



**Queensland
Government**

Department of Regional Development,
Manufacturing and Water



Applicant Guidelines

Manufacturing Energy Efficiency Grant Program Round 1

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rdmw.qld.gov.au

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This publication has been compiled by Manufacturing Development, Department of Regional Development, Manufacturing and Water.

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Contents

1.0	Introduction	1
2.0	Manufacturing Energy Efficiency Grant Program	1
2.1	Overview	1
2.2	Program Objectives	1
2.3	Eligibility Criteria	2
2.4	Eligible Projects	2
2.5	Ineligible project costs	4
2.6	Funding arrangement	5
2.7	Application process	5
2.8	Key timeframes	6
2.9	How to apply	6
2.10	Assessment criteria	7
2.11	Assessment process	8
2.12	Program evaluation	9
2.13	Tax obligations	9
3.0	Communications	9
3.1	Communications with the media	9
3.2	Confidentiality, privacy and use of information	10
4.0	Glossary of key terms	10
5.0	Contact and Complaint details	12
6.0	Terms and Conditions	13
6.1	Reservation of rights	13
6.2	No relationship	14
6.3	Participation at the applicant's cost	14
6.4	Non-exhaustive	14
6.5	Intellectual property	15
6.6	Law	15
6.7	Acceptance	15

1.0 Introduction

The Manufacturing Energy Efficiency Grant (MEEG) Program provides grant funding to support Queensland's small to medium enterprises (SME) in the manufacturing sector to increase their competitiveness in a low carbon future by implementing energy efficiency measures that reduce energy costs and operational emissions.

The MEEG Program is an implementation activity under the [Queensland Energy and Jobs Plan](#) (the plan) released in September 2022. It also complements the Queensland Government's Advanced Manufacturing 10 Year Roadmap and Action Plan (the roadmap) released in December 2016 and updated in November 2018 and October 2022. The fund is administered by the Department of Regional Development, Manufacturing and Water (the department).

This document sets out the guidelines for applicants for Round 1 of the MEEG Program (**Guidelines**). The Guidelines will also be published on the Manufacturing Energy Efficiency Grant webpage at www.rdmw.qld.gov.au/MEEG. Round 1 of the program will be open for applications on 23 October 2023 and remain open until 30 June 2024 or until all funding is allocated.

2.0 Manufacturing Energy Efficiency Grant Program

2.1 Overview

The MEEG Program will support eligible Queensland-based manufacturing SMEs by reimbursing up to 50 per cent of Eligible Project costs for projects undertaken by a SME manufacturer.

Grants of between \$5,000 to \$25,000 (excluding GST) will be:

- available as matched funding for Eligible Project costs on a dollar-for-dollar cash basis
- available for projects that align with the sustainability goals of the applicant and the MEEG Program Objectives
- available for projects that support manufacturers to implement energy efficiency measures to reduce energy costs and operational emissions through adoption of energy efficiency technologies, equipment, systems or processes
- awarded following a demand driven process. The process involves an applicant submitting a completed application form. If the submitted application demonstrates that the applicant and the project satisfactorily meet all eligibility and assessment criteria, grants will be awarded to those applicants with the earliest submission date of a complete and proper application, where funding remains available to be allocated.

Note: only one eligible application from each entity, which may contain multiple project items, will be considered for funding in this round.

2.2 Program Objectives

The objectives of the MEEG Program (**Program Objectives**) are to support the Queensland Government's Energy and Jobs Plan and the department's strategic direction by:

- increasing the uptake of energy efficiency measures and technology by Queensland-based manufacturing SMEs

- supporting Queensland-based manufacturing SMEs to reduce energy usage and costs
- enabling carbon emissions reduction in support of the Queensland Government's commitment to net-zero by 2050, as well as Queensland's renewable energy and climate targets
- increasing awareness of energy use by manufacturers.

2.3 Eligibility Criteria

To be eligible for the MEEG Program, an applicant must:

- be a Queensland-based business whose principal activity and majority annual turnover is derived from manufacturing, as defined under Division C of the Australian Bureau of Statistics' Australian and New Zealand Standard Industrial Classification (ANZSIC), 2006
- be registered for GST and hold an active Australian Business Number (ABN)
- be an SME with between five and 200 full-time equivalent (FTE) employees. A minimum of five FTE employees must be located in Queensland
- have a proposed Eligible Project that meets the requirements set out in Section 2.4
- have a minimum of 12 months access to the project site address in Queensland (either through ownership or an executed lease agreement or similar)
- have quotes for a minimum of \$10,000 excluding GST of Eligible Project costs, noting that additional quotes or project costs cannot be added to an application once it has been submitted
- have the financial capacity and standing necessary to successfully undertake and complete the proposed Eligible Project, recognising that the grant payments are made in arrears
- have operated within Queensland for a minimum of 12 months prior to submitting an application
- not be insolvent or have owners or directors that are an undischarged bankrupt
- not be a federal, state or local government entity, statutory authority or special purpose vehicle or not-for-profit organisation.

If an application does not meet the Eligibility Criteria, the department may reject the application and not consider it for any further assessment.

Applicants should note that a detailed due diligence and probity review may be undertaken on the applicant including, but not limited to, the checks and searches below:

- applicant bona fide checks (status, corporate structure, ownership, directors review etc.)
- background and probity searches (ACCC, Banned & Disqualified, Bankruptcy, Adverse Media, Courts)
- financial capability and viability (funding capacity and sources).

The outcome of the department's due diligence review may impact on the department's assessment of the application, that is, if deemed not to satisfy due diligence and financial probity, the application may be deemed ineligible for a grant and the department may elect to not progress the application further.

2.4 Eligible Projects

To be an Eligible Project, the project must:

- be consistent with at least two of the Program Objectives
- align to one or more of the project focus areas as detailed in Table 2.1

- be able to demonstrate at least a 10% reduction in energy use or carbon emissions directly related to project implementation OR for an Energy Monitoring System, demonstrate how you intend to identify and implement initiatives that will reduce energy use or carbon emissions by at least 10% across the Project Site
- be implemented at the Project Site address in Queensland
- not be the same as a project or project item/s subject to approved funding under any other local, state or federal government grant or scheme
- not have commenced, and not be scheduled to commence, until after a Grant Agreement has been executed.
 - Providing all other eligibility and assessment criteria of the MEEG Program are met, consideration may be given at the discretion of the department to proposed projects or project costs incurred on or after the commencement of the Queensland Business Energy Saving and Transformation (QBEST) program if QBEST funding is exhausted.

Please note that projects over \$50,000 are still eligible however the government contribution will be capped at \$25,000 (excluding GST).

Table 2.1 Project focus areas and examples of eligible projects

Project focus	Examples of eligible projects
Compressed Air Improvements	<ul style="list-style-type: none"> • Replace air compressor with higher efficiency unit or install variable capacity unit for trim control • Optimise compressed air storage
Electrification (from gas or fuel based process to electric)	<ul style="list-style-type: none"> • Converting gas or fuel based processes to electric processes • Replace an LPG or diesel forklift with an electric /battery forklift • Replace a gas thread singeing process with an electrified thread singeing process for textile industries
Heat pumps	<ul style="list-style-type: none"> • Replace a gas-fired boiler or hot water heater with a hot water heat pump unit • Replace existing dryers with heat pump dryers • Install heat pump for process preheat or heat as part of an existing process • Gas capture for reuse in other processes e.g. a carbon dioxide heat pump in a brewery • Replace an existing heat pump with a more efficient model
Industrial HVAC system	<ul style="list-style-type: none"> • Replace an industrial HVAC system
Lighting	<ul style="list-style-type: none"> • Replace non-LED lights with LEDs • Install automatic lighting control equipment
Energy Monitoring Systems	<ul style="list-style-type: none"> • Purchase and install equipment to meter, monitor and record energy use (e.g. smart meters and motor conditioning monitoring) • Automatic fault detection for energy using equipment/processes • Install automatic shut off valves and control equipment <p>Please note: if software is required a maximum of one year of licensing fees are eligible</p>
Upgrades to motors, including for compressors, pumps, fans, conveyors, mixers, blowers and welders with higher efficiency models	<ul style="list-style-type: none"> • Replace a motor with a higher energy efficiency motor • Install a variable speed drive for any motor • Replace a motor-driven unit with a higher efficiency unit, or a lower power unit that is better matched to its duty point • Replace the fan on a refrigeration unit • Replace a refrigeration compressor • Replace a welder with a more energy efficient model

2.5 Ineligible project costs

Applicants must identify the expected total project costs (including Eligible Project costs and Ineligible project costs), and the grant amount requested from a minimum of \$5,000 to a maximum of \$25,000. The grant amount must not exceed 50 per cent of the total Eligible Project costs.

Applicants will be entitled to claim funding only for Eligible Project costs incurred and paid by the applicant. Eligible Project costs mean those costs and expenses reasonably incurred by the applicant in connection with the Eligible Project but excluding any Ineligible project costs.

Applicants will not be entitled to receive funding in respect to Ineligible project costs. Ineligible project costs include costs and expenses associated with:

- project costs incurred or paid prior to the execution of the MEEG Grant Agreement
 - Providing all other eligibility and assessment criteria of the MEEG Program is met, consideration may be given at the discretion of the department to proposed projects or project costs incurred on or after the commencement of the Queensland Business Energy Saving and Transformation (QBEST) program if QBEST funding is exhausted.
- the same as a project or project item/s subject to approved funding under any other local, state or federal government grant or scheme
- preparing an application for the MEEG Program, including any third-party consultant costs involved in the preparation of materials in support of an application or any associated reports or audits used as the basis for an application
- salaries for staff or the costs associated with any human resource activities of the entity
- normal operational costs (e.g., utilities charges, telecommunications charges, rent or lease expenses, licensing fees, membership fees, etc)
- maintenance or repair costs including but not limited to annual or preventative maintenance; leaks or leak identification; cleaning of fans, filters, inlets or HVAC systems etc
- like-for-like replacement of existing equipment
- second-hand, leased or hire-purchased equipment, technologies or systems
- energy generation equipment such as solar panels or biomass generation systems
- electrical energy storage equipment, such as batteries
- freight, shipping or carriage services
- new construction, renovation or structural changes of buildings
- complete building re-wiring or switchboard upgrades
- travel and accommodation
- general on-the-job training and supervision, training courses, training programs and further education (e.g., Certificates III & IV)
- motor vehicle repair, maintenance, purchasing or leasing
- quality accreditation, certification, compliance and fees and charges
- legal advice of any kind
- consultants, contractors or suppliers that are Associated Entities
- research and development
- funding for project contingencies or cost overruns
- installation and training not demonstrated to be critical to the correct functioning of equipment which is part of an Eligible Project

- other project costs that the department considers, acting reasonably, are not reasonably incurred by the applicant primarily for or in connection with an Eligible Project.

2.6 Funding arrangement

Successful MEEG Program applicants will be required to execute a Grant Agreement with the department. The department has no obligation to provide the MEEG funding until such Grant Agreement has been duly executed by both the successful applicant and the department.

This Grant Agreement will outline the terms and conditions of the proposed grant including milestone deliverables, grant funding, reporting and outcomes to be achieved by the applicant.

Without limiting the terms and conditions set out in Section 6 of these Guidelines, the department will not be liable to an applicant for any commitments made, or costs incurred or paid, by an applicant prior to execution of a Grant Agreement.

The department will not exceed the maximum grant funding amount. Any additional costs incurred with the implementation of the project must be met by the applicant.

For each milestone deliverable, the applicant must submit a payment claim with supporting documentation to evidence the expenditure on the Eligible Project costs, including invoices from suppliers and bank statements/remittance advices showing project expenditure. Evidence of implementation and sustainable decommissioning of replaced items will also be required prior to payment of a final claim. Subject to acceptance of a valid payment claim, the funding will be paid in accordance with the terms set out in the Grant Agreement.

2.7 Application process

MEEG applicants will proceed through a single stage demand driven process as outlined in the following table:

Table 2.2 Manufacturing Energy Efficiency Grant application process

Stage	Process
Application	<p>Read the Guidelines and determine if your proposal can meet the program requirements. Mandatory requirements are outlined in Section 2.3: Eligibility Criteria and Section 2.4: Eligible Projects.</p> <p>Complete your application online</p> <p>Applications are submitted via the online application form, available on the department's website http://www.rdmw.qld.gov.au/MEEG. The round will remain open until June 2024 or until funds have been expended.</p> <p>To manage the assessment process the department may at its discretion temporarily halt the receipt of new applications. Details will be provided on the department's website.</p>
Assessment	<p>The department assesses applications</p> <p>During assessment, clarifications will be requested where the eligibility of an applicant, project, or project item where funding is being sought are unclear. If requested, you must provide all clarifications within <u>2 business days</u>. A late or incomplete response to a clarification request may cause your application to be considered ineligible.</p> <hr/> <p>Application results</p> <p>All applicants will be notified of the outcome of the assessment of their application.</p>
Grant Agreement	<p>Successful MEEG applicants will be contacted to finalise funding arrangements, and to sign a Grant Agreement.</p> <p>Project commences</p> <p>Your project must not commence until the Grant Agreement is fully executed by both parties, unless otherwise approved by the department.</p>

Projects should be completed within 6 months of execution of a Grant Agreement. Applications should clearly indicate why a proposed project may extend beyond this time frame.

2.8 Key timeframes

The key timeframes for the assessment process will vary based on the number and complexity of applications received by the department. As such, indicative dates will be provided and updated as assessments progress on the department's website www.rdmw.qld.gov.au/MEEG. The department anticipates that assessment of applications will take up to 12 weeks from completed application submission date to decision.

2.9 How to apply

Applicants should refer to these Applicant Guidelines when completing the online application form.

Applications must be submitted via the department's grants system using the forms provided and by the closing date. Closing dates and times will be advertised on the department's website and also on the online application form. Applications and associated documentation submitted by other means may be rejected.

The department may, at its discretion, accept or reject any late applications. Once the application process opens, the online form will be available via the department's website www.rdmw.qld.gov.au/MEEG.

Applicants will be responsible for their own costs with regard to applications as per Section 2.5 Ineligible project costs.

Applications must include the following information:

- A completed application form which must include:
 - information on the business including all that addresses the Eligibility Criteria (specified in Section 2.3)
 - written answers to every applicable question. Answers solely in the form of external links will not be accepted
 - a description of the proposed MEEG project that aligns with the scope of an Eligible Project (specified in Section 2.4)
 - details of how the proposed project will achieve two or more of the Program Objectives (specified in Section 2.2)
 - details of how the proposed project directly aligns with the sustainability goals of the business
 - the expected project benefits, including impacts to energy consumption and carbon emissions reduction
 - a detailed project cost breakdown, supported by multiple quotes, which includes Eligible Project costs and Ineligible project costs. Note that only Eligible Project cost items supported by quotes will be eligible for an offer of funding
 - project timeframes and brief project plan including how replaced items will be sustainably decommissioned
 - evidence that the business can fund the project costs not funded by the MEEG Program. This must include details of the extent to which this will be financed internally or externally
 - applicant's declaration.

- Evidence to support information in the application form including:
 - decision-making governance structure or processes of the applicant (e.g., trust deed, company group structure)
 - financial statements for the year prior to the year of application, including profit and loss, balance sheet and statement of cash flows (where available) that are either CPA/CA prepared, audited and certified (preferred) or CPA/CA prepared and signed financial statements (e.g., if the application is made in October 2023, documentation for financial years 2022–23 or 2021–22 are acceptable)
 - a recent electricity and/or gas bill for the project site
 - certificates of currency for WorkCover, public liability and business risk insurances.

Applicants may include any other evidence to support claims about the project’s expected benefits or reduction to energy consumption e.g. energy audits, energy benchmarking reports, energy use calculators, business plan, Sustainability Action Plan, research and articles supporting the proposed project.

Applications that meet the Eligibility Criteria (as set out in Section 2.3) will be evaluated and scored against the assessment criteria set out in Section 2.10.

Applications that meet all eligibility requirements and assessment criteria to a satisfactory standard will be recommended for funding. Funding will be awarded in order of submission date of a complete and proper application until funding is exhausted.

2.10 Assessment criteria

Applications for Round 1 will be assessed as they are received. All applications are subject to a merit process, based on the following criteria:

Assessment Criteria	What must be provided to be considered satisfactory standard
<p><i>Assessment Criteria 1:</i> Applicant demonstrates that the project will enable 10% or more* energy efficiencies, reduced energy costs and/or reduced carbon emissions.</p>	<p>The following information must be provided to calculate or verify energy savings:</p> <ul style="list-style-type: none"> • sufficient detail on the project items to enable a comparison of energy usage between the current and proposed new project items. This includes, but is not limited to: <ul style="list-style-type: none"> – Make, Model, hours used per week, energy used (if known), energy rating, etc. for the current items – a quote detailing at a minimum Make, Model, quantity, energy use or energy rating (if known), etc of the proposed project items. – detail of any applicable processes or behaviours that will result in project implementation e.g. equipment shut down or standby procedures; adding an additional shift to increase productivity; implementation of a leak identification process. – at least one recent electricity bill (or gas bill if applicable) for the project site that details energy usage and tariffs. A recent bill is one issued within the last three months. <p>The following information may be provided to support an application:</p> <ul style="list-style-type: none"> • diesel or LPG expenditure for forklift use

<p>*The following website may assist you to understand potential energy savings https://www.energy.gov.au/business/equipment-and-technology-guides</p>	<ul style="list-style-type: none"> • calculations of energy savings detailed in the application • any independent audits or reports • qualitative and/or quantitative data or research. <p><i>Please note that for energy monitoring systems the response will be assessed based on activities that will be undertaken as a response to the results from using the system.</i></p>
<p>Assessment Criteria 2: Applicant demonstrates alignment of the proposed project with the sustainability goals of the business.</p>	<p>The following information must be provided:</p> <ul style="list-style-type: none"> • clear detail of the applicant business' sustainability goals and how these align to the proposed project and outcomes. <p>The following information may be provided to support an application:</p> <ul style="list-style-type: none"> • a business plan, strategy or action plan • an independent audit, review or benchmark e.g. ecoBiz, Manufacturing Sustainability Benchmark, Climate Active application.
<p>Assessment Criteria 3: Applicant demonstrates an ability to deliver the proposed project, and to deliver within stated budget and timeframe.</p> <p>Where project planning demonstrates delivery beyond six months from commencement, the applicant must provide detailed reasons including supporting documentation for consideration of a project timeframe longer than six months timeframes</p>	<p>The following information must be provided:</p> <ul style="list-style-type: none"> • the expected project start and end dates • a brief project plan • a valid reason where the project cannot be completed within six months • one or more valid quotes per project item. A valid quote must contain the following detail at a minimum: <ul style="list-style-type: none"> – supplier ABN, quotation date, quotation number, and expiry date – detailed description and quantity of products and/or services being supplied – quotation price per project item and total cost (including GST) – licence details of tradesperson completing the work if installation is required. <p>The following information may be provided to support an application:</p> <ul style="list-style-type: none"> • a detailed project plan, Gantt chart, details of risks and mitigation, project outcomes and expectations and details about project governance. <p>Please note that quotes should be valid for up to 12 weeks to align with the assessment process.</p>

Applicants that do not pass a due diligence check may be ineligible for MEEG funding.

2.11 Assessment process

Applications must contain all information required to be submitted at the time of lodgement. The department may decide not to consider applications that do not include all required information.

An assessment by industry experts, selected by the department in its absolute discretion, will be undertaken to verify claims by the applicant about the expected energy savings of the project.

Applications that meet all eligibility requirements and assessment criteria to a satisfactory standard will be recommended for funding. Funding will be awarded in order of submission date of a complete and proper application until funding is exhausted.

Applicants may be contacted during the assessment process to clarify information provided in the application and/or request further information to determine the eligibility of an applicant, project, or specific project item.

If an applicant does not submit all clarification information in the required timeframe the department may set aside the application.

Despite anything else contained in these Guidelines and without limitation, the department may decide to grant an application, or part of an application, in the department's absolute discretion, including where the department considers the grant of the application, or part of an application, supports the achievement of the priorities and objectives of the Queensland Government or is otherwise in the public interest.

The department will notify an applicant about the outcome of their application within 20 business days of the decision being made.

2.12 Program evaluation

As an initiative of the Queensland Government, the MEEG Program is continuously monitored and reviewed to ensure that the MEEG Program effectively achieves the Program Objectives. These Guidelines may be updated to reflect future changes to the MEEG Program.

These Guidelines only apply to applications for Round 1 of the MEEG Program.

2.13 Tax obligations

Grants may be treated as assessable income for taxation purposes. The department does not provide advice to applicants and recommends applicants seek independent professional advice on their tax obligations.

3.0 Communications

3.1 Communications with the media

All media enquiries or public announcements relating to the MEEG Program will be coordinated and handled by the department's media team.

Applicants must seek and obtain the department's approval before contacting or responding to the media in connection with successful or unsuccessful applications for funding support under or in connection with the MEEG Program, and comply with the department's requirements about the form, content, timing and manner of any proposed media statement or event.

Where possible, all media and communications will be undertaken jointly with successful applicants.

Applicants acknowledge that the department intends to publicly disclose the names of successful applicants, general details about projects funded (including the amount of funding granted), and the anticipated and realised outcomes of funded projects (such as energy efficiency benefits, types of energy efficient equipment being purchased, and business improvements expected).

3.2 Confidentiality, privacy and use of information

The department will maintain controls in relation to the management of confidential information provided by applicants. Applicants should specifically mark any information the applicant considers to be confidential.

An applicant must keep confidential its application, any information provided to the department in connection with its application and its dealings with the department about its application but may make disclosures if required by law or to its representatives or advisors who are under an obligation of confidentiality. An applicant must also keep confidential any information designated by the Queensland Government as confidential.

The department may disclose information, including confidential information, of or provided by an applicant:

- to its representatives and advisors for any purpose
- to any government agency or authority and its representatives and advisors, including for the purpose of assessing and verifying such information
- to comply with or meet applicable standards of accountability of public money or established government policies, procedures or protocols; or
- if required to be disclosed by law.

The department collects personal information during the application process. Personal information will be used and may be disclosed for the purpose of processing, assessing and making a decision about the application, and as authorised by law. This may include personal information being disclosed to third parties and other government agencies for purposes in connection with the assessment of applications (and if an application is successful, in connection with administration of any subsequent agreement). The state will otherwise deal with personal information provided to it in accordance with the *Information Privacy Act 2009* and the Privacy statement of the Queensland Government (www.qld.gov.au/legal/privacy).

For audit purposes, the state is required to retain applications and other supplied supporting material. Successful applications will be retained for seven years and unsuccessful applications retained for two years.

4.0 Glossary of key terms

Table 4.1 Manufacturing Energy Efficiency Grant Program glossary of terms

Concept/Term	Meaning
Associated Entity	Associated Entity has the same meaning as under s50AAA of the Corporations Act 2001.
Carbon emissions	Carbon emissions refers to carbon emissions or carbon equivalent of greenhouse gas emissions.
Decarbonisation	Decarbonisation is the process of reducing and removing net greenhouse gas outputs by reducing the amount emitted, using zero or low-emission energy sources, increasing energy efficiency and by carbon sequestration.
Eligibility Criteria	The Eligibility Criteria are set out in Section 2.3 of these Guidelines.
Eligible Project	A project that meets the requirements of an Eligible Project as set out in Section 2.4 of these Guidelines.
Energy Efficiency	The process of reducing the amount of energy required to provide products and services.

Full-time Equivalent (FTE) employee	To calculate FTE, divide the actual number of scheduled hours by the number of hours you consider full-time. For example, two employees each working 20 hours per week count as 1 FTE where 40 hours per week is considered full-time.
Manufacturing	Physical or chemical transformation of raw materials, substances or components into new products (excluding agriculture and construction).
Program Objectives	The Program Objectives are the objectives of the MEEG Program set out in Section 2.2 of these Guidelines.
Project Site	The physical address where the project will be undertaken. It must be a manufacturing site located in Queensland.
Queensland Business Energy Saving and Transformation Program (QBEST)	The Queensland Government program referred to in Action 2.4 of the Queensland Energy and Jobs Plan dated September 2022.
Queensland-based business	A business with a presence in Queensland, where this presence involves manufacturing activity, and a minimum of 5 FTE employees.
Small to Medium Enterprise (SME)	Small to medium enterprise. A business which has 5-200 full time equivalent employees (FTEs).
Sustainable decommission	Equipment being replaced under the program must be disposed of in a manner that considers the environmental impact and ensures it is not able to be reused in its current state. The equipment can be sold as scrap or recycled.

5.0 Contact and Complaint details

The department's decision in relation to an application outcome is final and may not be appealed. If, however, an applicant has any dispute in relation to the application process or assessment process, a formal complaint may be submitted to the department via the [department's website](#).

For appeals and complaints, please contact

Web: www.rdmw.qld.gov.au/about-us/compliments-and-complaints

Information about the application process or general enquiries about the grant can be obtained from your local Department of Regional Development, Manufacturing and Water office or Manufacturing Hub.

Email: advanced.manufacturing@rdmw.qld.gov.au

Phone: (07) 3330 4444

Table 5.1 Manufacturing Hub contact details

Region	Office address/ email
Cairns	TAFE Queensland Cairns Campus (S Block) Gatton Street Manunda QLD 4870 cairns.manufacturinghub@rdmw.qld.gov.au
Townsville	Level 1, 763 Ingham Road TAFE Queensland Trade Training Centre Bohle QLD 4810 townsville.manufacturinghub@rdmw.qld.gov.au
Rockhampton	Building 37, Central Queensland University Yaamba Road North Rockhampton QLD 4701 rockhampton.manufacturinghub@rdmw.qld.gov.au
Gladstone	Room G.47, Martin Hanson Building, Central Queensland University Gladstone Marina Campus Gladstone QLD 4680 gladstone.manufacturinghub@rdmw.qld.gov.au
Mackay	Resources Centre of Excellence 65 Crichtons Road Paget QLD 4740 mackay.manufacturinghub@rdmw.qld.gov.au
South East Queensland	12 First Avenue Maroochydore 4558 goldcoast.manufacturing@rdmw.qld.gov.au
	Unit 2b, 19 Cotton Street, Nerang 4211 goldcoast.manufacturing@rdmw.qld.gov.au
Toowoomba and South West	First Floor, Clapham Building 203 Tor Street Toowoomba Qld 4350 southwest.manufacturing@rdmw.qld.gov.au

6.0 Terms and Conditions

In these terms and conditions, a reference to:

- an application means an application (or relevant part of an application) made to the MEEG Program and any other supporting or additional information in whatever form provided by the applicant in connection with an application
- Guidelines is a reference to these MEEG Program Guidelines.

6.1 Reservation of rights

The department reserves the right to administer the MEEG Program and conduct the process for the assessment and approval of applications to the MEEG Program in such manner as it thinks fit, and to:

- change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall MEEG Program (including submission and compliance of applications), where in such circumstances notice will be provided to applicants
- consider or accept, or refuse to consider or accept, any application which is lodged other than in accordance with these Guidelines or is lodged after the relevant date for lodgement, or which does not contain the information required by these Guidelines or is otherwise non-conforming in any respect
- vary or amend the eligibility or assessment criteria
- take into account any information from its own and other sources (including other Government agencies and other advisors)
- accept or reject any application, having regard to these Guidelines, the Eligibility Criteria, the assessment criteria or any other item, matter or thing which the department considers relevant, including the limitations on the funds available for the MEEG Program
- give preference by allocating weighting to any one or more of the Eligibility Criteria or assessment criteria over other criteria
- seek clarifications or additional information from or provide clarifications or additional information to any applicant, or to negotiate or deal with or seek presentations or interviews from any applicant
- conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals
- require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information
- terminate further participation of any applicant in the application process
- terminate or reinstate the MEEG Program or any process in the MEEG Program
- not proceed with the MEEG Program in the manner outlined in these Guidelines, or at all
- allow the withdrawal or addition of an applicant
- take such other action as it considers in its absolute discretion appropriate in relation to the MEEG Program processes.

Where, under these Guidelines, it is stated that the department may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the department 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 an applicant).

6.2 No relationship

The department's obligations regarding the application process are limited to these expressly stated in these Guidelines.

Subject to Section 6.7, no contractual or legal relationship exists between the department and an applicant or its clients in connection with the MEEG Program, these Guidelines or the application process.

An applicant, or its representatives:

- has no authority or power, and must not purport to have the authority or power to bind the department, or make representations on behalf of the department
- must not hold itself out or 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 department
- must not represent to any person that the department is a party to the proposed project other than as a potential funder, subject to the competitive application process detailed in these Guidelines.

6.3 Participation at the applicant's cost

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

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

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

Without limiting the foregoing, if the department cancels or varies the MEEG Program at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under clause 6.1 of these Guidelines, no applicant will have any claim against the department arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation to (whether directly or indirectly) the MEEG Program.

6.4 Non-exhaustive

These Guidelines do not contain all the information that applicants may require in reaching decisions in relation to whether to submit an application. Applicants must form their own views as to what information is relevant to such decisions.

Applicants must make their own independent investigations of the information contained or referred to in these Guidelines. Applicants must 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 department makes no warranty or representation express or implied and does not assume any duty of care to the applicants that the information in these Guidelines or supplied in connection with

the MEEG Program is accurate, adequate, current, suitable or complete, or that the information has been independently verified.

The department accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance or interpretation placed upon that information by applicants.

6.5 Intellectual property

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

The applicant grants to the state (and will ensure relevant third parties grant) a non-exclusive, royalty free and irrevocable licence to use and reproduce the intellectual property for the purpose of administering the MEEG Program.

6.6 Law

These Guidelines are governed by the laws applicable in Queensland.

6.7 Acceptance

By submitting an application, each applicant:

- warrants to the department that the information contained in its application is accurate and complete as at the date on which it is submitted and not by omission misleading, and may be relied on by the department in determining whether to select the applicant for the MEEG Program
- undertakes to promptly advise the department 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
- acknowledges that the department will rely on the above warranty and undertaking when evaluating the application
- acknowledges that the department may elect to remove an applicant at any stage as a result of material changes to the information presented in its application
- acknowledges that the department may suffer loss or damage if the applicant breaches the above warranty and undertaking
- is taken to have accepted these Guidelines, including these terms and conditions.

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