

Earth Observation for the Northern Territory (EO4NT)

Terms and conditions



Australian Government
Geoscience Australia



Digital Earth
AUSTRALIA



**NORTHERN
TERRITORY**
GOVERNMENT

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Important:

Applicants please note – The Department is committed to ensuring that the overall objective, intent and expectations of the Program are met, and for that reason these Terms and Conditions of the Program are subject to change without notice. It is your responsibility to check the Website frequently for notifications about changes that may have been made to the Terms and Conditions or any other aspect of Program documentation. If you do not agree with any changes, then you may opt out of the Program by providing the Department with notice in writing to that effect.

1. Introduction

The Northern Territory Government has partnered with Geoscience Australia to deliver a \$200,000 Earth Observation (EO) demonstrator program.

The program will provide grant funding to support private sector companies in developing commercial applications derived from EO data that:

- Solve Territory business problems; and/or
- Enhance business performance and productivity.

The data will be drawn from Geoscience Australia's EO data platform, Digital Earth Australia (DEA) and/or EO data and products that are external to the DEA tool and product suite (refer to the Program Overview document for further information on the DEA tools available).

Proposals must focus on the Northern Territory, but the call will be made to all Australian technology businesses. The project supports the Northern Territory Government's objective to promote the use of EO technology in the Territory, and also DEA's objective of supporting the development of technology using satellite data by Australian technology businesses to enable industry and government use.

2. Program objectives

The objectives of the program are to:

- Spur solutions to challenges in local Northern Territory industries using earth observation data
- Grow awareness of and interest in EO-driven solutions in traditional Territory industries
- Build partnerships among tech solutions providers, and with end users of EO technology
- Support efforts to diversify the Territory economy
- Create value for the Northern Territory
- Align with recommendation SP4 in the Territory Economic Reconstruction Commission's Final Report: 'Leverage space technology for Territory industries'.

3. Target industries

The Program aims to target development of EO solutions to challenges faced across all industry sectors as well as government services.

4. Definitions

Applicant means the Business, or consortium of Businesses, that submits an application for funding. The Applicant must consist of at least one tech solutions provider. If an Applicant consists of more than one entity then the signatory of the application warrants that they have the authority of all applicants forming part of the consortium.

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

End User means the business, organisation or government sector that will be trialling the solution developed by the Tech Solutions Provider and consulted during its development.

Funding means money granted to conduct a Project under a Funding Agreement.

Funding agreement means a legal contract between the Department and an Applicant that sets out the amount, timing and Recipient for the payment of Funding and other terms and conditions on which the Department is prepared to pay the Funding.

Panel means an assessment Panel made up of at least:

- Two representatives of the Department, one being the Chair; and
- A representative of Geoscience Australia.

Program means the Earth Observation for the Territory Program.

Project means the work that is to be carried out during the term of a Funding Agreement by or on behalf of the Recipient of the grant monies.

Recipient means the Recipient of Funding paid in accordance with a Funding Agreement.

Website means Northern Territory Government¹

5. Assessment of applications

The program will unfold via the following steps:

1. **Submission of proposals:** EO solutions providers submit a full proposal that addresses a Territory problem, enhances an existing solution, or will lead to efficiencies in delivery of Territory Government services. Applicants are not required to have a confirmed end user as part of their application, but should commit to identifying and working with one at the appropriate time in the development process. Proposals are to be submitted by following the links at the Website.
2. **Selection panel evaluation:** full proposals submitted by applicants will be assessed against the selection criteria set out in section 9.2 of these terms and conditions, with up to a maximum of 4 projects selected for grant funding. The panel may request further information from applicants as part of their assessment, and may seek advice from an industry expert as necessary.
3. **Project development:** successful grant recipients develop their EO-powered solution.

6. Timing of grant program

Activity	Timeframe
Grant proposal development	8 weeks
Application assessment	4 weeks
Final selection	4 weeks
Project implementation	6 months

7. Eligibility criteria

To be eligible you:

- Must be a legal entity (including sole trader or partnership) trading under a business name

¹ <https://nt.gov.au/eo4nt>

registered in an Australian State or Territory; or a research organisation that is partnering with an eligible business entity for delivery of the project; and

- Must commit to working with a potential end user for your solution at some point during the development period, that is a company or organisation registered and operating in the Northern Territory, and which has provided its services wholly or substantially in the Northern Territory for at least six months prior to submission of an application.

This does not need to be a formal partnership, and you do not need to have identified this partner in your application. Examples of potential end users include businesses, Aboriginal ranger groups, industry associations, non-government organisations, and NT government agencies.

While not essential for eligibility, it is considered desirable by the Department for you to:

- Have a permanent business presence in the NT, or be working with an NT-based company or organisation to develop the tech solution.

8. Project criteria

Project applications most likely to receive funding will:

- Clearly outline how their EO-powered solution will improve the competitiveness and productivity of Territory Enterprises, or create value to the Northern Territory via solving Territory problems
- Use EO data, products and software
- Propose a solution to a problem that has either not yet been solved, or that enhances, expands upon or improves an existing solution, and/or provides a pathway to financial sustainability
- Have strong market potential, including potential for export outside of Australia
- Demonstrate a sound project delivery plan and co-contribution funding model.

9. Applications and assessment process

9.1. Application

You are required to submit a full proposal through the application form by the relevant closing date. The application form and closing date will be published on the Website. You are required to provide all relevant information contained in the application form.

As part of the application process, applicants must clearly state the amount requested in their grant application and explain how the funding will be used.

You may also be invited to give a presentation to the Department and Geoscience Australia in support of your application (noting there is no obligation on the Department to request or hear a presentation).

9.2. Assessment of applications

Your application will first be reviewed against the eligibility criteria. If deemed eligible, your application will then be reviewed against the assessment criteria by the panel on a competitive basis.

Applicants may also be asked for further information in relation to their proposal, or invited to give a presentation to the Panel in support of their application (noting that there is no obligation for the Panel to request or hear a presentation).

Projects most likely to secure an offer of Funding will be those that the Panel decides best achieve the objectives of the Program, and are technically feasible. The final decision as to successful Proposals will be made by the Department.

Your project will be assessed based on the weighting given to each criterion, listed below:

1. **Assessment criterion 1 (40%):** Explain your project and detail how well it aligns with, and will deliver on, the objectives of EO4NT
2. **Assessment criterion 2 (30%):** The feasibility of your project and how you intend to progress it to successful completion.
3. **Assessment criterion 3 (20%):** Your capacity and capability to deliver your project
4. **Assessment criterion 4 (10%):** Impact of grant funding for your project

Where necessary, the Panel reserves the right to consult with other NT and Australian Government Departments, as well as relevant industry associations, to support assessment of project feasibility.

9.3. Program implementation

The Funding will be distributed following the assessment of Proposals. Funded projects are expected to have a duration of six months. Should all funding not be dispensed in the first round, the Northern Territory Government and Geoscience Australia may elect to hold another round.

The Program implementation phase for round one is expected to commence in September 2022 and conclude in March 2023. If there are subsequent rounds, their timeframes will be specified at a later date.

10. Successful grant applications

10.1. Grant funding

The Northern Territory Government has made a total of \$200,000 in grant funding available for this program.

Funding will be awarded at the Department's discretion following assessment by the Panel using a competitive process.

The Department is under no obligation to issue any grant funding should applications not meet any or all the application, project or assessment criteria.

10.2. Funding agreement

Successful Applicants will be sent a written letter of offer that will include the Funding Agreement including the terms and conditions upon which the Funding is offered.

A successful Applicant may only accept an offer of Funding by the execution and return of the Funding Agreement by the date specified in the letter of offer.

The Recipient under the Funding Agreement will either be the successful Applicant, or one or more entities that form part of the Applicant, and the approved Proposal will become the project plan under the Funding Agreement.

Once a Funding Agreement is fully executed, the Project will be conducted, monitored and the Funding paid to the Recipient in line with the terms of the Funding Agreement.

11. Program changes

The Department reserves the right to:

- Vary these terms and conditions, the eligibility criteria or any other documented rule or procedure relating to the Program at any time without notice; and
- Accept or reject any Proposal in its absolute discretion; and
- Cease the Program at any time should Northern Territory Government policy change (subject to completion of Funding Agreements that have already been entered into).

12. New intellectual property

Any intellectual property rights created as a result of the Funding being granted to a Recipient(s) will be owned and used in accordance with the terms of the Funding Agreement, which will specify that intellectual property developed as part of the Project will be owned by the Recipient(s). No licence to use such intellectual property will be required by the Northern Territory Government.

The Recipient is responsible for dealing with the allocation of intellectual property rights as between all the entities that make up the Applicant and the Recipient (if they are different). The Department takes no responsibility to give advice about the Applicant's partnership or joint venture arrangements and Applicants must make their own independent legal and financial advice about such arrangements.

13. Publication and promotion

The Recipient of grant monies must acknowledge the participation of the Northern Territory Government in the development of the Project in any publicity or promotion of the Project or any product or activity arising from it.

Subject to Clauses 7, 8 and 11, the parties will discuss on a bona fide basis an appropriate level and timing of publicity in respect of the Project to ensure that both the Recipient and the Northern Territory Government achieve maximum public exposure, while protecting the interests of any owner of new intellectual property developed during the Project.

Notwithstanding this clause, Recipients should note that the Northern Territory Government intends to publish the names of Recipients and a brief description of the Proposals that are successful and are issued with a letter of offer.

14. Collection and use of information

The Department will collect all participants' personal information such as name and contact details for the purposes of the Program and to contact applicants about their applications. All information will be held by the Department and managed in accordance with the Information Act (NT). All participants in the Program consent to the Department using, storing and releasing their personal information for lawful purposes.

Participants should note that the Department may seek and share information about a Proposal or a Project with other Northern Territory Government Departments, the Australian Government, and

relevant industry associations for the purposes of assessing applications and maintaining the integrity of the Program, but only on a need-to-know and commercial-in-confidence basis.

Applicants should note that it is a condition of participation in the Program that it or they agree to the Department publishing the following details in the Department's Annual Report:

- Name and ABN of business;
- Address of business; and
- Brief description of nature of Project.

The Department retains the right to publicise outputs of the Program as it sees fit (but redacted of commercial-in-confidence information and intellectual property of a Recipient of grant monies). Non-sensitive information about the Program may be made available as open data in accordance with the Northern Territory Government's open data policy.

All members of the Panel will sign declarations of interest and confidentiality before Proposals are assessed. Employees of the Northern Territory Government are bound by the Code of Conduct pursuant

to the Public Sector Employment and Management Act (NT), to keep all information coming to their attention in the course of their employment, confidential.

Suitable arrangements will be made by the Department to ensure so far as is possible that access to documents and electronic copies of Proposals is kept secure at all times.

The Department will only ever use the information collected in accordance with the Northern Territory Government's Information Privacy Principles. These principles are available on the Information Commissioner website² or by contacting the Information Commissioner Northern Territory on 1800 005 610.

By applying to participate in the Program and providing information to the Department, participants agree to the Privacy Statement below.

15. Privacy

Information collected as part of the Program is held by the Department on behalf of the Northern Territory Government. It is subject to the Northern Territory Government privacy statement³.

You have the right to access and correct information held about you. For further information on how to access information you have provided to the Department as a condition of participating in the Program, please contact us.

Information collected as part of the Program application process is collected in accordance with the Program's terms and conditions and for the purposes of assessing participant eligibility; audit; monitoring; evaluation; and reporting.

By applying to participate in the Program, you consent to the Northern Territory Government:

- a) Storing information, including personal information (such as names and personal contact details)
- b) Using the information, including personal information for the purposes mentioned under the paragraph above;

² infocomm.nt.gov.au/privacy/information-privacy-principles

³ <https://nt.gov.au/page/copyright-disclaimer-and-privacy>

- c) Transferring some of this information, including personal information, outside of the Northern Territory (but not outside Australia) for the purpose storing it; and
- d) Releasing non-sensitive information, de-identified data in accordance with the Northern Territory Government's open data policy.

If you have provided personal information of another individual to the Northern Territory Government, you warrant that you have informed the person to whom the personal information relates that the personal information will be provided to the Northern Territory Government, and of the Northern Territory Government's intended use of this personal information, and that you have obtained consent from all such persons to allow the Northern Territory Government to use and disclose their personal information in this manner.

16. Monitoring and evaluation

It is important for the Department to be able to evaluate the effectiveness of the Program, and therefore an Applicant might be required to work collaboratively with the Department to share information and allow it to monitor progress of the Project from time to time during and after the term of the Funding Agreement.

This obligation will be in addition to the formal requirements to report on the outcomes of the Project in accordance with the terms of the Funding Agreement.

17. Release and indemnity

By applying to participate in the Program and as a continuing obligation the Applicant declares and warrant to the Department that they have read, understood and fully accept these Terms and Conditions and fully release and indemnify the Department against any loss or damage he/she/ they may suffer of any nature whatsoever (including without limitation personal injury or death) caused or contributed to by participation in the Program or entry into a Funding Agreement.

The release and indemnity contained in this clause survives the period of participation in the Program and continues for the benefit of the Northern Territory Government.

18. Due diligence audit and compliance with law

All participants acknowledge that:

- (a) The Department will conduct such due diligence enquiries on Applicants as the Department sees fit at any time before or during the course of the Program in order to ensure the integrity of the Program. Such enquiries may include (but are not necessarily limited to) company searches, court actions, bankruptcy searches, credit searches and on-site visits. Subject to any legal requirements for particular consents, participants acknowledge and agree to the Department having access to any private register of information for the purposes of this process; and
- (b) It is a condition of participation in the Program that Applicants comply with all relevant laws; and
- (c) The *Independent Commissioner Against Corruption Act 2017*⁴ applies to organisations receiving grants from the Northern Territory Government. This Act requires (among other

⁴ [Independent Commissioner Against Corruption Act 2017](#)

things) to ensure that none of its officers, employees, and/or members engage in improper conduct within the meaning of the Act.