

Regional Digital Hub in Buller District

Project Outline

15 September 2019

Contact details for follow-up:

- Natasha Barnes Dellaca
General Manager
EPIC Westport

Privacy of natural persons

Privacy of natural persons

Executive Summary:

EPIC Westport has been discussing with the Government's Provincial Development Unit (**PDU**) an opportunity to improve digital capability and business productivity in Westport and the Buller District. This proposal summarises:

- The solution which EPIC Westport and potential partners/ supporters can provide;
- The location of the proposed Regional Digital Hub;
- Potential partners, sponsors and supporters;
- Costs of establishing and running this venture; and
- Expected benefits for the region, its businesses and the broader community.

We have included \$^{Commercial Information} per annum as co-contribution from ^{Commercial Information} – ^{Commercial Information}

We thank you for the opportunity to provide this proposal to the PDU, and look forward to following up at your convenience.

Overview:

Context for your application:

- Describe your Region/ District/ Town at a high level
- What is the level and nature of ICT usage in your Region/ District/ Town?
- What are the strengths, weaknesses, opportunities, threats to your Region/ District/ Town?
- How would more and better ICT usage improve your Region/ District/ Town, especially its businesses?

Summary of proposals for West Coast Region:

EPIC wishes to facilitate the implementation of one Regional Digital Hubs (RDHs) in Location 1. (Locations 2 and 3 will be the subject of a further application to the PDU).

- **Location 1 - Westport (population – Buller District 10,150);**
- Location 2 - Greymouth (population – Grey District 13,550); and
- Location 3 - Westland (population – Westland District 8,890).

In addition, provide a general summary of the proposal, answering the following questions:

- How will it fit with the characteristics of the town(s) covered?
- Why these towns and not others?
- How will Regional Digital Hub(s) will deliver value to the community, particularly in the form of improved business capability?

The West Coast is divided up into 3 Districts; Buller, Grey and Westland. Westport is at the centre of the Buller District, is the commercial hub for the District and therefore the obvious place for the Digital Hub with the capability of outreach to outlying rural areas.

Location 1: Westport

Describe the proposed Regional Digital Hub in Location 1 in more detail:

- Where is the proposed site?
 - The Westport Regional Digital Hub will be located at EPIC Westport, 10A Lyndhurst Street. The EPIC Westport innovation centre is in the centre of the town beside the iconic Clock Tower.
 - EPIC Westport provides shared offices, co-working space and a range of business development services. Operating for just shy of 3 years, EPIC Westport now occupies 800 square metres over two floors. The innovation hub is % full with current tenants in private offices, with others dropping into use the co-working space, boardroom or event area. The Blockchain Technology Centre was opened in 2018.
 - EPIC Westport has a strong digital technology background, and is part of group of companies that are world class technology developers. Please see Appendix 2 for further background on the EPIC Westport/ CererbralFix Group.
- What specific aspects of this site make it suitable e.g. proximity to business area, foot traffic, central location?

- This central location puts it within walking distance of high foot traffic main street coffee shops, eateries and the current Council building. It is in the same block as the Westport iSite, Clock Tower and Coaltown Museum and across the road from NBS Theatre (theatre seating conference venue).
- Access to recreation facilities is close by with a 24hr gym onsite and massage therapist. Greenspace is across the road with Victoria Park. The site is also one block from the start of the Millennium River track.
- *Is there any linkage to other relevant projects e.g. Council building upgrades, precinct renewal etc?*
 - The surrounding area is a site earmarked for extensive Council redevelopment. The Buller District Council has plans to return to the Clock tower and eventually pedestrianise the area around EPIC Westport as a part of long term district plan.
 - EPIC Westport is currently nearing office space capacity with % fully tenanted, providing stability to the program.
 - EPIC Westport has an expansion site which is available on demand. This provides room for future scaling of activities. This site is approximately 600sqm with a main street frontage and is in an adjoining property.
- *When will the proposed site be available?*
 - The proposed Regional Digital Hub (RDH) location is currently available and operating as a co-working, serviced office and event facility. The RDH will be quickly deployable within the existing centre.

Implementation Approach:

- *Describe briefly how you propose to implement the Regional Digital Hub(s).*
 - Lease, fit out and brand two designated spaces currently available in the EPIC Westport innovation hub
 - Share access to other facilities at EPIC Westport as needed
 - Lease on pro-rata proportion of OPEX.
 - Sub-contract hub management to EPIC Westport
 - Accounting and management
 - Fit out, rebranding
 - Program development and management
 - Human resourcing and new hires managed by EPIC Westport
 - Marketing of the program to the district.
 - Launch new RDH program offering digital services to businesses and the self-employed, differentiated from existing EPIC Westport programs, where possible projects will be branded under “Digital Zone @ EPIC Westport, powered by Provincial Growth Fund”

RDH will feature:

- Physical space upgrade, fit out to include signage to accommodate better Co-working and 3rd party functions
- New digital facilities (latest technology laptop suite, video conferencing, presentation and recording facility)
- Digital programs and services:

- Training, mentoring, advisory services in the digital space for business and individuals
 - Programs to increase the ICT capability of local businesses especially small businesses
 - Networking and peer to peer activities
 - Space for corporates and businesses to present digital products and services e.g. Xero and IRD;
 - Digital literacy programs
 - Digital divide programs
 - Other (non-ICT) business training
 - Community lead initiatives requiring digital support
 - Community Wi-Fi for visitors and guests to the Hub
- *Include project phases, milestones, timeframes etc.*
 - For timeframes and milestones against a road map please see the next section.

Deliverables:

Describe the deliverables and outcomes to be achieved by the project, and the timeframe (e.g. by half-year over the five year operations period of the Hub) for each. These may include:

- Commercial Information: Complete design
- Commercial Information: Complete fit out
- Commercial Information: Launch the facility Launch programs
- Commercial Information: Begin monthly announcements and reporting schedule, program delivery and impacts
- Commercial Information: Benchmarking local ICT capability
- Commercial Information: Reviewing the initial implementation of the Hub and suggesting any changes to be made
- Commercial Information: End of year progress check each year, and Annual Stakeholder Report
- Commercial Information: Concept refresh and transition planning
- Commercial Information: Final implementation review after 5-year operations period is completed

Stakeholder Engagement:

- *Who have you engaged in developing this proposal? Include, as applicable, Territorial Local Authorities, iwi, potential national corporate sponsors, Non-Government Organisations and others.*
- *Describe what level/ kind of involvement or contribution each party wishes to make, which Regional Digital Hub this assistance would apply to, timeframe, status of negotiations/ discussions etc.*
- *In particular, clearly identify any parties who are willing to provide funding or in-kind contribution to support the investment in Regional Digital Hubs.*
 - Local and regional Councils, including Council-run organisations (incl. libraries)
 - Engagement level: ongoing engagement with all Councils on the West Coast and Buller Library.
 - Assistance/ Funding: current business support program / project partnered with Buller District Council. Partnership with Buller Library for events where appropriate. EPIC Westport was previously a recipient of Council funding.

- Iwi
 - Engagement level: ongoing engagement with multiple Maori organisations, including [redacted] Commercial Information [redacted]. EPIC Westport sponsors a weekly Te Reo language class. Commercial Information [redacted]
 - Assistance / funding: partnership opportunities currently being explored, including the community garden project (electric garden).

- Non-profit, and civil society
 - Engagement level: ongoing engagement with multiple non-profit groups including [redacted] Commercial Information [redacted]
 - Assistance / funding level: [redacted] Commercial Information [redacted]

- Education providers (tertiary, secondary, primary)
 - Engagement level: ongoing engagement [redacted] Commercial Information [redacted]
 - Assistance / funding: multiple ongoing and on/off partnerships, project/ event focused. [redacted] Commercial Information [redacted]

- Sponsors
 - Engagement level: Commercial Information [redacted] will sponsor the workshop area.
 - Assistance level /funding: \$^{Commercial} [redacted] spread over ^{Com} [redacted] years.

- Central Government Partnerships
 - Callaghan Innovation continues to support the EPIC Westport Program through its primary relationship with the CerebralFix Group.
 - [redacted] Commercial Information [redacted]

- Other Regional Hubs
 - Engagement level: high level of ongoing engagement with other regional innovations hubs (Christchurch, Southland, Queenstown, Wanaka, Wellington, Masterton, Tauranga, Auckland), Assistance level/ funding: ongoing partnership with [redacted] Commercial Information [redacted].

Cost Estimates and Funding Sources:

- Provide a table like the one below describing the projected costs of each element of the Regional Digital Hub(s) – and the funding source(s) for each element.
- The “preferred funding source” column sets out the PGF’s preferences but this is not binding on the Applicant.

	Commercial Info	Commercial Infor	Commercial Info	Commercial Info	Commercial Info
Fit Out Costs	\$ Commercial Inform	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In
Facilities Rental	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform
Hub Evangelist	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform
Hub Host Support	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform
Tech Support	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In
Admin Support	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In
Program Licences	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In
	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat
PGF Contribution	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat
Commercial Information					
	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform
Other Sponsors	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform
Commercial Information	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In	\$ Commercial In
Other	Commercial Information \$	Commercial Information \$	Commercial Information \$	Commercial Information \$	Commercial Information \$
General Revenues	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform	\$ Commercial Inform
	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat	\$ Commercial Informat
Commercial Information	Commercial Informatio	Commercial Informatio	Commercial Informatio	Commercial Informatio	Commercial Informatio
Commercial Information	Commercial Informatio	Commercial Informatio	Commercial Informatio	Commercial Informatio	Commercial Informatio

Notes:

<i>Fit Out Budget:</i>	Signage	\$ Commercial In
	Desking	\$ Commercial In
	Chairs	\$ Commercial In
	Laptops	\$ Commercial Inform
	Coms Equipment	\$ Commercial Inform
	Hub Fitout	\$ Commercial Inform

Commercial Inform

Facilities Rental: includes power, internet, rental of office/floor space and associated rental OPEX

Hub Evangelist Role: is the main person in the hub 3+ days a week, teaching walk-ins and running all the courses

Hub Host Support: is the person that is around the other two days

Tech Support: this role will be contracted out on an as needed basis to Commercial Information

Admin Support: contracted out to EPIC Westport, includes accounting, payroll and cleaning etc. Commercial

Program Licences: A cost allocation for courses the hub need to procure from external parties

PGF Contribution: This line is the PGF funding line

Commercial Information: has been approved and will be focused on the naming writes of the workshop room

Other Sponsor: We will look to find a sponsor for the main "Digital Zone" later in the piece

3rd Party Rentals: this will come from people wanting to hire the space and computers to do their own workshops

Commercial Information: We have left this open to talk through further

General Revenues: Currently this is an expectation based on 1) Hot Desking and 2) Course income

Sensitivity Analysis for discussion:

Currently we are projecting a \$ Commercial Information mid-way through the program, which while lightened in the last year still reports a \$ Commercial Information.

Commercial Information

We are currently seeking \$ Commercial per annum as co-funding from Commercial Information. This co-funding is not built into the above figures as the funding is not confirmed.

Item	Description	Cost estimate (years unless stated)	Preferred funding source
Project Manager – implementation	Project manager to implement the Regional Digital Hub(s)		PGF or co-funding
Connectivity installation	Installation of fibre and ICT equipment		PGF
Connectivity rental	Monthly line rental and other ongoing ICT charges		PGF
Fit-out	Non-ICT essential hub items such as chairs, desks and whiteboards, including design and branding		PGF

Facilities rental	Payment for use of buildings, building management. (Fit out costs may be factored into lease costs.)		Co-funding
Essential ICT devices	Hardware essential to effective installation as well as safe, secure use. E.g. gigabit router, WiFi access points		PGF
Additional ICT devices	Digital devices to connect to the internet such as smartphones, tablets, Smart TVs, as well as extra Wi-Fi devices		PGF or co-funding
Tech Support & training	Technical support and a basic level of training for local businesses in effective ICT use		PGF
Hub Oversight	Responsible part time Hub manager		PGF or co-funding
Additional business training	Further training to improve digital/ IT capability of local businesses		PGF or co-funding
TOTAL COSTS			
Funding sources:			
PGF			
Co-funder 1			
Co-funder 2			
Co-funder 3			
TOTAL SOURCES OF FUNDS			
Surplus / Deficit			

Benefits:

Summarise the potential benefits of Regional Digital Hubs for the Buller District

- Latest technology facilities available to the business community, and wider community. Facilities up to date and well managed.
- Greater leverage/ use new assets including UFB rollout
- Increased digital literacy in business and community
- increased adoption of digital tools (greater efficiencies in business)
- Greater business adoption of more innovative, digital business models (shift to higher value business models)
- Decreased digital divide
- More connected communities
- Local wealth generation through new businesses created, attracted or grown
- New jobs created for the region
- Job opportunities that retain younger generations in the region
- New education and training opportunities

Risks:

Complete the following table of risks you have identified for the project, and how you could mitigate or manage them.

Risk	Mitigation
Confusion between: EPIC Westport, EPIC Westport Blockchain Hub and new RDH programs “Digital Zone @EPIC Westport, powered by Provincial Growth Fund”	Clear branding of each program or activity inside EPIC Westport. Accountability and reporting functions in place to ensure that resources combine to produce programs with greater reach than any one program alone
Variations to delivery of programs, ability to evolve/ pivot the objectives/ strategy when new opportunity emerges	Resources and facilities available to be used by multiple businesses and organisations. Inclusion in funding agreement that programs can be delivered by multiple parties. Community feedback process, clear communications strategy, design approach lead by user needs
Facilities are not used/ asset not ‘sweat’ effectively	Dedicated technologist resource to ensure that technology is available and operational at all times. Booking system, promotion of activities to ensure events at full capacity. Existing demand validated by EPIC Westport.
Fit out cost overrun	Contract to EPIC Westport, experienced in commercial fit outs. Fit out partially complete (not a new build, so limited areas for cost overrun)
Human resourcing, recruitment challenges finding the right person to take over a diverse role, multiple skills set required.	Formal recruitment process NZ and Internationally, in line with <small>Commercial Information</small> recruitment strategies. Preference given to local talent. Role may be split across a few people.

Appendix 1: Overview of ICT Sector in West Coast Region

Add further detail on the nature of the ICT sector and ICT usage in the Region/ District/ Town if available and if it will assist assessment of the proposal.

The government, through Crown Infrastructure Partners, is investing a total of \$63.8 million in the West Coast region (this includes Ultra-fast Broadband (UFB), RBI2/MBSF and the recent West Coast elements in the latest PGF package of \$32.7m. The region has a responsibility to make best use of this investment and in turn contribute more to the prosperity of its residents and New Zealand as a whole. Recent Infometrics data confirms that the internet access rate for the West Coast at 69.6% is well below the national average of 76.8%.

The three West Coast Digital hubs will offer digital capability services to individual entrepreneurs, businesses and the community by offering free Wi-Fi connectivity, digital hardware and software, and innovative co-working spaces. This will facilitate the capability building required for business purposes, it will foster entrepreneurship and contribute to the ongoing economic development throughout the region. The region seeks to make best use of the considerable government investment in connectivity being rolled out currently.

Work streams detailed in the West Coast Digital Strategy 2019 aim at auditing and mapping the infrastructure roll-out, establishing the specific capability needs of the industry sectors and businesses throughout the region, and getting rid of the isolation barriers. Communities and sectors that have benefited from new infrastructure and connectivity will be given a focus, i.e. the inland farming sector. The research activity aimed at capturing the region's capability needs will inform the content and specifics of the services to be offered in the future. There is little doubt that making the most of the planned improved connectedness in the region and improving digital capability amongst its tangata whenua will be greatly enhanced by access to co-working spaces and technology resources.

Facebook and AboutUs.

In 2018 Development West Coast teamed up with Facebook's Boost Your Town initiative to hold very successful events in three regional locations. A series of digital skills workshops held in Hokitika, Greymouth and Westport and proved exceptionally popular with around 250 people attending the sessions. The Boost Your Town workshops were a collaboration between DWC, social media network Facebook and digital innovation agency AboutUs. The event had a huge uptake and has resulted in an ongoing relationship with Privacy of natural persons AboutUs.

Net HUI & Tech Week

In 2018 various organisations on the West Coast collaborated to bring Tech Week events to the Coast. These included Tai Poutini Polytechnic, Tech Space, Grey District Library, Greymouth High School, Westland District Library, Buller District Library and EPIC in Westport. Grey District Library hosted two events: a Virtual Reality experience in conjunction with Tech Space and a workshop using a spherical robot in conjunction with Greymouth High School.

Not long after this event a steering group was formed to host the region's first NetHUI in partnership with InternetNZ.

The Benefits

Digital HUBS have long been considered as potential drivers for positive change in rural areas.

Delivery of access to technology, capability building programmes, co-working spaces for the region's sectors, industries and businesses will be fundamental to driving innovation and creating our future.

West Coast businesses need support to access and develop their own use of the internet, platforms and apps to compete in the marketplace. This particularly applies to a region populated by SME's.

Particular sectors (i.e. the farming sector) need support to make best use of newer and faster access to technology.

The overarching West Coast Digital Enablement Strategy aims to use digital technologies to build social capital and to support community engagement so that there is real local benefit generated by innovation which, in turn, increases digital inclusion, provides access to skills and jobs and improves the quality of life.

The objectives below represent only a tentative list of outcomes desired.

Objective	Measurable Outcomes
West Coast business can access the best digital tools to grow and scale their businesses, connecting and serving national and international customers	Increased GDP and employment outcomes.
Enabling existing digital businesses to safeguard existing jobs and create new ones.	Increased business and employment opportunities.
Attracting and retaining talented people, businesses and capital. Entrepreneurial business people taking advantage of the opportunities of ubiquitous connectivity.	An increasingly tech savvy workforce. Increasing levels of venture capital investment
Coast entrepreneurs can access world class digital opportunities	Increased connection between West Coast businesses and global markets.
A confident and connected digital community resulting in enhanced social well-being and quality of life.	Percentage of confident Digital Residents.
Access for all to digital educational services and facilities irrespective of age, social standing, rank or location.	Improved educational outcomes.
Access to capability building programmes for the whole region.	Increased use of digital technologies to improve productivity within all sectors across the region.
Improve productivity of businesses across sectors through capability building programmes hosted within HUBS.	Improved productivity indicators through smart use of IT.
Effective participation in the digital economy to grow a sustainable digital/ICT sector	Significantly increased number of regional, national and global collaborative talent ventures.
Promotion of a digitally-friendly culture.	Collaborative network of individuals & organisations promoting digital enablement and confidence within our region and beyond.

Appendix 2: About Epic Westport

A few sentences about the Applicant, their current business or operations, ownership, main products, key customers, areas or markets served, history etc.

EPIC Westport

EPIC Westport provides both a physical shared office and co-working space and a range of business development services. Operating for just shy of 3 years, EPIC Westport now occupies 800 square metres of office space over two floors (Lyndhurst Street and Russell Street). The innovation hub is ^{Comm} % full with current ^{Comm} tenants in private offices, with others dropping into use the co-working space, boardroom or event area. The Blockchain Technology Centre was opened in 2018

The Cerebral Fix Group

EPIC Westport is the product of two successful ventures, CerebralFix and EPIC Christchurch.

CerebralFix was the first commercial games company in Christchurch, and one of a handful of companies that are trusted to make games for the Walt Disney Corporation. The company produces world class gaming, VR, AR and software products. The wider business group that includes EPIC Westport now employs more than ^{Comm} staff with up to ^{Comm} employees located in Westport.

Industry creators

CerebralFix was critical establishing the games development industry in Christchurch over the last 10 years. CerebralFix kick started, incubated or mentored ^{Comm} other companies in the city, with the majority of employees in the Christchurch industry trained in commercial practice by CerebralFix. The wider games industry in Christchurch now employs more than ^{Comm} people.

EPIC Christchurch

EPIC Christchurch was established after the Christchurch earthquakes as a regeneration exercise. There are now ^{Comm} businesses in EPIC Christchurch with ^{Comm} staff occupying 2400 square metres. CDC assess that EPIC Christchurch generates nearly \$^{Commercial Information} in added economic value every year.

Application Declarations

About this form

This form enables Provincial Development Unit (PDU), part of the Ministry of Business, Innovation and Employment, to progress applications to the Provincial Growth Fund (PGF) through the system to reach a decision.

The form requests the high level detail of the project and applicant, then seeks the applicant's declarations against the terms and conditions. This form is to be used where the PDU has been previously provided information by the applicant.

Part A: Key Details

Please note that if the funding agreement will not be held with the applicant (i.e. applying on behalf of another organisation), then we require the details of that organisation.

1. Proposal Title:

2. Please provide the details of the applicant organisation/entity for which funding is being requested:

Legal Name:	EPIC Westport Ltd
Entity Type:	Choose an item.
Registered Offices / Place of Business:	10A Lyndhurst St Westport 7825
Identifying Number:	[e.g. Company Number, NZBN, Trust / society number, etc. if applicable]
Organisation's Website:	www.facebook.com/EPICWestport www.epicwestport.co.nz/

3. Please provide the contact details for a person as a key point of contact):

Contact Name and Role:	Natasha Barnes Dellaca		
Email Address:	Privacy of natural persons	Telephone:	Privacy of natural persons

4. What is the activity / funding start and end date?

Start Date:	Commercial Information	Completion Date:	Commercial Information
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5. Please provide details of the project team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project):

<i>[Please provide full names and position details of the members of the Project Team and Leadership Team]</i>	
Natasha Barnes Dellaca (General Manager)	
Ben Dellaca (Director)	
Jeremy Cadillac (Director)	
Privacy of natural persons	
Privacy of natural persons	
Privacy of natural persons	
Delivery (role to be advertised)	

Part B: Declarations

Commercial Information

6. The contracting entity is compliant and will continue to comply with all applicable laws, regulations, rules and professional codes of conduct or practice including but not limited to health and safety and employment practices
7. Has this activity ever been declined Crown Funding in the past?
8. Has the applicant or the contracting entity ever been insolvent or subject to an insolvency action, administration or other legal proceedings?
9. Has any individual in the Project Team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project) ever been insolvent or subject to an insolvency action, administration or other legal proceedings, or actively involved in any organisation which has?
10. Has any individual in the Project Team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project) ever been adjudged bankrupt or is an undischarged bankrupt?
11. Has any individual in the Project Team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project) ever been under investigation for, or been convicted of, any criminal offence?
12. Are there any actual, potential or perceived conflicts of interest that the applicant or any of the key personnel have in relation to this project.
"In a small country like ours, conflicts of interest in our working lives are natural and unavoidable. The existence of a conflict of interest does not necessarily mean that someone has done something wrong, and it need not cause problems. It just needs to be identified and managed carefully..."
<https://www.oag.govt.nz/2007/conflicts-public-entities>

If you answered "Yes" to any question from 7 to 12, please provide a description below:

By completing the details below, the applicant makes the following declarations about its application for Provincial Growth Fund funding for the project ("application"):

I have read, understand and agree to the Terms and Conditions of applying for Provincial Growth Fund funding which are attached as Appendix 1;

The statements in the application are true and the information provided is complete and correct, and there have been no misleading statements or omissions of any relevant facts nor any misrepresentations made;

I have secured all appropriate authorisations to submit the application, to make the statements and to provide the information in the application;

I have obtained the permission of each member of the Project Team to provide the information contained in this application and those individuals are aware of, and agree to, the Terms and Conditions of applying for Provincial Growth Fund funding which are attached as Appendix 1;

I consent to this application being publically released if funding is approved. I have identified the commercially sensitive and personal information.

The applicant warrants that it has no actual, potential or perceived conflict of interest (except any already declared in the application) in submitting the application, or entering into a contract to carry out the project. Where a conflict of interest arises during the application or assessment process, the applicant will report it immediately to the Provincial Development Unit by emailing PGF@mbie.govt.nz.

I understand that the falsification of information, supplying misleading information, or the suppression of material information in this application, may result in the application being eliminated from the assessment process and may be grounds for termination of any contract awarded as a result of this application process.

The applicant consents to the Provincial Growth Fund undertaking due diligence including any third party checks as may be required to fully assess the application.

Full name:

Title Commercial Information

Sign

Date:

.....

Appendix 1 – Terms and Conditions of this Application

General

The terms and conditions are non-negotiable and do not require a response. Each applicant that submits a request for Provincial Growth Fund (“PGF”) funding (each an “application”) has confirmed by their signature on the application that these terms and conditions are accepted without reservation or variation.

The Provincial Growth Fund is a government initiative which is administered by the Provincial Development Unit, a unit within the Ministry of Business, Innovation and Employment. Any reference to the Provincial Development Unit in these terms and conditions, is a reference to MBIE on behalf of the Crown.

Reliance by Provincial Development Unit

The Provincial Development Unit may rely upon all statements made by any applicant in an application and in correspondence or negotiations with the Provincial Development Unit or its representatives. If an application is approved for funding, any such statements may be included in the contract.

Each applicant must ensure all information provided to the Provincial Development Unit is complete and accurate. The Provincial Development Unit is under no obligation to check any application for errors, omissions, or inaccuracies. Each applicant will notify the Provincial Development Unit promptly upon becoming aware of any errors, omissions, or inaccuracies in its application or in any additional information provided by the applicant.

Ownership and intellectual property

Ownership of the intellectual property rights in an application does not pass to the Provincial Development Unit. However, in submitting an application, each applicant grants the Provincial Development Unit a non-exclusive, transferable, perpetual licence to use and disclose its application for the purpose of assessing and decision making related to the PGF application process. Any hard copy application or documentation supplied by you to the Provincial Development Unit may not be returned to you.

By submitting an application, each applicant warrants that the provision of that information to the Provincial Development Unit, and the use of it by the Provincial Development Unit for the evaluation of the application and for any resulting negotiation, will not breach any third-party intellectual property rights.

Confidentiality

The Provincial Development Unit is bound by the Official Information Act 1982 (“OIA”), the Privacy Act 1993, parliamentary and constitutional convention and any other obligations imposed by law. While the Provincial Development Unit intends to treat information in applications as confidential to ensure fairness for applicants during the assessment and decision making process, the information can be requested by third parties and the Provincial Development Unit must provide that information if required by law. If the Provincial Development Unit receives an OIA request that relates to information in this application, where possible, the Provincial Development Unit will consult with you and may ask you to confirm whether the information is considered by you to be confidential or still commercially sensitive, and if so, to explain why.

Use and disclosure of information

The Provincial Development Unit will require you to provide certain information, including personal information, on application forms if you wish to apply for funding. If you do not provide all of the information that is required on an application form, the Provincial Development Unit may be unable to process or otherwise progress your application.

MBIE will generally only use personal information provided in the application process for the purpose of administering the PGF which includes assessing an application you have submitted, contracting, monitoring compliance and reporting.

We may use personal information provided to us through the application for other reasons permitted under the Privacy Act (e.g. with your consent, for a directly related purpose, or where the law permits or requires it).

The Provincial Development Unit may disclose any application and any related documents or information provided by the applicant, to any person who is directly involved in the PGF application and assessment process on its behalf including the Independent Advisory Panel ("IAP"), officers, employees, consultants, contractors and professional advisors of the Provincial Development Unit or of any government agency. The disclosed information will only be used for the purpose of participating in the PGF application and assessment process, including assessment and ongoing monitoring, which will include carrying out due diligence. Due diligence may involve MBIE disclosing information to another MBIE business unit or relevant agency in order to assess the application and verify the information contained in the application and accompanying documents.

MBIE will generally not otherwise disclose personal information provided or collected through this application unless required or otherwise permitted by law. For example, we may seek your consent to undertake additional due diligence checks and request information from other relevant third parties. If an application is approved for funding, information provided in the application and any related documents may be used for the purpose of contracting.

In the interests of public transparency, if an application is approved for funding, the application (and any related documents) may be published by the Provincial Development Unit. Commercially sensitive and personal information will be redacted by reference to the provisions of the Official Information Act 1982.

Limitation of Advice

Any advice given by the Provincial Development Unit, any other government agency, their officers, employees, advisers, other representatives, or the IAP about the content of your application does not commit the decision maker (it may be Senior Regional Officials, Ministers or Cabinet depending on the level of funding requested and the nature of the project) to make a decision about your application.

This limitation includes individual members of the IAP. The IAP's recommendations and advice are made by the IAP in its formal sessions and any views expressed by individual members of the IAP outside of these do not commit the IAP to make any recommendation.

No contractual obligations created

No contract or other legal obligations arise between the Provincial Development Unit and any applicant out of, or in relation to, the application and assessment process, until a formal written contract (if any) is signed by both the Provincial Development Unit and a successful applicant.

No process contract

The PGF application and assessment process does not legally oblige or otherwise commit the Provincial Development Unit to proceed with that process or to assess any particular applicant's application or enter into any negotiations or contractual arrangements with any applicant. For the avoidance of doubt, this application and assessment process does not give rise to a process contract.

Costs and expenses

The Provincial Development Unit is not responsible for any costs or expenses incurred by you in the preparation of an application.

Exclusion of liability

Neither the Provincial Development Unit or any other government agency, nor their officers, employees, advisers or other representatives, nor the IAP or its members will be liable (in contract or tort, including negligence, or otherwise) for any direct or indirect damage, expense, loss or cost (including legal costs) incurred or suffered by any applicant, its affiliates or other person in connection with this application and assessment process, including without limitation:

- a) the assessment process
- b) the preparation of any application
- c) any investigations of or by any applicant
- d) concluding any contract
- e) the acceptance or rejection of any application, or
- f) any information given or not given to any applicant(s).

By participating in this application and assessment process, each applicant waives any rights that it may have to make any claim against the Provincial Development Unit. To the extent that legal relations between the Provincial

Development Unit and any applicant cannot be excluded as a matter of law, the liability of the Provincial Development Unit is limited to \$1.

Nothing contained or implied in or arising out of the PGF documentation or any other communications to any applicant shall be construed as legal, financial, or other advice of any kind.

Inducements

You must not directly or indirectly provide any form of inducement or reward to any IAP member, officer, employee, advisor, or other representative of the Provincial Development Unit or any other government agency in connection with this application and assessment process.

Governing law and jurisdiction

The PGF application and assessment process will be construed according to, and governed by, New Zealand law and you agree to submit to the exclusive jurisdiction of New Zealand courts in any dispute concerning your application.

Public statements

The Provincial Development Unit and any other government agency, or any relevant Minister, may make public in whole or in part this application form including the following information:

- the name of the applicant(s)
- the application title
- a high-level description of the proposed project/activity
- the total amount of funding and the period of time for which funding has been approved
- the region and/or sector to which the project relates

The Provincial Development Unit asks applicants not to release any media statement or other information relating to the submission or approval of any application to any public medium without prior agreement of the Provincial Development Unit.