- be a Territory Enterprise (either a for-profit or not-for-profit business); and
- have been operating in the NT for more than 12 months; and
- have an existing waste collection service at a site in the NT; and
- be fully compliant with its obligations under its governing legislation; and
- not be an Excluded Recipient;

Excluded Recipients

Excluded applicants are:

- businesses that are unable to contribute cash to satisfy their co-contribution obligation
- businesses which operate solely from premises other than fixed premises (for example, mobile businesses)
- publicly listed companies
- businesses operating from residential premises
- government and local government bodies and government controlled or related entities
- businesses / organisations operating out of an educational institution / school grounds, including pre-schools and childcare facilities operated with government funding support.
- other businesses as may be determined by the Department in its absolute discretion from time to time.

4.2 Works eligibility criteria

Eligible works are the procurement of equipment or technology that meets the program objectives to:

- avoid or prevent waste being generated on site; or
- re-use waste either on site or by another business; or
- improve source separation, reduce waste contamination and facilitate waste recycling; or
- divert or avoid waste going to landfill.

And:

- be installed and operational within 3 months of the funding agreement being signed by both parties;
- meets Australian Standards and has a warranty of minimum 12 months;
- capable of being operated and maintained in the business premises for at least 5 years from the date of installation.

The Department, at its absolute discretion, will decide whether to fund Eligible works.

Examples of what can be funded

Examples of equipment and technology that may be funded include, but are not limited to:

- cardboard perforators
- commercial worm farms
- small-scale commercial compactors, granulators or shredders
- organics rapid decomposition units (where output is sent to a commercial composting facility)
- food waste monitoring equipment.

Excluded works

The grant funds cannot be utilised for:

- a) costs associated with the procurement, installation and operation of the equipment or technology; and
- b) equipment or technology that has already been procured, purchased, or installed prior to the approval of a grant application.

4.3 Funding

Funding restrictions are as follows:

- a) Funding is on a 50% (Department) and 50% (Recipient) co-contribution basis within the prescribed funding limits.
- b) The minimum funding available from the Department is \$1,000, excluding GST
- c) The maximum funding available from the Department is \$20,000, excluding GST
- d) Applicants may only make one application per business premises, however, can apply for multiple Eligible works within that single application.
- e) Applicants operating from multiple business locations are permitted to apply for a maximum of two business premises, with each premises able to receive the maximum funding amount.
- f) For absolute clarity, an eligible applicant includes its Business Group (refer definition: Business Group). Should multiple applications for a Business Group be received, the Department will require the applicants to decide which application will progress and withdraw the remaining applications within the prescribed time set by the Department.

5. Application and assessment process

The due date for applications is as published on the nt.gov.au/subs website. No applications for participation in the Program will be accepted or approved:

- a) once all the funds allocated for the Program have been committed, or
- b) after the end date for receiving applications, whichever comes first.

Stage 1: Complete initial waste assessment using the Bin Trim App

Before applying for grant funding, the applicant must complete an initial waste assessment using the [Bin Trim App](#). The assessment will identify the amount and type of materials in the business' general waste and any recycling streams.

Steps to complete initial waste assessment

A business must:

- (i) undertake an initial waste assessment using the [Bin Trim App](#); and then
- (ii) review the Waste and Recycling Action Plan (the Action Plan) generated from the Bin Trim App in conjunction with a Small Business Champion (SBC).

The business can email SuBS.DITT@nt.gov.au to organise an in-person or telephone appointment with the SBC to review the Action Plan. The business can also contact a SBC to seek their support to complete the initial waste assessment, if needed.

Stage 2: Submit Application Form

If a business wishes to proceed with some/all the Action Plan recommendations, it may be eligible for funding under this Program. After considering the requirements in these terms and conditions a business may apply for funding by submitting an Application Form online through [GrantsNT](#).

Please email SuBS.DITT@nt.gov.au if you require help with your application before it is submitted.

Stage 3: Assessment of application

- Eligibility will be determined by the Department and will include an audit of the compliance history of the business under previous NTG grants, its governing legislation, and other relevant laws.
- The assessment will also consider the type of equipment or technology to be procured, the volume of waste processed and the projected benefit to the Territory.
- Applicants will be notified via GrantsNT of the outcome of the application assessment process. Funding decisions are final and there is no appeals process. Successful applicants may not receive the full amount requested.

Stage 4: Letter of Agreement

Applicants that are approved to participate in Program will be provided with a Letter of Agreement detailing the terms on which the grant is to be made. Key terms of the agreement include: that funds will be paid by way of reimbursement; and that the applicant will provide satisfactory evidence of the agreed activity being completed.

The applicant must execute and return the agreement within 10 business days from receiving it. The Territory will return a fully executed copy of the Agreement to the recipient, after which it may commence its procurement process.

Stage 5: Procure, install and commence use of the equipment or technology

Within 3 months of execution date of the Letter of Agreement, the applicant must purchase, install and commence use of the equipment or technology. The applicant must:

- ensure the equipment or technology meets all applicable standards, approvals and local government requirements; and
- take all reasonable precautions in ensuring the equipment or technology is installed by licensed tradesperson(s) where required by law; and
- implement prioritised measures, actions and recommendations made in the Action Plan.

An applicant must carry out the reporting and/or acquittal requirements listed in their agreement in GrantsNT. This will require the following documentation:

- purchase order, supplier invoice and delivery note for the equipment or technology
- remittance advice or proof of payment for the equipment or technology in full
- photos of the equipment or technology installed and operational in the applicant's business premises.

If the submitted documents meet the acquittal requirements, grant funding will be paid to the recipient within 30 days from the date of acquittal submission.

If the purchased equipment or technology costs less than the approved quotation, the grant funding will be adjusted to reflect 50% of the actual price/s paid. If the purchased equipment or technology costs more than the approved quotation, the grant funding will be limited to the approved grant amount. The grant funding will not be increased under any circumstances.

Stage 6: Complete follow-up waste assessment

Within three months of the equipment or technology becoming operational, the applicant must complete a follow-up waste assessment using the Bin Trim App.

The business must continue ownership, operation and maintenance of the equipment or technology for 5 years from the date of installation. The business must not sell the equipment or technology within that period.

For a period of 5 years, the applicant agrees to provide the Department with an annual update of recycling outcomes achieved through the use of the equipment.

General Terms and Conditions

5. Program duration and changes

Applications may be received until 30 June 2025 or once the available funding is fully committed.

The Department reserves the right to:

- vary these Program Terms and Conditions, the eligibility requirements or any other documented rule, procedure or information relating to the Program at any time without notice, whether retrospectively or otherwise;
- accept or reject any application for participation in any stage of the Program in its absolute discretion;
- cease the Program at any time.

6. Program definitions

Assessed or assessment is the point in time where the submitted application is reviewed by the Department for eligibility under the program. For absolute clarity, the Department:

- a. has discretion on the assessment priority of a submitted application to allow for Departmental resourcing issues
- b. will not hold or pause an application from being assessed at the applicant's request.

Application means an application (or relevant part of an application) made under the Program and includes the application form and any other supporting or additional information in whatever form provided by the applicant to the Department in connection with its application at any stage of the assessment process.

Business group includes companies that are related within the meaning of the *Corporations Act (Cth) 2001* (where relevant) and includes members, affiliates or owners of a business, brand, trademark, franchise or licence under which the relevant business operates.

Department means the Northern Territory Government Department of Industry, Tourism and Trade.

Letter of Agreement means a contract on the terms of the funding being awarded between the Department and Eligible Applicant.

Technology means a relevant technology, which if adopted may create significant impact to the circular economy. Examples of technologies include virtual and augmented reality, robotics, artificial intelligence (AI) and the internet of things.

Territory Enterprise is a business that satisfies all of the following:

- a. is a legal entity (a natural person or an incorporated entity), with or without a registered business name, and
- b. holds a valid Australian Business Number, and
- c. operating in the Northern Territory - the enterprise is currently engaged in productive activities (i.e. production of goods or delivery of Suppliers) within the NT, and
- d. significant permanent presence - the enterprise maintains an office, manufacturing facilities or other permanent base within the NT, and
- e. employs Northern Territory residents (including self-employed).

7. Additional information on the pre-application waste assessment (Stage 1)

New South Wales Environment Protection Authority (NSW EPA) developed the Bin Trim Application (the App) to enable businesses to measure, quantify and monitor their waste outputs and provide a customised "Waste and Recycling Action Plan" to help them reduce waste and improve recycling outcomes.

NSW EPA successfully implemented grant programs using the App to make a significant contribution to reduce business waste across the state. NSW EPA has agreed to the use of the App in the Program.

The Northern Territory Government, through Department of Industry, Tourism and Trade (DITT) has signed a Deed of Agreement with NSW EPA to use the App to support implementation of the Sustainable Business Solutions grant program. Through this agreement DITT has ensured that the waste data provided by NT businesses is protected

Sustainable Business Solutions (SuBS) Grant Program Terms and Conditions

against loss, unauthorised access, use, modification and disclosure by the NSW EPA and their App maintenance contractor.

It is a condition of the Program that a grant recipient provide the Department of Industry, Tourism and Trade (the Department) with data demonstrating the waste outcomes of using the equipment or technology, including the extent to which waste is avoided, re-used, remanufactured or recycled.

8. Advice and support

For enquiries about these Terms and conditions, please contact the Department of Industry, Tourism and Trade (DITT) by email at SuBS.DITT@nt.gov.au with the subject line, "Queries about T&Cs".

For queries about the grant application process on Grants NT system, please contact businessprograms.DITT@nt.gov.au.

For any concerns about the assessment process, please email at SuBS.DITT@nt.gov.au with the subject line, "Queries about Grant Assessment Process".

9. Buy Local

The Northern Territory Government actively supports local business through procuring its goods and services in accordance with the Buy Local Plan. Government grant recipients are strongly encouraged to adopt similar principles where procuring their own goods and services. For more information visit www.buylocal.nt.gov.au.

10. Confidentiality

The Department will maintain controls in relation to the management of confidential information provided by applicants and all internal documentation produced in relation to the administration of the Program.

The Northern Territory Government, through Department of Industry, Tourism and Trade (DITT) has signed a Deed of Agreement with NSW EPA to seek access and use of the App to support implementation of the Sustainable Business Solutions grant program. Through this agreement DITT has ensured that the waste data provided by NT businesses is protected against loss, unauthorised access, use, modification and disclosure by the NSW EPA and their App maintenance contractor.

Eligible businesses must keep confidential any dealings with the Department about their application, including any funding offered and the commercial terms of any Letter of Funding, but may make disclosures to advisors who are under an obligation of confidentiality or if required by law.

The Northern Territory Government reserves the right to publicly disclose the names of applicants, information about funding granted and details about the anticipated economic outcomes and benefits of the Program to the Territory.

The Northern Territory Government will disclose all information on the application including confidential information provided by applicants:

- if required to be disclosed by law;
- to its advisors, consultants and contractors.
- to any government agency and to Parliament and any Minister of the Parliament of the Northern Territory.

11. Relationship

The Department's obligations regarding the application process are limited to those expressly stated in these terms and conditions. No contractual or other legal relationship exists between the Department and an applicant in connection with the Program, these terms and conditions or the application process. A legally binding Letter of Agreement will be formed between the parties.

12. Participation at applicant's cost

Each applicant participates in the Program at its own cost and risk.

To the extent permitted by law, no applicant will have any claim of any kind whatsoever against the Department (whether in contract, tort (including negligence), equity, under statute or otherwise) arising from or in connection with:

- a) any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting its application (including any amendments, requests for further information by the Department attendance at meetings or involvement in discussions) or otherwise in connection with the Program;
- b) the Department, at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the Program; or
- c) any of the matters or things relevant to its application or the Program in respect of which the applicant must satisfy itself, including under these terms and conditions.

Without limiting the foregoing, if the Department cancels or varies the Program at any time or does not provide funding to any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under these terms and conditions, no applicant will have any claim against the Department arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation (whether directly or indirectly) to the Program.

13. Privacy

All participants acknowledge that the Department will, in addition to anything specifically referred to in these Terms and Conditions, conduct such due diligence enquiries as it sees fit throughout the participation process in order to ensure the integrity of the Program and that the allocated funding is to be used strictly for the purpose stated in the application. Such enquiries may include (but are not necessarily limited to) company, association and business name searches on a Business, title and other searches for the Premises, searches of the courts and enquiries of private businesses or institutions as the Department sees fit, together with any enquiries as to matters contained in its application.

All Participants must be solvent at the time of participating in the Program and must have no reason to believe that they may become insolvent during the period of their participation in the Program.

All Participants in the Program acknowledge and accept that the Department will seek from, and share, information with other Northern Territory Government agencies, as well as such external professional advisers as it may need to do in order to assess eligibility, such as conveyancers/ solicitors.

Personal information may be collected as part of the application process and will be used to assess your eligibility for the SuBS, including conducting due diligence, and if approved, subsequent SuBS management and administration.

The Department has a legal obligation under the *Information Act 2002 (NT)* not to disclose personal information other than for the primary purpose for which it was collected, unless otherwise agreed to or authorised by law.

The Department will handle your personal information in accordance with its [Privacy Policy](#) which outlines how you can access or seek to correct your personal information, or lodge a complaint about a breach of the Northern Territory's Privacy Principles.

In addition to the Privacy Laws, the Department is subject to, and may do anything in connection with the Program that may be required for compliance with the *Public Interest Disclosure Act 2008 (NT)* or the *Independent Commissioner against Corruption Act 2017 (NT)*.

The Department reserves the right to conduct an audit of a Participant (including inspecting records of expenditure of funding or attending at a Participant's place of business to inspect progress through all stages of the Program) at any time during the period of participation or within 36 months after the conclusion of the Applicant's participation in the Program, at its discretion.

14. Public Accountability

Recipients acknowledge and agree:

Where a recipient has an Australian Business Number (ABN) details of the Funding may be provided by the Department to the Australian Taxation Office.

The Department may do anything in connection with these terms and conditions that may be required for compliance with its public accountability responsibilities, including its obligations under privacy and freedom of information laws and the *Independent Commissioner Against Corruption Act 2017* (NT) ("ICAC Act").

Funding recipients are "public bodies" for the purposes of the ICAC Act and are subject to mandatory obligations under that Act to report suspected improper conduct; and

The Department reserves the right to give the Northern Territory Auditor-General, the Information Commissioner, the Ombudsman, and the Independent Commissioner for Corruption (and their respective delegates), access to inspect and copy records and materials associated with the Program or any resulting funding agreement. A funding recipient must provide all reasonable assistance requested by the Department or any other officer representing the NT Government in respect of any inquiry into or concerning the Program.

15. Compliance with Laws and Indemnity

By applying to participate and as a continuing obligation throughout any period of participation in the Program, all participating businesses must comply with all laws relevant to their participation in the Program.

Participants warrant to the Department that they have read, understood and fully accept the Program terms and conditions and fully release and indemnify the Department against any loss or damage that a person may suffer (including without limitation personal injury or death), caused or to the extent contributed to by participation in the Program.