

Sovereign Industry Development Fund

Guidelines for
Strategic and Catalytic Investment Partnerships

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Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.

Copies of this publication are available on our website at www.statedevelopment.qld.gov.au and further copies are available upon request.

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1. Objectives

The Queensland Government is providing \$180.6 million for the Sovereign Industry Development Fund (Fund) with the intent of accelerating the **defence, biomedical** and **biofuels** priority industries by:

- building our state's sovereign industry capability
- drawing on our strengths
- growing all our regions.

Funds will be targeted towards unlocking industry growth and investment opportunities, and which address issues affecting Strategic Industries.

The Fund is administered by the Department of State Development, Infrastructure and Planning (the Department), and is flexible to enable the Department to tailor industry development responses to support Government and industry priorities.

These Guidelines relate specifically to the Strategic and Catalytic Investment Partnerships, and may be reviewed from time to time.

2. Strategic and Catalytic Investment Partnerships

Under the Fund, assistance is available for significant, strategic and catalytic projects that are ready to start through investment partnership. The objective of the Strategic and Catalytic Investment Partnerships is to accelerate priority industry development by creating, or significantly expanding, a sovereign manufacturing or service capability in Queensland. It is anticipated that projects will have a wider impact on industry in Queensland, including the region where the project is located.

Under the Strategic and Catalytic Investment Partnerships, direct financial incentives tailored to an individual company, or organisation, may be considered for strategic and catalytic projects that meet the Government's intent and are investment ready. Projects will be funded by the Applicant and/or other third party contributors in addition to the financial assistance sought from the Sovereign Industry Development Fund. Strategic and catalytic are defined as:

- **Strategic:** accelerates development in a priority industry
- **Catalytic:** an initiative that creates regional or industry wide impact (beyond the individual organisation).

Examples of strategic and catalytic projects that may be considered for direct financial incentives include projects that are:

- creating a new sovereign capability, or significantly expanding a sovereign capability (manufacturing or service) unlocking new opportunities;
- activating precincts or regional locations;
- creating common-use infrastructure;

- driving innovation/technology transfer;
- delivering economic opportunities through increased investment, trade or production;
- creating jobs: establishing long term highly skilled employment opportunities; and
- contributing to economic resilience and growth.

2.1 Priority Industry Sectors

The Government's priority industry sectors are **defence** (including National defence domains), **biomedical** and **biofuels**.

3. Eligibility

Your organisation and Project must meet eligibility criteria to be considered for assistance under the Strategic and Catalytic Investment Partnerships.

3.1 Applicant Eligibility

To be eligible for assistance, your organisation must:

- be a legal entity and hold an active Australian Business Number or Australian Registered Body Number
- have the technical capability to deliver the proposed Project
- have an achievable pathway to finance the proposed Project
- have a history of regulatory compliance, including development and environmental approvals, *Corporations Act 2001*, competition and consumer legislation and industrial relations legislation
- have no unsatisfied judgments or pending court actions or other proceedings against the organisation or its directors

Local governments, family partnerships, not for profit organisations and Government Owned Corporations are not eligible to apply.

3.2 Consortia

Eligible Applicants may collaborate with Project Partners as a Consortium to deliver eligible Projects in Queensland. The following requirements must be met:

- the Eligible Applicant must be the Project lead for Consortium members whose participation is required to deliver the Project
- the Eligible Applicant must be able to demonstrate the relevant Consortium members own or have sufficient rights to exercise the intellectual property rights necessary to undertake the Project

- a satisfactory Consortium agreement or memorandum of understanding will be required, at the time of Application, including clear roles and responsibilities and arrangements for managing risks such as price inflation when dealing with Consortium members
- if the Applicant is successful with a Consortium arrangement in place, the Eligible Applicant will enter into an Assistance Agreement with the State and be responsible for managing the Project's delivery and the performance of Consortium members.

3.3 Project Eligibility

An eligible Project must meet the following criteria:

- be located in Queensland
- be aligned with the priority industry sectors listed in Section 2.1
- be Projects where goods and/or services produced will support the development of sovereign capability in the priority industry sectors
- be strategic and catalytic
- not have already commenced (for example construction or operation)
- have a viable plan to achieve sustainable commercial operations
- have a clearly demonstrated economic benefit to Queensland
- will not result in a reduction in the Applicant's existing Queensland based employment
- individual Project stages can be considered depending on circumstances.

Your proposed Project must be investment ready which may include the following:

- a commitment from the board or other senior levels of appropriate management to proceed further with the Project's planning, delivery and operation
- identification and evidence of an achievable pathway to finance the proposed Project in the short term
- if successful with the Application, commence the Project within 12 months of the execution of an Assistance Agreement with the State (unless otherwise agreed) such as obtained or submitted development approval, executed a construction contract, placed orders and made payments for major equipment, or commenced construction of the facility.
- evidence of a future commercial level of market demand to support the Project and an ability to demonstrate advanced negotiations with customers such as purchase or offtake agreements as appropriate
- have any native title and land ownership issues for the Project site settled.

To maintain flexibility, a proposal may still be considered if it is outside the scope of these Guidelines but is deemed to be consistent with the intent of the Fund and the Strategic and Catalytic Investment Partnerships and will enhance the

Queensland Government's industry acceleration objectives for defence, biomedical and biofuels. This will be at the sole discretion of the Department.

The financial assistance and form will be determined on a case-by-case basis and provided for a defined term. Applications must clearly detail any confirmed or proposed contributions to the Project from the Applicant or other contributors e.g. Commonwealth Government. Co-contributions may be secured after a Project is approved. As a guide, the financial assistance offered may be up to 50 per cent of the Project costs.

4. Assistance Available

The Strategic and Catalytic Investment Partnerships is open to applications until funds are considered fully allocated by the Department.

Financial assistance may be provided and may take the form of a loan; payroll tax reimbursement, or reimbursement of other State fees and charges; and/or a cash reimbursement grant (unless otherwise agreed). The Department will work with you to determine the most effective support for your Project to develop an effective package of assistance. Any assistance agreed to by the Department will be provided in the most appropriate form for the Project and the type and level of assistance will be determined on a case-by-case basis.

The State reserves the right to provide assistance in a different form or value and/or with alternative conditions to that requested. The Department may also consider other assistance options, including through other programs and initiatives.

This is a competitive Fund, therefore, a key factor determining the success of a Project under the Fund and Strategic and Catalytic Investment Partnerships will be alignment with government priorities, value for money and the Project's contribution to accelerating industry development. While not limited to a financial or commercial return for the Government, there must be tangible, measurable outcomes to the State, delivered by the Applicant organisation, as a condition of any assistance package the Queensland Government agrees to provide.

Financial incentives may be treated as assessable income for taxation purposes and GST may also be applied. The State does not provide advice to Applicants and recommends Applicants seek independent professional advice on their tax obligations.

4.1 Eligible Project Costs

Capital and operational expenditure as approved for the Project, but excluding Ineligible Project Costs. Costs will be considered by the State on a case-by-case basis.

4.2 Ineligible Project Costs

Financial assistance will be provided only for Eligible Project Costs determined to be eligible by the State.

The following will be ineligible:

- contributions made 'in-kind'

- costs paid to related entities of the Applicant (unless otherwise agreed under an Assistance Agreement)
- any expenditure incurred prior to an Assistance Agreement being entered into (unless otherwise agreed under an Assistance Agreement)
- Project development costs such as early-stage feasibility studies, conceptual design, cost of conducting tenders, cost benefit analyses, economic impact studies, business case development and due diligence including legal fees and statutory fees and charges and any costs associated with obtaining regulatory and/or development approvals (unless otherwise agreed under an Assistance Agreement)
- incentives (including success fees) and Project specific bonus schemes (including all executive and director incentives)
- travel, accommodation and entertainment costs
- proof of concept funding
- any costs for items which have already, or will also receive funding from other local, state or federal government Departments
- purchasing an existing business or a share of an existing business
- site acquisition costs such as the purchase or lease of land or existing buildings with plant and equipment (unless otherwise agreed under an Assistance Agreement)
- any operating costs recovered or recoverable from any insurance policy held by the Applicant or any other third party in connection with the Project
- any cost, expense, penalty, fine, fee, loss or damage paid or incurred by the Applicant arising out of or in connection with any negligent act or omission, or any breach or infringement of any law
- any operating costs determined by the State, at its own discretion, to be ineligible (examples may include depreciation and amortisation, tax, intangible costs, directors' fees, employee bonus', fringe benefits, salaries deemed excessive)
- any costs otherwise not approved by the State.

The above list identifies the most common examples of ineligible project costs and is not intended to be exhaustive. Other costs not included in the above list will be considered by the State on a case-by-case basis.

4.3 Project Financial Assistance

Eligible Applicants are responsible for funding all project costs in excess of assistance provided by the State, including both Eligible and Ineligible Project Costs.

An appropriate contingency for construction and equipment should be included.

The Project cost estimate should be current and not more than 12 months old.

The Applicant may obtain funding from other cash reserves, equity, debt, or third-party contributors.

In-kind expenditure is not considered part of the total Project cost.

Evidence must be provided in the Application demonstrating that the Applicant has sufficient finances (or has a strategy to secure finances) to deliver the Project.

Conditions of any financial assistance will be commensurate with the size and risk of the Project and a bank guarantee or other security will be required.

5. How to Apply

5.1 Completing the Application

This is a targeted fund to accelerate the development of priority industries. In the first instance, please contact the SIDF Team on 07 3828 2981 or via sidf@dsdilgp.qld.gov.au to discuss your proposed Project. If the proposed Project is suitable for consideration, an Application form may be issued to you by the Department. In the event an Application form is issued to you by the Department, you will then have 30 business days (unless otherwise agreed with the Department) to complete and submit the Application form via email to sidf@dsdilgp.qld.gov.au.

The Application form requires comprehensive, current and up to date information including, but not limited to:

- financial statements (3 years) including profit and loss, balance sheet and statement of cash flows including notes to the accounts. These should be either accountant prepared, audited and certified (preferred), or accountant prepared and signed
- information to support the sovereign capability created as part of the Project
- information about activation of precincts or regional locations, or common-use infrastructure
- forecast projections of Project employment, wages, capital and operational expenditure
- financial modelling, over a minimum 10-year period, and budgeting to demonstrate commercial viability, including beyond the term of any financial incentive
- confirmation all regulatory requirements including land tenure, planning and environmental issues have been identified and resolution strategies are in place to the satisfaction of the State
- proposed Project management arrangements that will be put in place for the construction and operations phases of the Project
- a Project plan and risk register which clearly demonstrates Project feasibility and delivery
- evidence of the business structure including governance arrangements for the proposed Project
- identification of all sources of funding for the proposed Project
- supply, supplier and value chain analysis

- current and anticipated future market share
- competitor analysis, including crowding out.

The Application form must include a signed declaration from an authorised representative of the Applicant who is responsible for ensuring the Application is complete and accurate. The authorised representative must read and accept these Guidelines, including the terms and conditions, prior to submitting the Application.

You will receive an acknowledgement of receipt of your Application by email.

5.2 Evidence and Supporting Information

Eligible Applicants will be expected to provide documentary evidence to support statements made in their Application and may be asked to provide additional information to clarify or substantiate any claims made.

For supporting evidence to be considered:

- it should be properly referenced in responses provided with the Application; and
- references to evidence should include the document name or attachment number, and the section or page numbers.

You are encouraged to demonstrate that local suppliers and contractors will be engaged wherever reasonably practicable. The Queensland Charter for Local Content will apply to financial incentives above \$2.5 million.

6. Assessment Process

6.1 Assessment and Approval Process

Applications will be checked against the Applicant eligibility and project eligibility criteria set out in Sections 3.1 and 3.3 of these Guidelines. If these criteria are not satisfied, the Application may not be assessed further and you will be notified.

The Department will coordinate probity checks, due diligence, and risk assessment as well as any economic assessment required. The Department may engage specialist advisors to assist with the assessment of Applications against the eligibility and assessment criteria including for probity checks and technical assessments. The Department may also seek advice from other government agencies during the assessment process.

The Department may seek further information from you in relation to any matter arising from the assessment of your Application.

Following assessment of your Application, the Department will make recommendations to the approving delegate. The amount, type of assistance sought and whether the Project should be supported will be considered.

The approving delegate may determine to recommend a different form or amount of assistance for a Project or that assistance be provided on additional or alternative terms and conditions. The approving delegate may also determine to recommend no assistance be provided.

You will be notified in writing of the outcome of your Application once the Department has completed the assessment process.

There is no guarantee of approval at any stage of the process.

6.2 Assessment Criteria

The following criteria will be used to assess Applications made under these Guidelines to ensure the Applicant and Project continue to meet the Strategic and Catalytic Investment Partnerships objectives. Please note that confirmation of Eligibility does not guarantee an Application will be successful.

Assessment Criteria

Building sovereign capability

How will the Project develop sovereign capability (manufacturing or services) in Queensland?

Where applicable, the following will be considered:

- creates new (or significantly expands) capability, and/or on-shores services or manufacturing
- activates a precinct and/or regional location
- creates common-use infrastructure
- provides technology transfer and/or innovation uplifting Queensland capability
- creates new export opportunities
- products/services will be cost competitive in the market
- upskills workforce (for example creates new highly skilled jobs, develops new training partnerships, upskills the existing workforce or workforce in local suppliers)

Drawing on our strengths

When the Project is in operation how will it strengthen Queensland's priority industries and other industries?

Where applicable, the following will be considered:

- accelerate industry development by uplifting the industry (value chain)
- accelerate industry development by engaging with local Queensland partners (supply chain or other partnerships)
- utilise Queensland's advantages, expertise, resources, or capabilities of a particular industry (for example research institute expertise)

Assessment Criteria

- utilise Queensland's unique access to Asia Pacific and the world, through common-user facilities that support export or domestic growth

Growing all our regions

What is the wider impact of the Project?

Where applicable, the following will be considered:

- capital investment (including leveraged funds)
- operational expenditure
- new and skilled direct jobs
- indirect jobs
- expenditure in the Queensland and/or Australian supply chain
- value of the commercial output generated by the Project
- market demand/opportunities – revenue generated, exports and value of import replacement
- any other benefits to the region the Project is located in and/or for other Queensland regions in the supply/value chain

Project Feasibility

The Applicant (and Project partners' where relevant) demonstrate Project feasibility through:

- Scope of Project works, Project plan, Project management and schedule for Project construction/establishment, including site tenure and regulatory and development approvals
- Commercial operation model (Project construction/establishment and operation)
- Demonstration of market demand for products and services
- Feedstock and offtake arrangements
- Financing strategy
- Risk assessment
- Capability to deliver the Project.

7. Agreement

7.1 Assistance Agreement

Successful Applicants will be required to enter into an Assistance Agreement with the State, which sets out the terms and conditions upon which assistance will be provided, including the payment of financial assistance on achievement of agreed performance requirements and on a reimbursement basis (unless otherwise agreed in an Assistance Agreement).

Performance requirement examples may include any of the following:

- a minimum capital and/or Project expenditure amount within a specific timeframe, to be verified by the State
- a minimum number of new direct FTE to be created within a specific timeframe, to be verified by the State
- a minimum period of operation of the Project
- production targets related to your Project, to be verified by the State
- where financial assistance greater than \$2.5 million is being granted, the Queensland Charter for Local Content will apply
- reporting requirements for key performance requirements and benefits.

7.2 Security

For the majority of Projects, performance security (usually in the form of a bank guarantee, general security interest and/or other registered security) will be required to secure achievement of performance requirements, and where relevant, repayment of assistance amounts. The provision of this security will be included in the Assistance Agreement for your Project.

The State is not obliged to provide any assistance unless and until an Assistance Agreement is signed by all parties, and the relevant conditions for payment are satisfied. An Applicant undertakes a Project at its own risk, and any financial or other commitments in relation to a Project made by an Applicant or Consortium member prior to an Assistance Agreement being properly entered into by the parties, is at the sole risk of the Applicant.

Successful Applicants are required to effect and maintain public liability, professional indemnity and other relevant insurances with a reputable insurer, that is authorised to operate in Australia and is acceptable to the State.

The Department reserves the right to undertake an audit of the Project to monitor progress and/or appoint an independent advisor to undertake an audit of Projects.

8. Project Evaluation

The Department will monitor and evaluate all Approved Projects to ensure the Strategic and Catalytic Investment Partnerships meets its objectives. Successful Applicants must comply with reporting and audit requirements as outlined in these Guidelines and the Assistance Agreement.

8.1 Reporting

The Assistance Agreement will detail the requirements for any reports required, including annual reports.

Templates for these reports may be provided by the Department.

8.2 Monitoring and Evaluation

The Strategic and Catalytic Investment Partnerships and each Assistance Agreement will be monitored and reviewed to ensure that it effectively achieves its objectives. These Guidelines may be updated, from time to time, to reflect future changes to the Fund or the Strategic and Catalytic Investment Partnerships.

9. Communications

9.1 Financial Assistance Acknowledgement

Applicants that are successful through the Strategic and Catalytic Investment Partnerships will be required to appropriately acknowledge the Queensland Government's contribution in the manner and form advised by the Department.

This includes acknowledgement of the Queensland Government as a contributor to the Project in all publicly made statements, websites, other appropriate promotional materials and documentation.

9.2 Media

All media enquiries or public announcements relating to the Strategic and Catalytic Investment Partnerships will be coordinated and managed by the Department's media team. Where possible, media and communications about Approved Projects will be undertaken jointly with successful Applicants.

Applicants are required to:

- seek and obtain the Department's approval before making public statements, or contacting or responding to the media, regarding successful or unsuccessful Applications through the Strategic and Catalytic Investment Partnerships;
- provide the Department with at least 28 business days' notice prior to any proposed media events; and

- provide any proposed media or public statement to the Department for approval at least 10 business days prior to its release, as well as making any changes or amendments to the form, content or manner reasonably requested by the Department.

10. Terms and Conditions

10.1 Reservation of Rights

The State reserves the right to administer the Fund and conduct the process for the assessment and approval of Applications in connection with the Strategic and Catalytic Investment Partnerships in such manner as it thinks fit, including to:

- a) change the structure, procedures, nature, scope or timing of, or alter the terms of participation in, the process or overall Fund or Strategic and Catalytic Investment Partnerships (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 lodgment;
 - 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) consider 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 State considers relevant, including the limitations on the funds available for the Strategic and Catalytic Investment Partnerships;
- f) give preference by allocating weight to any one or more eligibility criteria or assessment criteria over the other;
- g) 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;
- h) conduct due diligence investigations in respect of any Applicant and subject Applications to due diligence, technical, financial and economic appraisals;
- i) require an Applicant to clarify or substantiate any claims, assumptions or commitment contained in an Application or provide any additional information;
- j) terminate further participation of any Applicant in the Application process for the Strategic and Catalytic Investment Partnerships for any reason;
- k) terminate, suspend or reinstate the Strategic and Catalytic Investment Partnerships or any process in the Strategic and Catalytic Investment Partnerships;
- l) not proceed with the Strategic and Catalytic Investment Partnerships in the manner outlined in these Guidelines, or at all;
- m) allow the withdrawal or addition of any Applicant after the closing date; and

- n) 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.

10.2 Relationship

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

Except to the extent set out below, no contractual or legal relationship exists between the State and an Applicant in connection with the Fund, the Strategic and Catalytic Investment Partnerships, these Guidelines or the Application.

An Applicant, or its representatives:

- a) 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
- b) must not hold itself out, engage in any conduct, or make any representation which may suggest to any person that the Applicant is for any purpose an employee, agent, partner or joint venturer with the State and
- c) 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 Guidelines.

10.3 Participation at Applicant's Cost

Each Applicant participates in the Strategic and Catalytic Investment Partnerships 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 Strategic and Catalytic Investment Partnerships;
- 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 Strategic and Catalytic Investment Partnerships; or
- c) any of the matters or things relevant to its Application or the Strategic and Catalytic Investment Partnerships in respect of which the Applicant must satisfy itself under these Guidelines.

Without limiting the foregoing, if the State cancels or varies the Fund or Strategic and Catalytic Investment Partnerships 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 these 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 (whether directly or indirectly) to the Strategic and Catalytic Investment Partnerships or Fund.

10.4 Applicant to Make Own Enquiries

These Guidelines have been prepared to give potential Applicants background information in relation to the Strategic and Catalytic Investment Partnerships. 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 Strategic and Catalytic Investment Partnerships or interpretations placed on the information by Applicants.

10.5 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 Strategic and Catalytic Investment Partnerships or Fund.

10.6 Confidentiality

The Department will maintain controls in relation to the management of Confidential Information provided by or on behalf of Applicants and all internal documentation produced in relation to the administration of the Strategic and Catalytic Investment Partnerships.

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

The State reserves the right to publicly disclose the names of Applicants, general information about Projects and the provision of assistance, and details about the anticipated economic outcomes and benefits of the Approved Project to the State.

The State may also disclose information, including Confidential Information of, or provided by, the Applicant:

- to the extent required to undertake assessment and consideration of Applications in accordance with these Guidelines
- if required to be disclosed by law

- to its advisors, consultants and contractors, or to any Government Authority, in connection with the consideration and assessment of Applications or administration of the Strategic and Catalytic Investment Partnerships or Fund.

The State may request an Applicant to sign a confidentiality agreement on terms acceptable to the State and the respective Applicant and which is otherwise generally consistent with this section 10.6.

11. Privacy

In this section, **Personal Information** has the meaning given to that term in the *Information Privacy Act 2009 (Qld)*.

The Department collects Personal Information as part of the application process to assess applications and to administer the Strategic and Catalytic Investment Partnerships. Personal Information provided by Applicants may during the assessment of the Application, be disclosed to the State's associates (including other government agencies), advisors, consultants and contractors and Project stakeholders. Personal Information may also be disclosed where required for purposes associated with undertaking assessment of the Application, including due diligence enquiries, and administering the Fund or Strategic and Catalytic Investment Partnerships. Personal Information will otherwise be dealt with in accordance with the *Information Privacy Act 2009 (Qld)* and the Department's privacy policy.

If any Applicant collects or has access to any Personal Information in connection with its Application or the Strategic and Catalytic Investment Partnerships, the Applicant must comply, in relation to that Personal Information:

- a) (as if it were the State) with Chapter 2 of the Information Privacy Act 2009 (Qld), including the Queensland Information Privacy Principles;
- b) with all applicable laws applying to the Applicant; and
- c) with all reasonable directions of the State.

12. 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 financial assistance to the Applicant under the Strategic and Catalytic Investment Partnerships;
- b) warrants that it has obtained the consent of any individual whose Personal Information is disclosed to the State as part of this Application;
- c) 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;
- d) acknowledges that the State will rely on the above warranty and undertaking when evaluating the Application;
- e) acknowledges that 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;
- f) acknowledges that the State may suffer loss or damage if the Applicant breaches the above warranties or undertaking;

- g) 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 financial assistance to it; and
- h) is taken to have accepted these Guidelines, including these terms and conditions, and warrants for the benefit of the State 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. Enquiries

Enquiries about the Fund and Strategic and Catalytic Investment Partnerships can be directed to the SIDF Team in Department on 07 3828 2981, or by email to sidf@dsdilgp.qld.gov.au.

General information on the Fund is available at <https://www.statedevelopment.qld.gov.au/strategic-industries/funding-programs/sovereign-industry-development-fund>.

Except as expressly permitted in these Guidelines, Applicants must not contact the State, its associates, any Queensland Government agency or any of the State's advisers with a view to providing or obtaining information in respect of any part of the assessment process, or their Application for their proposed Project or attempting to support or enhance the prospect of their Application being successful.

14. Feedback

Applicants are encouraged to provide feedback on the Fund or seek feedback on the outcome of their Application by contacting the Department by email at sidf@dsdip.qld.gov.au.

If an Applicant has any concerns about the Department's handling of their Application, they are invited to raise their concerns by contacting the Department as follows:

- Phone, online or in person through the Queensland Government portal
- Email: complaints@dsdilgp.qld.gov.au
- Correspondence:

Director, Ethics

Department of State Development, Infrastructure and Planning

PO Box 15009, City East Qld 4002

An overview of the Department's compliments and complaints process is available:

<https://www.statedevelopment.qld.gov.au/about-us/contact-us/compliments-and-complaints>.

15. Glossary

Applicant	An applicant for financial assistance under the Strategic and Catalytic Investment Partnerships.
Application	An Application (or relevant part of an Application) made to the State for financial assistance under the Strategic and Catalytic Investment Partnerships and includes an Application form and any other supporting or additional information in whatever form provided by the Applicant in connection with its enquiry or Application to the Strategic and Catalytic Investment Partnerships.
Approved Project	The Project scope of works approved for financial assistance and as defined in an Assistance Agreement.
Assistance Agreement	The formal agreement between a successful Applicant and the State, outlining the terms and conditions for the payment of financial assistance under the Strategic and Catalytic Investment Partnerships.
Capital Expenditure	The cost of acquiring certain fixed assets such as plant and equipment (unless otherwise negotiated) or construction of buildings or capital upgrades to an existing production facility.
Confidential Information	<p>(a) Any information in whatever form provided to the State by or on behalf of an Applicant in connection with their Application or Project which:</p> <ul style="list-style-type: none"> i. is by its nature confidential; ii. is marked or designated as confidential; or iii. an Applicant advises the State is confidential; and <p>any material, information or documents (including internal analysis, reports or recommendations) derived from or created by or on behalf of the State which incorporates any part of the information in (a) above.</p>
Consortium	Project Partners that agree to collaborate and deliver a Project. One member of the Consortium will lead the Project and will submit an Application, if successful enter into the Assistance Agreement and be responsible for managing all participant contributions (financial and otherwise) and the Project's delivery.
Construction Commencement	The beginning of physical construction activities on-site, and typically starts after all necessary approvals, permits, and pre-construction activities are completed.
Department	The Queensland Department of State Development, Infrastructure and Planning

Development Approval	Includes a reconfiguration of a lot or development permit for material change of use, building work and/or operational works that has not lapsed or will not lapse in the next six months. Development Approval does not include preliminary approval where there is no development permit issued.
Eligible Applicant	An applicant that meets the specified criteria for applying for financial assistance under the Strategic and Catalytic Investment Partnerships. Specific eligibility criteria are detailed in the relevant section of the Guidelines.
Eligible Project Costs	Those costs specified in section 4.1 of the Guidelines
Estimated Total Project Cost	The complete projected expenditure required for the Project's completion, including all eligible costs and a recommended contingency allowance. This total encompasses every financial aspect from the Project Start Date to final delivery, ensuring the Project can be completed within the allocated budget. The specific amount should be outlined in the Application and approved by the Department.
Fund	Sovereign Industry Development Fund
Government Authority	Means any of the Queensland Government and its Ministers; a Queensland Government, department or agency; a corporation, corporation sole or authority constituted for, or holder of an office for, a public purpose under Queensland law; and any officer, employee or agent of any of the foregoing in that capacity.
Guidelines	These Sovereign Industry Development Fund Guidelines, as amended from time to time.
Ineligible Project Costs	Expenses that are not eligible for financial assistance under the Strategic and Catalytic Investment Partnerships and will not be reimbursed with approved program funds. Refer to the relevant section of the Guidelines for examples.
Project	The full scope of works identified in the Application, starting from the Project Start Date to completion. This includes all relevant activities such as tendering, materials procurement, construction, commissioning and operations (for a defined period).
Project Start Date	The anticipated date when Project works are expected to commence, from which Eligible Project Costs may be reimbursed and includes pre-construction activities. Project works should not start before successful execution of an Assistance Agreement.
State	The State of Queensland

Strategic and Catalytic Investment Partnerships	The Strategic and Catalytic Investment Partnerships under the Sovereign Industry Development Fund
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