



# South East Queensland Innovation Economy Fund

Applicant Guidelines

29 September 2024



Queensland  
Government



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#### ACKNOWLEDGEMENT OF COUNTRY

The Department of Environment, Science and Innovation acknowledges the Country and people of Queensland's First Nations. We pay our respect to Elders, past, present and emerging. We acknowledge the continuous living culture of First Nations Queenslanders—their diverse languages, customs and traditions, knowledges and systems. We acknowledge the deep relationship, connection and responsibility to land, sea and sky Country as an integral element of First Nations identity and culture. This Country is sacred. Everything on the land has meaning and all people are one with it. We acknowledge First Nations peoples' sacred connection as central to culture and being. First Nations people speak to Country, listen to Country, sing up Country, dance up Country, understand Country and long for Country. We acknowledge and thank First Nations people for the enduring relationship connecting people, Country and ancestors—an unbreakable bond that safely stewarded and protected the land, waters and sky for thousands of generations.

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## 1. Glossary

Definitions have been provided for program specific terms. Unless specified in the Glossary, words should be given their plain English meaning.

Term	Definition
Approved Project	The project scope of works approved for funding set out in an approved project plan in a Project Funding Schedule or Project Funding Agreement.
Department	The Queensland Department of Environment, Science and Innovation
Eligible SEQ Local Government	A local government council which is one of the 11 councils represented by the Council of Mayors (SEQ) namely: Brisbane, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba.
Head Funding Agreement	The existing agreement between the State and an Eligible SEQ Local Government that sets out the terms and conditions under which the State will enter into project specific arrangements to provide funding to the applicant for specific projects.
Innovation	For the purpose of this program, innovation can be defined in one of the following contexts: <ul style="list-style-type: none"> <li>• innovative solutions to existing problems</li> <li>• new to world innovation</li> <li>• innovation diffusion (a unique application of a technology that is significantly different to any previous innovation in the market)</li> <li>• innovation in the Indigenous context – identified by the applicant as innovative activities that build a community’s economic opportunities and increases its participation in the innovation economy.</li> </ul>
Innovation Economy	For the purpose of this program, the innovation economy targets public and private investment to transform existing, and accelerate new, industries and infrastructure to drive greater economic, environmental and social outcomes for a region.  Innovation economies focus on: <ul style="list-style-type: none"> <li>• developing skills for knowledge-intensive employment</li> <li>• supporting development and commercialisation of innovative products, processes or services using new and sustainable technology</li> <li>• fostering priority industries and innovation growth sectors to support future capability</li> <li>• accelerating networks and partnerships between stakeholders to maximise collaboration.</li> </ul>
Project End Date	The date by which all project activities set out in an approved project plan set out in a Project Funding Agreement are required to be completed.
Project Funding	The sum of the Innovation Economy Fund grant funding, the required cash co-contribution and any other cash contributions from other funding sources.
Project Funding Agreement	An agreement between the State and a successful applicant. For successful Eligible SEQ Local Government applicants, it comprises an executed Project Funding Schedule, specified parts of the Head Funding Agreement and any other documents required by the State.
Project Funding Schedule	For Eligible SEQ Local Governments, this means the schedule prepared by the State and executed by the parties in accordance with the Head Funding Agreement, for the provision and use of Project Funding.
Project Infrastructure	The completed infrastructure and installed plant and equipment (where relevant) that results from the delivery of an Approved Project.

Term	Definition
State	The State of Queensland

## 2. Election Caretaker Conventions

Applicants should note that, in advance of the Queensland State General Election on 26 October 2024, the Government will enter a caretaker period from 1 October 2024. The caretaker period will last until the result of the election is known. The closing date for the receipt of applications for this program is after the start of the caretaker period.

Due to the imposition of caretaker conventions and the need for the public service to not bind an incoming government, the Department is unable to provide advice about the outcome of applications or allocate any funding until the result of the election is known, and a new government has been sworn-in by the Queensland Governor.

In following caretaker conventions, the Department will provide purely factual material relating to the Innovation Economy Fund via the Department's website.

## 3. Fund Overview

### 3.1 About the Innovation Economy Fund

Queensland is focused on becoming a leading and sustainable world-class innovation economy. The Queensland Government's Advance Queensland *Innovation for a Future Economy: 2022-2032 Roadmap* sets out the direction, key priority outcomes and initiatives for the next phase in Queensland's journey toward this goal.

The Roadmap identifies a priority for Queensland to achieve this by ensuring Queensland has world-class innovation infrastructure to drive ideas through to commercialisation, adoption and diffusion.

This priority has been activated through the *Innovation Precincts and Places Strategy 2022-2032: A Place to Innovate*, and the Queensland Innovation Precincts and Places Fund objective to realise the potential of Queensland's existing, high quality innovation infrastructure.

The South East Queensland (SEQ) Innovation Economy Fund (IEF) is a commitment under the SEQ City Deal between the Australian Government, Queensland Government, and Local Government members of the Council of Mayors (SEQ). The establishment of the IEF will ignite the region's nationally-significant innovation precincts to deliver more high value, knowledge-intensive employment opportunities.

The intent of the IEF is to accelerate the delivery of future jobs through investing in capital projects in innovation precincts, that promote and grow SEQ's innovation economy.

The objectives of the IEF are to support capital projects that target the following:

- development of infrastructure within existing SEQ innovation precincts that will increase their capability to contribute to accelerating the delivery of high value, knowledge-intensive employment opportunities
- capital projects that contribute to innovation focused priority industries and innovation growth sectors (to support infrastructure) and grow the SEQ innovation economy through the development and commercialisation of innovative products, services or processes using new and sustainable technologies
- development of new, and leverage existing, connections and partnerships that strengthen the SEQ innovation economy to drive greater economic, environmental and social outcomes for the region.

### 3.2 What we are looking for

The IEF is seeking applications for capital projects that can be completed by **30 June 2027**.

Proposals are sought for the delivery of capital projects that will establish or improve infrastructure within existing SEQ innovation precincts to:

- build the precinct's capability to increase innovation activity; and
- support and grow innovation focused priority industries or innovation growth sectors in SEQ.

Proposals must:

- identify how the project will lead to more high value, knowledge-intensive jobs; and
- include a leveraged cash funding commitment from industry (applicant and/or project partners) of at least 50% of the IEF grant funding sought for the project.

Proposals will need to meet eligibility criteria in relation to the:

1	Applicant	Applicants must be a local council included in the 11 councils represented by the Council of Mayors (SEQ) <b>or</b> a public or private sector entity who has a registered place of business within the local government areas covered by the 11 councils represented by the Council of Mayors (SEQ) namely:  Brisbane, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba.	Refer to Section 5.1
2	Project	Projects must be for the establishment of new or improved infrastructure for an existing innovation precinct, including the acquisition and installation of plant and equipment, where the resulting infrastructure is located in one of the following local government areas:  Brisbane, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast, Toowoomba and the Gold Coast.	Refer to Section 5.3
3	Innovation Precinct	The resulting infrastructure must support existing or create new capability for the existing innovation precinct in a priority industry or innovation growth sector.	Refer to sections 5.4 and 5.5

## 4. Project Funding

The total project cost will be the sum of the IEF grant funding, the required cash co-contribution and any other cash contributions from other funding sources.

### 4.1 IEF grant funding

Subject to 4.2, applicants can apply for funding from **one** of the following tiers:

<b>Tier One – Minor Capital Projects</b> including but not limited to refurbishments and acquisition and installation of plant and equipment.	Projects seeking funding of at least \$1 million (excl GST) to a maximum of \$5 million (excl GST).
<b>Tier Two – Major Capital Projects</b> including but not limited to new builds, extensions, refurbishments and acquisition and installation of plant and equipment.	Projects seeking funding over \$5 million (excl GST) to a maximum of \$25 million (excl GST).

Applicants and their related corporate entities/subsidiaries are limited to one application for either Tier 1 or Tier 2 funding. An applicant cannot lodge an application for both Tier 1 and Tier 2.

## 4.2 Cash Co-Contribution

Applicants and/or project partners are required to provide a cash co-contribution of 50% of the total IEF grant funding requested.

The cash co-contribution can be sourced internally from the applicant and/or from project partners but cannot include any other Queensland or Australian Government grant funding.

In-kind and non-cash contributions are not eligible to be included in the calculation of the cash co-contribution.

Details of the funding required to support the operating costs and activation of the Project Infrastructure must be provided as part of the application as mandatory documentation (see section 8.2), however they are not eligible to be included in the calculation of the cash co-contribution.

## 4.3 Total project cost

The total project cost includes all costs associated with delivering the capital project. If there are additional project costs to deliver the project greater than the sum of the IEF grant funding and the required applicant/project partner cash co-contribution, details of the amount and the source of funding to meet these costs must be provided in the project budget as part of the application.

Cash contributions from Queensland and Australian Government project partners can be included in the total project cost.

### Example

For example, where delivery of the capital project is contingent on a cash contribution from a Queensland Government department, that contribution can be included in the estimated total project cost but cannot be included in the calculation of the applicant/project partners required 50% cash co-contribution.

## 5. Eligibility

### 5.1 Applicant

To be eligible to apply for this program, the applicant must, at the time of application be a:

- Local Government body constituted under the *Local Government Act 2009* or the *City of Brisbane Act 2010*; and
- a member of the Council of Mayors (SEQ) as of 21 March 2022 and contributing investment into to the suite of region-wide reform initiatives contained in SEQ City Deal.

#### OR

A private or public sector entity including:

- Queensland Government statutory bodies (including Queensland hospital and health services)
- Queensland Government owned corporations
- Queensland based Universities
- Queensland based research institutes
- Not for profit entities
- A private or public sector entity acting as a trustee for a trust.

Where an applicant is eligible to apply, the applicant must also meet the following eligibility criteria:

- be a legal entity
- have an active Australian Business Number (ABN)
- be registered for the Goods and Services Tax (GST)
- have a registered place of business and can demonstrate key business operations within an Eligible SEQ Local Government area; and
- have been trading for a minimum of 12 months.



For the purpose of this program an Eligible SEQ Local Government area is a local government area covered by the 11 councils represented by the Council of Mayors (SEQ) namely:

Brisbane, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba.

Applicants with less than 12 months of trading may only apply if there are project partners or evidence of identified third-party professional service providers involved in the proposal who can provide the necessary management, technical and financial capability to deliver the proposed project.

The program **will not** support applications from:

- individuals or sole traders
- unincorporated associations
- entities that are insolvent or subject to any kind of external administration, or whose directors are seeking safe harbour against insolvent trading under the *Corporations Act 2001*
- chambers of commerce, regional economic development organisations, remote area boards
- Queensland Government departments and agencies
- Australian Government departments and agencies; and
- Australian Government statutory bodies that conduct research and development as part of their core activities.

## 5.2 Partnering Arrangements

Eligible applicants may collaborate with other entities to deliver an eligible project.

One eligible applicant must submit the application and will be the project lead. If the project is approved for funding, the eligible applicant will be responsible for entering into a Project Funding Agreement with the State and managing the delivery of the project.

If an eligible applicant has project partners for a project, a formal written arrangement/signed letters of support and commitment from the project partners board, Chief Executive Officer or equivalent must be in place between all parties before an application is submitted.

There are no eligibility requirements for project partners however refer to sections 4.2 and 8.2 of these guidelines regarding the requirements for cash co-contributions and supporting documentation from project partners.

Project partners are eligible to support more than one project including providing cash co-contributions.

An applicant can be included as a project partner in other application(s) in addition to the application where it is the applicant.

## 5.3 Projects

The proposal must be for a project in an existing innovation precinct which will result in the Project Infrastructure being:

- located in one of the following local government areas: Brisbane, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset, Sunshine Coast, Toowoomba and the Gold Coast; and
- constructed and/or established on a project site which is owned by the applicant or for which there is written evidence of an in-principle agreement with the entity that owns the project site demonstrating the applicant and/or project partner has the right to access the project site in order to construct or refurbish existing buildings and/or install plant and equipment.

Applicants and/or project partners will be required to provide forward planning outlining the planned operation, maintenance and activation of the infrastructure for a minimum of 10 years following the Project End Date for real property, or a minimum of 5 years for plant and equipment only in the mandatory supporting material (see section 8.2 of these guidelines).

### Examples of eligible projects:

- New builds
- Refurbishment of existing buildings

- Acquisition and installation of plant and equipment
- A new stage or independent component of an existing capital project that will result in the establishment of operational infrastructure delivering innovative activity and will contribute to accelerating high value, knowledge-intensive employment opportunities at the Project End Date and is not reliant on future un-funded stages of the development to achieve this.

## 5.4 Innovation Precincts

For the purpose of this program, innovation precincts are defined as places where innovative activities are delivered through development of:

- innovative solutions to existing problems
- new to world innovation
- innovation diffusion (a unique application of a technology that is significantly different to any previous innovation in the market)
- innovation in the Indigenous context – identified by the applicant as innovative activities that build a community’s economic opportunities and increases its participation in the innovation economy.

To be eligible for this program an existing innovation precinct must:

- have an existing, clearly defined, physical site/s; and
- have been operational for at least 12 months at the time of application.

## 5.5 Innovation Priority Investment Areas

The Advance Queensland Innovation Priority Investment Areas identify innovation focused priority industries and innovation growth sectors that build on existing programs, infrastructure and investments to grow the innovation economy.

Applications should demonstrate the alignment of the Project Infrastructure to support existing or create new capability for the innovation precinct in one or more of the following **priority industries** or **innovation growth sectors** (which include but are not limited to):

Priority industries
<ul style="list-style-type: none"> <li>– Defence and aerospace</li> <li>– Energy transformation</li> <li>– Agriculture and food processing innovation</li> <li>– Biomedical</li> <li>– Manufacturing across all sectors</li> </ul>
Innovation growth sectors
<p>Innovative technology to advance industry using:</p> <ul style="list-style-type: none"> <li>– autonomous systems including unmanned aerial vehicles</li> <li>– robotics and artificial intelligence</li> <li>– nanotechnology</li> <li>– biotechnology including synthetic biology technologies including mRNA</li> <li>– quantum technologies</li> </ul>
Innovation in cybertechnology, defence industries and space industries
Innovative methods to improve agriculture and food including novel proteins and low emissions production systems (AgTech)
Innovative methods to achieve a sustainable future in a decarbonising economy by:

<ul style="list-style-type: none"> <li>– developing environmentally responsible mining practices including innovative methods to accelerate new economy/critical minerals industry</li> <li>– managing Queensland’s waste and pollution and developing the circular economy</li> <li>– mitigating and preventing climate change</li> <li>– developing sustainable energy solutions including technology supporting green hydrogen</li> <li>– developing sustainable energy storage solutions</li> <li>– developing sustainable water solutions</li> </ul>
<p>Innovative methods to build resilience against:</p> <ul style="list-style-type: none"> <li>– future potential pandemic crises</li> <li>– natural disasters e.g., droughts, floods, cyclones, and bushfires.</li> </ul>
<p>Innovative methods to drive sporting success (SportsTech)</p>

Innovation in any other area or industry that can demonstrate a track record of contributing to the innovation economy and meets the program’s intent of delivering more high value, knowledge-intensive employment opportunities will also be considered.

## 6. Using the grant funding

### 6.1 Project Budget

Applicants must provide a project budget as part of the application setting out the estimated total project cost at the date of application for the capital project.

The total project cost will be the sum of the IEF grant funding, the required cash co-contribution and any other cash contributions from other funding sources.

The project budget cannot include:

- costs incurred prior to the project start date, including any otherwise eligible project costs
- existing applicant staff salaries or remuneration of applicant employees for work not directly related to the project
- core business costs (business as usual), including:
  - premises lease or rental costs
  - ongoing costs for administration, operation, maintenance and engineering
  - purchase, lease or hire of plant and equipment relating to the applicant’s core business
  - operational costs associated with the operation of the Project Infrastructure
- costs associated with preparing the application.

The project budget may include a construction contingency allowance of up to 30% based on the estimated total project cost. For further details on the use of and acquittal of any contingency allowance see section 10.4 regarding project savings.

### 6.2 Eligible Project Costs

The IEF grant funding sought can only be used for eligible project costs.

Eligible project costs include:

- construction costs including:
  - all site works required as part of the construction
  - the costs of construction-related labour, materials and equipment hire
  - costs required to fully commission the Project Infrastructure

- project management costs including remuneration of technical or professional staff, engaged by or employed by the successful applicant directly related to managing the construction of the proposed infrastructure (for example the salary of a project manager for the approved project) but excluding executive duties and overhead charges
- costs required to purchase, install and/or commission fixed plant and equipment
- all costs associated with acknowledging the State and Australian Government funding contributions as set out in section 11.2 of these guidelines.

Only eligible project costs incurred on or after the project commencement date (specified in the executed Project Funding Agreement) can be claimed by the successful applicant.

It is expected that IEF grant funding will be expended in Queensland, unless it can be demonstrated that expenditure outside Queensland is essential to ensure successful delivery of the project (e.g. the purchase of plant and equipment).

### 6.3 Ineligible Project Costs

The following costs are not eligible to be paid for from the IEF grant funding and include:

- costs incurred prior to the project start date, including any otherwise eligible project costs
- existing applicant staff salaries or remuneration of employees for work not directly related to the project
- core business costs (business as usual), including:
  - premises lease or rental costs
  - ongoing costs for administration, operation, maintenance and engineering
  - purchase, lease or hire of plant and equipment relating to the applicant's core business
  - operational costs associated with the operation of the Project Infrastructure
- costs associated with preparing the application
- project development costs such as early-stage feasibility studies, business case development and due diligence
- concept design costs
- land purchase and/or costs associated with land purchase
- costs of conducting a tender for construction of Approved Projects
- statutory fees and charges and any costs associated with obtaining regulatory and/or development approvals
- legal expenses
- movable/portable furnishings, supplies and related items
- official opening expenses
- costs primarily related to marketing, advertising or promotion (excluding acknowledgement of funding contributions as outlined in section 11.2 of these guidelines).
- expenditure on project activities that have received funding through other SEQ City Deal commitments, unless otherwise approved or agreed between deal partners.

## 7. Assessment criteria

Applications will be assessed in accordance with the following assessment criteria. The application form contains questions to guide the applicant to address the assessment criteria. All criteria are equally weighted.

### Criteria 1: **Significance of the funding opportunity to support the innovation economy**

**The application must demonstrate:**

- the track record of the innovation precinct in contributing to the innovation economy
- how the new or improved infrastructure will deliver more high value, knowledge-intensive employment opportunities in SEQ
- how the new or improved infrastructure will increase the innovation precinct's capacity and capability to grow the innovation economy resulting in greater economic, environmental and/or social outcomes for the region.

## Criteria 2: Strength of the applicant to deliver the capital project

### The application must demonstrate:

- the track record of the applicant and project partner/s to deliver the capital project
- the applicant and/or project partner/s have the capability, skills and experience required to deliver the capital project
- the applicant and/or project partner/s have the capacity and resourcing to deliver the capital project.

## Criteria 3: Value and viability of the project

### The application must demonstrate:

- the capital project is well planned and achievable and can be delivered within the nominated timeframe, and is able to be delivered within the project budget and is financially sound
- the application demonstrates that all required approvals are achievable within the timeframes and that any outstanding planning issues can be resolved
- the applicant and/or project partner/s have adequate staffing and risk management strategies to ensure successful delivery of the capital project by 30 June 2027.

## Criteria 4: Sustainability and resilience of the Innovation Precinct

### The application must demonstrate:

- the innovation precinct is financially viable to support the future costs of maintaining the new or improved infrastructure, and has considered the future costs and planning for training on the new plant and equipment (if applicable) to increase capability and employment opportunities
- how the precinct will grow innovation focused priority industries and/or innovation growth sectors for Queensland through the use of the new or improved infrastructure resulting in industry led economic growth for the region
- benefits for connectivity and networking for the innovation precinct locally, nationally and/or globally through the activation of the new or improved infrastructure.

## 8. How to apply

### 8.1 Submit an application

An application can be submitted online via SmartyGrants. Refer to the Advance Queensland website for the application link.

#### A Full Application will include:

- a completed online application form including detailed responses to each of the assessment criteria and the required supporting documentation.

### 8.2 Supporting Documentation

The following documentation is required to support the application and will assist the applicant in evidencing responses to the assessment criteria.

#### Mandatory Documentation:

- evidence of the applicant's ability to contribute the required cash co-contribution via the submission of:
  - one year (12 months) of accountant prepared financial statements; or
  - a letter from the board (or chief executive officer or equivalent if there is no board) that confirms the capital project is supported and the applicant is trading and is financially viable to deliver the capital project as detailed in the application. All funding must be confirmed at the time of submission.

- evidence of the project partner's (if applicable) commitment to the project and financial contribution including details of the amount of funding and any conditions attached to the funding (all funding must be confirmed at the time of submission) via the submission of:
  - one year (12 months) of accountant prepared financial statements; or
  - a letter from the board (or chief executive officer or equivalent if there is no board) that confirms the capital project is supported and the applicant is trading and is financially viable to contribute the required cash co-contribution; and
  - a letter of support from project partners outlining their commitment to the project.
- written evidence of the land ownership and/or approval for building works
- project plan including the extent, location, and sizing of the infrastructure and/or plant and equipment, the proposed delivery method and a detailed project management plan outlining the activities to be delivered by the Project End Date
- a detailed project budget setting out the estimated total project cost (at the time of application) for the capital project. The total project cost will be the sum of the IEF grant funding, the required cash co-contribution, and any other cash contributions from other funding sources
- detailed project costing information, including a project cashflow forecast
- forward planning outlining the planned operation and maintenance of the infrastructure for a minimum of 10 years following the Project End Date for real property, or a minimum of 5 years for plant and equipment only
- forward planning to demonstrate the activation of the new/improved infrastructure for a minimum of 10 years following the Project End Date for real property, or a minimum of 5 years for plant and equipment only including planning for training on the new plant and equipment (if applicable) to increase capability and employment opportunities
- evidence of applicant and/or project partners' ability to fund the future management and maintenance requirements for new or improved infrastructure, including governance via:
  - up to 3 years of forecasted financial planning/budgets for operation of the Project Infrastructure
- risk management plan
- proposed project timelines/works schedule or Gantt chart outlining timeframes for all project stages
- schematic design (for infrastructure projects only).

**Supporting Documents (non-mandatory):** Where project planning is advanced, consideration should be given to including supporting documentation which supports responses to the assessment criteria including:

- detailed design drawings, building plans and associated planning documents
- tender documents (if applicable)
- detailed information regarding the type of infrastructure and works to be constructed including any technical studies completed to inform the scope of works (e.g. site investigations, feasibility studies, engineering studies etc.)
- for applications where a local government is not the applicant or a project partner, a letter of support from the relevant local government where the Project Infrastructure will be located
- any additional information that might help strengthen the Department's assurance the project will be completed on time and within budget.

### 8.3 Key dates

Key dates will be published on the Advance Queensland website <https://advance.qld.gov.au/grants-and-programs/innovation-economy-fund>

All dates are indicative and any changes to dates will be published on the Advance Queensland website. Potential applicants should check the website for updates.

## 9. Assessment

All applications will be assessed against the eligibility requirements. Only eligible applications will be considered for funding support.

Eligible applications will be assessed in a competitive, merit-based approach by a panel of assessors against the assessment criteria.

The applicant may be contacted at any stage of the assessment process to provide further information to enable a due diligence and probity assessment. There is no implicit guarantee of approval at any stage in the process, and applicant businesses will be notified via email of the assessment outcome.

The Australian and Queensland Governments reserve the right to administer the program and conduct the assessment and approval processes as they see fit. This may include, at their discretion, considering current government priorities and the need to balance the investment to support a diversity of activities across South East Queensland.

Following assessment, applications will be approved by the relevant authorised delegates of the Australian and Queensland Governments.

The Department has established processes for dealing with complaints. If an applicant has any concern in relation to the application or assessment process, a formal complaint may be submitted to the Department through its website at [www.desi.qld.gov.au/contactus/feedback-forms/feedback-form/complaint](http://www.desi.qld.gov.au/contactus/feedback-forms/feedback-form/complaint).

## 10. Conditions of funding

Successful applicants will be required to enter into a legally binding Project Funding Agreement with the State of Queensland through the Department.

Payment of grants will be made based on agreed periodic project milestones. A final milestone payment will be made upon the provision of documentary evidence that all project activities have been completed, including evidence of the actual total project expenditure incurred and project cash co-contributions have been made by all relevant parties.

The Project Funding Agreement will provide details on general and specific conditions associated with delivery of the approved project, including:

- the scope of the approved project activities
- the approved project plan
- milestone deliverables and dates
- IEF grant funding amount and payment terms
- eligible and ineligible project costs
- record-keeping requirements
- reporting requirements
- protocols for public announcements and media statements; and
- applicant obligation to acknowledge Australian and Queensland Government funding support.

### 10.1 Funding arrangements

Subject to section 10.2 the Australian and Queensland Governments have no obligation to provide IEF grant funding to an applicant until a Project Funding Agreement/Project Funding Schedule, as relevant, has been properly executed by the applicant and the State and the relevant conditions including any associated with the Federation Funding Agreement – Infrastructure Schedule (SEQ City Deal) have been satisfied.



An applicant undertakes an Approved Project at its own risk. The applicant bears the risk of any project costs exceeding the amount of the IEF grant funding provided under the Project Funding Agreement/Project Funding Schedule.

Any financial or other commitments in relation to a project made by an applicant (or project partner) prior to a Project Funding Agreement/Project Funding Schedule being properly entered into by the parties is at the sole risk of the applicant (or project partner, as relevant).

The Project Funding Agreement/Project Funding Schedule will set out the requirements for a successful applicant to meet in using the IEF grant funding and delivering the project including:

- payment of funding to a successful applicant in accordance with a milestone schedule
- obligations on the successful applicant and project partners to make the cash co-contribution
- obligations on the successful applicant to use IEF grant funding only for eligible project costs
- delivery of the project in accordance with an approved project plan
- contracts for building work (that is not Prescribed Building Work) using Project Funding are only entered into with builders accredited under the Work Health and Safety Accreditation Scheme referred to in section 43 of the *Federal Safety Commissioner Act 2022*
- contracts for building work to:
  - target a minimum expenditure of 3 per cent of the contract value on First Nations businesses and suppliers
  - target 3 per cent First Nations employment in delivering the project including any contracts for building work
- provision of information, data and reports to enable the Department to meet its reporting, publication, media and communications obligations under the arrangements with the Australian Government and the SEQ City Deal members.
- effect and maintain public liability, professional indemnity and other relevant insurances as required by the State. Such insurances must be effected with a reputable insurer that is authorised to operate in Australia and is acceptable to the State
- meet qualifications, accreditation, registration or checks relevant to the Approved Project, e.g., a working with children check or working with vulnerable people registration.

## 10.2 Funding arrangements for local council recipients

Where the successful applicant is an Eligible SEQ Local Government, it will be required to execute a Project Funding Schedule under the applicant's Head Funding Agreement with the State, where such Head Funding Agreement is in place.

## 10.3 Payment of funding

Subject to the terms of the Project Funding Agreement/Project Funding Schedule, funding will be paid directly to the successful applicant in arrears on satisfaction of milestone requirements and provision of:

- a valid tax invoice from the successful applicant to the Department for payment of the relevant milestone amount;
- a payment claim and any relevant documentation that may be requested as evidence of expenditure on the project; and
- any documentation required to satisfy milestone requirements in the Project Funding Agreement/Project Funding Schedule.

## 10.4 Project savings/contingency

If the actual total project cost at the Project End Date is less than the estimated total project cost (as identified in the project budget and the Project Funding Agreement/Project Funding Schedule), the difference between these two amounts will be considered project savings.



In an Approved Project, project savings will be apportioned between the contributors and the IEF grant funding with reference to the sources of funding in the project budget.

If any construction contingency allowance included in the project budget is not expended at the Project End Date, the remainder cannot be included in the actual total project cost. If required, an adjustment to the final payment will be made at the final acquittal stage to ensure that IEF grant funding and cash co-contributions ratios are compliant with section 4.2 of these guidelines.

Approved IEF grant funding for the Approved Project may therefore be reduced by the amount of project savings apportioned to the IEF grant funding. Should the applicant have received milestone payments of the IEF grant funding that exceed the IEF share of the actual total project cost after savings are apportioned, the applicant will be required to refund the relevant portion of the IEF grant funding to the Department.

## 10.5 Project overrun

In an Approved Project, any costs in addition to the estimated total project cost in the project budget needed to complete the project must be secured by the successful applicant. The Australian and Queensland Governments have no obligation to provide further funding or assistance in excess of the approved IEF grant funding.

## 10.6 Project evaluation

All Approved Projects will be monitored and may be evaluated by the Department to ensure the IEF is achieving its objectives.

Successful applicants must comply with the reporting and audit obligations outlined in these guidelines and the Project Funding Agreement/Project Funding Schedule.

## 10.7 Reporting

The Project Funding Agreement/Project Funding Schedule will specify requirements for the submission of:

- progress reports including financial acquittal reporting supported by financial records
- a project completion report; and
- reports on project benefits which may include economic, social and environmental benefits to support monitoring and evaluation of the IEF.

Ongoing benefits monitoring requirements following project completion may also be required. Templates for these reports will be provided by the Department.

# 11. Communications

## 11.1 Communications with the media

All media enquiries or public announcements relating to Approved Projects will be coordinated and managed between the Department and successful applicants in accordance with IEF protocols. The relevant requirements will be set out in the Project Funding Agreement/Project Funding Schedule.

Successful applicants will be expected to actively promote their projects, and to provide information and attend media/promotion events if required, subject to Department approval of content.

## 11.2 Funding Acknowledgement

Successful applicants will be required to appropriately acknowledge the Australian and Queensland Government contributions to an Approved Project in the manner and form required by the State, including on signs, through the use of coats of arms and Australian Government Building Australia and Queensland Government branding and logos, and on plaques affixed to hoarding on the Project Infrastructure and any associated construction site.

This includes acknowledgement of funding in all publicly made statements including media releases, websites, other appropriate promotional materials and documentation.

Prior agreement must be reached with the Australian and Queensland Governments about the nature and content of any events, announcements, promotional material or publicity and appropriate Australian Government and Queensland Government representatives will be invited to participate in opening ceremonies or similar events.

The relevant requirements will be set out in the Project Funding Agreement/Project Funding Schedule.

## 11.3 Confidentiality

The State 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 IEF.

Applicants must keep confidential any dealings with the State about their application, including any funding offered, but may make disclosures to project partners and advisors who are under an obligation of confidentiality or if required by law.

The State may disclose information, including confidential information, to the Australian Government in connection with the administration of the IEF or the assessment of applications.

Each of the Australian and Queensland Governments reserve the right to publicly disclose the names of applicants, general information about projects and the funding provided and details about the anticipated economic outcomes and benefits of the project.

Each of the Australian and Queensland Governments may also disclose any confidential information of, or provided by, the applicant:

- if required to be disclosed by law;
- to its advisors, consultants and contractors;
- to any government agency.

## 12. Terms and Conditions

### 12.1 Reservation of rights

The Australian and Queensland Governments reserve the right to administer the IEF and conduct the process for the assessment and approval of applications in connection with the IEF in such manner as they think fit, including to:

- (a) change the structure, procedures, nature, scope or timing of, or alter the terms of participation in, the process or overall IEF (including timeframes and submission and compliance of applications);
- (b) consider or accept or refuse to consider or accept any application which:
  - i. is lodged other than in accordance with these guidelines;
  - ii. is lodged after the relevant closing date for application lodgement;

- iii. does not contain the information required by these guidelines; or
- iv. is otherwise non-conforming in any respect;
- (c) vary or amend the eligibility criteria or assessment criteria set out in these guidelines;
- (d) take into account any information from its own and other sources (including other government agencies or advisors);
- (e) accept or reject any application, having regard to these guidelines, the eligibility criteria and the assessment criteria or any other item, matter or thing which the Department considers relevant, including the limitations on the funds available for the IEF;
- (f) seek clarifications or additional information from, or provide clarifications or additional information to, negotiate or deal with, or seek presentations or interviews from, any applicant without doing or requiring the same from all or any of the other applicants;
- (g) conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals;
- (h) require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information;
- (i) terminate further participation of any applicant in the application process for the IEF for any reason;
- (j) terminate, suspend or reinstate the IEF or any process in the IEF;
- (k) not proceed with the IEF in the manner outlined in these guidelines, or at all;
- (l) allow the withdrawal or addition of any applicant after the closing date; and
- (m) conduct negotiations with any one or more applicants after applications have been lodged.

Where, under these guidelines, it is stated that the State may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the State may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including the applicants).

If the State does exercise any of its rights under these guidelines the State may inform any or all applicants. The State will not, however, be under any obligation to do so.

## 12.2 Relationship

The State's obligations regarding the application process are limited to those expressly stated in these guidelines.

Subject to section 12.7 below, no contractual or legal relationship exists between the State and an applicant in connection with the IEF, these guidelines or the application.

An applicant, or its representatives:

- has no authority or power, and must not purport to have the authority or power to bind the State, or make representations on behalf of the State;
- must not hold itself out or engage in any conduct or make any representation which may suggest to any person the applicant is for any purpose an employee, agent, partner or joint venturer with the State; and
- must not represent to any person that the State is a party to the proposed Project other than as a potential funder, subject to the application process and confidentiality obligations detailed in these applicant guidelines.

## 12.3 Participation at Applicant's cost

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

To the extent permitted by law, no applicant will have any claim of any kind whatsoever against the State (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 State, attendance at meetings or involvement in discussions) or otherwise in connection with the IEF;
- b) the State at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the IEF; or
- c) any of the matters or things relevant to its application or the IEF in respect of which the applicant must satisfy itself under these guidelines.

Without limiting the foregoing, if the State cancels or varies the IEF at any time or does not approve any application following its assessment of the applications, or does (or fails to do) any other thing referred to under clause 12.1 of these applicant guidelines, no applicant will have any claim against the State 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 to (whether directly or indirectly) the IEF.

## 12.4 Applicant to make own enquiries

These guidelines have been prepared to give potential applicants information in relation to the IEF. These guidelines do not, and do not purport to, contain all of the information that applicants may require in reaching decisions in relation to whether or not to submit an application. Applicants must form their own views as to what information is relevant to such decisions and obtain their own independent legal, financial, tax and other advice in relation to information in these guidelines or otherwise made available to them during the application process.

The State accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the information supplied by it in connection with the IEF or interpretations placed on the information by applicants.

## 12.5 Tax

The State does not provide advice to applicants and recommends applicants seek independent professional advice on their tax obligations.

## 12.6 Law

These guidelines are governed by the law applicable in Queensland.

## 12.7 Intellectual Property

Any intellectual property rights that may exist in an application will remain the property of the applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain any intellectual property rights should be clearly identified by the applicant.

The applicant grants to the State (and will ensure that relevant third parties grant) a non-exclusive, irrevocable, royalty free, perpetual, sub-licensable licence to exercise the intellectual property rights in the application for the purpose of assessing and making decisions about the application and in administering the IEF.

## 12.8 Acceptance

By submitting an application, each applicant:

- a) warrants to the State that the information supplied in the application, including its attachments and any information provided in connection with the application, is true, complete, and accurate as at the date on which it is submitted and is not by omission misleading and may be relied on by the State in determining whether or not to provide funding to the applicant under the IEF;
- b) undertakes to promptly notify the State if it becomes aware of any change in circumstances which causes the information contained in its application to become inaccurate or incomplete in a material respect;
- c) acknowledges that the State will rely on the above warranty and undertaking when evaluating the application;
- d) acknowledges the State may elect to remove an applicant or elect not to further consider an application at any stage as a result of a material change to the information presented in an application;
- e) acknowledges that the State may suffer loss or damage if the applicant breaches the above warranty and undertaking;
- f) acknowledges that the applicant has not received any guarantees or assurances that its application will be approved by the State or that the State will provide any funding to it; and
- g) is taken to have accepted these guidelines, including these terms and conditions, and warrants that it will not breach these guidelines or seek to bring any claim, of any kind whatsoever, against the State which is precluded by these guidelines.

## 13. Privacy

The Department is collecting personal information such as the name, address and contact details of the applicant and business (including employees and partners), resume, employment and directorship, corporate officer history, payslips, asset and financial information and other information relevant to the application or provided by the applicant.

This information is collected for the purpose of assessing and evaluating the application for funded projects, milestone reports, and otherwise the Department's function of supporting businesses and industry through innovation programs and grants.

Personal information may also be disclosed where required for purposes associated with undertaking assessment of the application, including due diligence enquiries. The email address provided will be used to communicate with the applicant about the application or program participation (if successful). For example, applicants may be contacted via email about participating in a survey, interview or focus group. Dependent upon the email service provider the applicant has chosen, this may result in personal information being transferred overseas.

The personal information provided may be provided to other relevant Australian and Queensland government Departments and Ministers, to publicly announce or publish as identified in the guidelines and promote those projects that have been funded. This may include the recipient's name and the amount of funding awarded, project details, agreed outcomes, and progress.

De-identified aggregated data may also be used for the purpose of managing and evaluating the program and initiative and inform government.

Personal information will also be used to provide the services outlined in the guidelines and application help guide, and for the purposes of research, evaluation, promotion, and monitoring of such services, and to improve and design services and programs.

The applicant's personal information will not be otherwise used or disclosed unless authorised or required by law and will be managed in accordance with the *Information Privacy Act 2009*.

The provisions of the *Right to Information Act 2009* apply to documents in the possession of the Queensland Government.

The Queensland government privacy policy can be found at: [www.qld.gov.au/legal/privacy](http://www.qld.gov.au/legal/privacy).

## 14. Further information

**Web:** [advance.qld.gov.au](http://advance.qld.gov.au)

**Email:** [SEQIEF@des.qld.gov.au](mailto:SEQIEF@des.qld.gov.au)

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