

# Application for Funding Projects

**About this form**

This form enables you to make an application for funding over \$100,000 from the Provincial Growth Fund for applications relating to the delivery of projects.

You will need to use the Express Form if your application is for an activity under \$100,000 or the Development Phase Form if your application is within the Development phase of a Project (i.e. feasibility / business case).

These forms are available on the [Provincial Growth Fund website](#)

**Purpose of the Provincial Growth Fund**

The Provincial Growth Fund aims to lift productivity potential in the provinces. Its priorities are to enhance economic development opportunities, create sustainable jobs, enable Māori to reach their full potential, boost social inclusion and participation, build resilient communities, and help meet New Zealand's climate change targets.

**Completing this form**

Please complete all sections fully and accurately. Square brackets and italics indicate guides.

Please see the PGF website, or contact your regional relationship manager, for further support. If you are applying on behalf of a number of parties, you need their consent to submit this application. You can add other applicants during the application process. You will be the point of contact for this application, but you must give us all information about all applicants.

**Submitting your application**

All completed forms must be emailed to [PGF@mbie.govt.nz](mailto:PGF@mbie.govt.nz) with a clear subject included.

If you are a Trust (or applying on behalf of a Trust), then you must provide a copy of your Trust Deed.

**Next Steps**

Applications will be assessed for eligibility, as well as how well they will deliver on the aims of the Provincial Growth Fund. One of our team will be in contact regarding your application.

**Funding Agreement**

The template funding agreements can be found on the [Provincial Growth Fund website](#)

**Public disclosure**

The Provincial Development Unit is responsible for leading the Provincial Growth Fund's design, administration and monitoring its operation in consultation with other government agencies. In the interests of public transparency, successful applications 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. Please identify by highlighting any information in your application that you regard as commercially sensitive or as personal information for the purposes of the Privacy Act 1993.

**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: Mangamaire ara ki mua

2. Please provide a very brief description of the project/activity:

- To enable significant improvement to land productivity on 321ha Mangamaire land block through:
- Installation of a Commercial Information standard bridge across Wimbledon Road onto Mangamaire A4
  - Implementation of a farm track
  - Upgrade of fencing and stock water.

This will provide vehicle access to the land block and enable improvement to land productivity through establishment of a Commercial Information Commercial Information  
Commercial Information There is no current direct vehicle access onto our land due to a natural boundary created by the Mangamaire Stream. Due to erosion of the land bordering the stream even 4WD bike access is no longer possible.



The whenua in question is Mangamaire A1, A2a and A4. It is located along Wimbledon Road, Porangahou and consists of 321 hectares. It is a beautiful expanse of pristine native bush, acres of pine trees, and grazable land bordered by the meandering Mangamaire Stream. This land was left to us by our grandmother/great grandmother Ruahuihui Ngākauri Tipene Matua.

Currently the access to our land is very limited. Entrance to the Mangamaire block is by crossing the stream. The Mangamaire has never had a bridge to allow vehicle access. Many years ago the stream was able to be crossed in the summer season when the stream was nearly dry with a 4WD vehicle. However storms and flooding has eroded the banks taking away the ability to cross and the stability of the surrounding whenua.

Free and frank opinions

The inability to access our land has been very detrimental to our whānau. Throughout the years the lease of the land for grazing has been limited to neighbouring farmers because they can access our property through their own. This has worked well for them as we were unable to make improvements or provide maintenance to our land



i.e. reticulated water, fencing, due to lack of access, therefore keeping the grazing prices to a minimum and a monopoly on our land.

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

|                                                |                                                                       |
|------------------------------------------------|-----------------------------------------------------------------------|
| <b>Legal Name:</b>                             | Mangamaire Trust                                                      |
| <b>Entity Type:</b>                            | Trust (please provide your Trust Deed)                                |
| <b>Registered Offices / Place of Business:</b> |                                                                       |
| <b>Identifying Number:</b>                     | Maori Land Court 1975 – Authority 438/53. Minute Bk Ref 108NA 353-355 |
| <b>Organisation’s Website:</b>                 | N/A                                                                   |

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

|                               |                            |                   |                            |
|-------------------------------|----------------------------|-------------------|----------------------------|
| <b>Contact Name and Role:</b> | Rachel Kingi               |                   |                            |
| <b>Email Address:</b>         | Privacy of natural persons | <b>Telephone:</b> | Privacy of natural persons |

5. Please describe the principal role or activity of the applicant organisation.

The Trust was constituted in the Maori Land Court on 4 March 1975 (Authority 438/53 Minute Bk ref 108NA 353-355). On 10 May 2007, an order (Authority 239/93 Minute BK ref 189 NA 172 – 175 ) was made by the Maori Land Court to change the Trustees and accordingly, the following were appointed:

1. Privacy of natural persons
2. Privacy of natural persons
3. Privacy of natural persons
4. Privacy of natural persons
5. Privacy of natural persons

Our last AGM was 2015. There was a resurgence in interest when we had the opportunity to talk with MPI about funding that was available for us as Maori land owners. We submitted an application to MPI to carry out a feasibility study to determine what options we could pursue for the benefit of our people. Just before our engagement with MPI, our communication had been limited Commercial Information

Since completion of the feasibility study, activity has increased and we are now focused on a plan to increase the productivity of the block. Commercial Information

Commercial Information

Mangamaire blocks have Commercial Information owners. Privacy of natural persons

Privacy of natural persons

Our vision and what this grant can do for us:

With your support we will be able to have access to our land. While that sounds simple, it is the reason we have not been able to realise our potential

- We will be able to make decisions based on the best opportunity, not the only
- We will be able to educate ourselves, and realise our skills
- We will be able to create pathways for our children and their children, connecting them to their tipuna through the kaitiakitanga of our whenua. The physical activities that have been researched through the feasibility study like the Commercial Information are examples of the physical opportunities for us to utilise our land. The access to our land with the bridge, the track and building a hut that we can use, acknowledges the taha wairua, taha hinengaro, taha whānau and taha tinana. This brings about balance in our hauora, the hauora of our whenua and the hauora of our people.

*"Hoki atu ki tōu maunga kia purea ai koe e ngā hau a Tawhirimatea"*  
Return to your mountain and be purified by the winds of Tawhirimatea

This whakataukī resonates with us as we prepare for this journey to re-connect and engage with our tāonga, our whenua that has been bequeathed to us by our tipuna.

Ko Te Awaopūtahi te maunga  
Ko Taurekaitai te awa  
Ko Takitimu te waka  
Ko Ngāti Kere te hapū  
Ko Rongomaraeroa te marae  
Ko Tipene Matua te Tīpuna  
Ko mātou ngā uri o Ruahuihui Ngakauri Tipene Matua raua ko Heta Kani

The intention of our tīpuna was that we retained our whenua and utilised it to empower the growth and development of our whānau, that we cherished this whenua and remained connected to it and our culture, that we sustain our identity as the descendants of Ruahuihui and her forebears.

Being able to access our land, create opportunities for our whānau and re-build the connection to the whenua will allow our whānau to come home. To be a part of progressive opportunities, teaching our tamariki how to live off the land, to live sustainably and teaching our children how to look after Papatūānuku is the dream of our current generation. To gather knowledge, set up and run our own businesses. It's amazing how a bridge is the pathway to endless opportunities.

6. This project will be based in the region of:

7. What type of funding is this application for:

[Note: the most appropriate funding type will be determined by the PDU in consultation with the applicant]

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

|                    |                        |                         |                        |
|--------------------|------------------------|-------------------------|------------------------|
| <b>Start Date:</b> | Commercial Information | <b>Completion Date:</b> | Commercial Information |
|--------------------|------------------------|-------------------------|------------------------|

9. Has this project / activity been previously discussed with any part of Government? Yes:  No:

- If Yes, please describe which part of government, and what the outcome of the discussions were.

Mangamaire Trust has received funding from MPI's Maori Agribusiness Fund to complete the Land Feasibility Study – see Appendix 1 for copy. **Withheld - Commercial Information**

10. Have you previously received Government funding for this Project? Yes:  No:

- If Yes, please list which part of the Government, when the funding was received, and how much under Q11.

11. Are you an overseas investor for the purposes of the Overseas Investment Act? Yes:  No:

To find out if you are an overseas investor, and find support, please visit the Overseas Investment Office [website](#).

12. Please set out the proposed sources of funding for the Project:

| Source of Funding:<br>[please indicate where all other funding is sourced from, noting who the funder is] | \$ (excluding GST)     | Status / Commentary<br>[i.e. received / confirmed / in principle] |
|-----------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------|
| Provincial Growth Fund Funding (through this application)                                                 | \$535,000.00           |                                                                   |
| Mangamaire Trust (labour to assist with fencing and farm track)                                           | Commercial Information | Commercial Inform                                                 |
| <b>Total:</b>                                                                                             | Commercial Information |                                                                   |



**Part B: Project Description**

13. This application is: "a stand-alone activity"  or "in support of a wider project/programme"

14. Will additional funding be required in the future? Yes:  No:

If Yes, please describe at a high level, what this may include, and when this is likely to be applied for.

- Construction of a building that would be a focal point for Shareholders, local community, schools and provide accommodation for the planned hunting tours
  - Possible upfront establishment costs for the <sup>Commercial Information</sup> operation
  - <sup>Commercial Information</sup>
- Timing for future application to be confirmed.

15. Has a feasibility study, or equivalent, been conducted prior to this application? Yes:  No:

- If Yes, please provide a copy, including an overview of the feasibility study and any outcomes.
- If No, please explain why not; and how feasibility/viability of the project has been assured.

Mangamaire Trust commissioned a feasibility study by <sup>Commercial Information</sup>. The feasibility study was designed to explore the options available to generate a profit from the Mangamaire A1, A2A and A4 blocks while managing the land in a sustainable manner. The feasibility study was funded by MPI through their Maori Agribusiness Fund. The feasibility study outlines:

- cost of access bridge and farm track installation
- a number of proposals worth exploring in more detail (post installation of the bridge and farm track), noting that a number of the options could be implemented together depending of the level of funding available and desire of the Trustees:
  - <sup>Commercial Information</sup>
  - <sup>Commercial Information</sup>
  - <sup>Commercial Information</sup>
  - <sup>Commercial Information</sup>

Full copy of the Feasibility Study can be found in Appendix 1. Withheld - Commercial Information

<sup>Commercial Information</sup>

16. Please provide a detailed description of this project for which funding is being applied, including the benefits arising from the project:

Currently the access to our land is very limited. It's almost non-existent. Entrance to the Mangamaire block is by crossing the stream when the water levels are safe. The Mangamaire has never had a bridge to allow vehicle access to our land. Many years ago the stream was able to be crossed in the summer season when the water levels were low. However, storms and flooding has eroded the banks taking away the ability to cross and the stability of the surrounding whenua.

Free and frank opinions

The inability to access our land has been very detrimental to our whānau. Throughout the years the lease of the land for grazing has been limited to neighbouring farmers, because they can access our property through their own. This has worked well for them as we were unable to make improvements or provide maintenance to our land i.e. reticulated water, fencing, due to lack of access, therefore keeping the grazing prices to a minimum and a monopoly on our land.

Free and frank opinions

Free and frank opinions

We are owners and beneficiaries of a pristine whenua, yet we were not experiencing the benefits of this taonga that was left to us by our ancestors. Others who own this much land are able to create opportunities for their whānau, live sustainable lives and be connected to their whenua. This has not been the case for our whānau.

PGF Funding is requested for:

- installation of a bridge from Wimbledon Road over Mangamaire Stream into the A4 block \$ Commercial Info
- development of a farm track \$ Commercial In
- repair of fencing on grazing block \$ Commercial
- upgrading stock water system \$ Commercial

Installation of vehicle access to the Mangamaire landblocks will result in The Trust being able to increase the profitability of our land through improved grazing but also to implement new land uses (outlined below):

Commercial Information

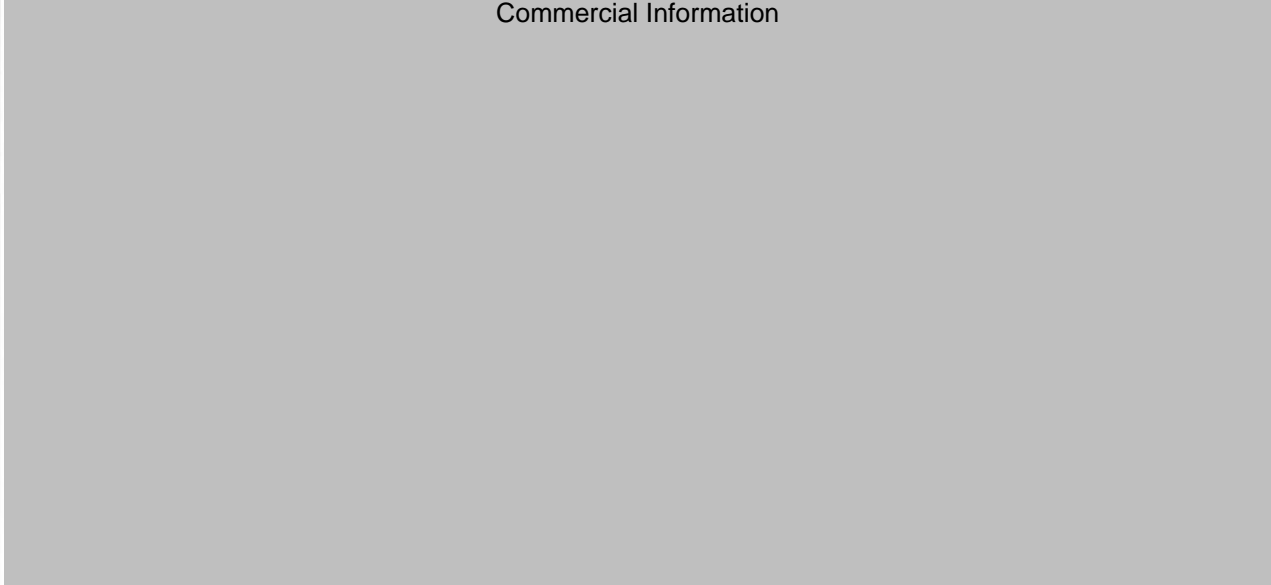
**Note** that since completion of the Feasibility Study The Trust has received a more favourable quote from Commercial Inform seasonal income of \$ Commercial Info from Commercial Informa including landowner percentage profit of Commercial Inform %.



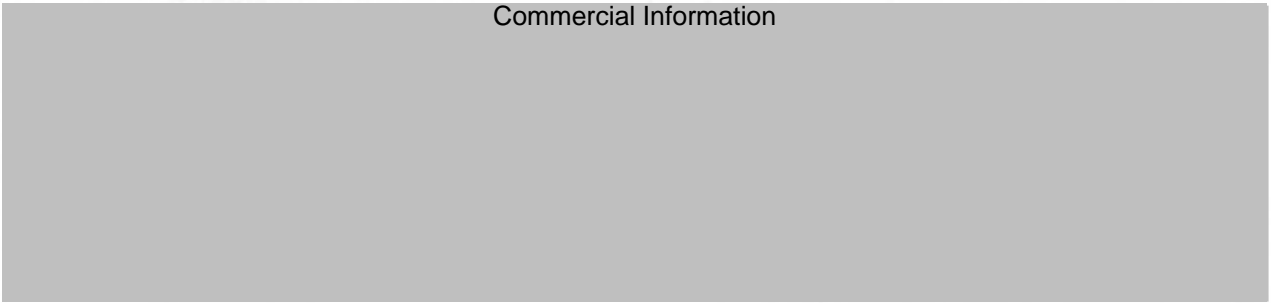
Commercial Information



Commercial Information



Commercial Information



| <b>Planned Land Use</b> | <b>Forecast Income pa</b> |
|-------------------------|---------------------------|
| Commercial Information  | Commercial Information    |
| Commercial Information  | \$ Commercial Information |
| Commercial Information  | \$ Commercial Information |
| Commercial Information  | Commercial Information    |
| <b>Total NEW income</b> | Commercial Information    |

Mangamaire A4





17. How does this project demonstrate additionality within the region?

Mangamaire Trustees have never had vehicle access to their land. This has severely limited options for productive use of the land. The single option has been a grazing lease by current neighbours that only generates a pa net income of \$<sup>Commercial Information</sup>. The Trust has a current bank balance of approximately \$<sup>Commercial Information</sup>

**Commercial Information**

Free and frank opinions

Commercial Information

When we<sup>Privacy of natural persons</sup> first became trustees a neighbouring farmer was leasing the land<sup>Commercial Information</sup>

**Commercial Information**

This project will open up access to the Mangamaire landblocks and enable Trustees to establish productive uses for their land.

18. How is the project connected to regional (and sector) stakeholders and frameworks?

This project has the full support of its owners and Trustees.  
The project will enable multiple land use options to be implemented on the Mangamaire land blocks and increase profitability where there has been no viable options prior.

The number of MAPIP (Maori Agribusiness Pathway to Increased Productivity – MPI) applications in the Porangahau area are slowly mounting. <sup>Commercial Information</sup>  
enormous interest from local Maori land owners. MPI is very active in Porangahau and expect the number of applications for funding to grow exponentially in the coming months. We are pro-active in informing other Maori land owners of what is on offer from both MPI and MBIE. We are also conscious that PGF has a finite date and land owners need to move quickly to take advantage of current funding.

Our project is ground breaking in terms of liberating Maori freehold landlocked land. So much Maori land is inaccessible and this is a primary opportunity for us as land owners to break the deadlock.

## 19. How will your project lift productivity potential in the regions?

[We want to understand how your project will meet the primary objective of the fund: "to lift productivity potential in the regions". Please provide a description of this and where relevant, please cover how your project contributes to the following outcomes:

| PGF Outcome                                                                                                | ✓                        | How will the project positively or negatively impact this outcome in the region(s) identified?                                                                 |
|------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Increase economic output                                                                                | ✓                        | Land use options with ability to generate income will become possible with installation of a bridge and further remedial work to fences and stock water supply |
| 2. Enhance utilisation of and/or returns for Māori assets                                                  | ✓                        | See above                                                                                                                                                      |
| 3. Increase productivity and growth                                                                        | ✓                        | Forecast income of \$ <sup>Commercial In</sup> to be generated from<br>Commercial Information                                                                  |
| 4. Increase local employment and wages (in general and for Māori)                                          | ✓                        | Development of industry on Mangamaire will provide job opportunities for whanau                                                                                |
| 5. Increase local employment, education and/or training opportunities for youth (in general and for Māori) | ✓                        | See above                                                                                                                                                      |
| 6. Improve digital communications, within and/or between regions                                           | <input type="checkbox"/> | N/A                                                                                                                                                            |
| 7. Improve resilience and sustainability of transport infrastructure, within and/or between regions        | <input type="checkbox"/> | N/A                                                                                                                                                            |
| 8. Contribute to mitigating or adapting to climate change                                                  | ✓                        | Commercial Information                                                                                                                                         |
| 9. Increase the sustainable use of and benefit from natural assets                                         | ✓                        | Increased sustainability of the land and land use for future generations                                                                                       |
| 10. Enhance wellbeing, within and/or between regions                                                       | ✓                        | Jobs for families and potential to act as a catalyst for increasing productivity of other Maori owned landblocks across the surrounding regions                |
| Total number of outcomes project contributes to                                                            | 8/10                     |                                                                                                                                                                |



20. Has public consultation been conducted?

Yes:

No:

- If yes, what were the results?
- If no, is there a plan to do so?

N/A. There is no plan for public consultation on this project given this project is specific to a Maori Land Trust owned land block.

Council Consent process will be followed for bridge installation. <sup>Commercial Informa</sup> advised that consent process should take between 2 weeks and 1 month.

21. Please provide your customer demand / market analysis for this project, covering the following where possible:

- What is the current market for this project's outcome, and what is your current involvement in the market?
- What opportunities are there to *expand* market activity (i.e. what is the customer demand)?
- What customer market relationships do you have to leverage success of the outcomes of this project?
- Is the project primarily aimed at enhancing the share of a single market? If so, please detail the proposed markets with this intention.

N/A

22. Where the project utilises land, does the land have any other interests associated with it? (i.e. Treaty claims, or iwi/hapū ownership)

Yes:

No:

23. Is the land is owned by others, i.e. not solely by the applicant?

- If yes, then please describe the other interests and how will this be managed?

The land is owned by <sup>Comme</sup>shareholders and Trustees. <sup>Privacy of natural persons</sup> hold overall responsibility for management of the project.

24. Does the land have appropriate Resource Management Act consents?

Yes:

No:

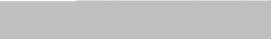
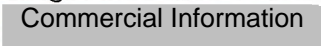
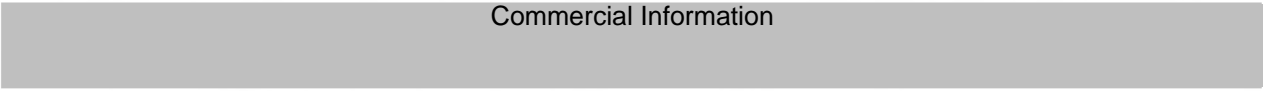

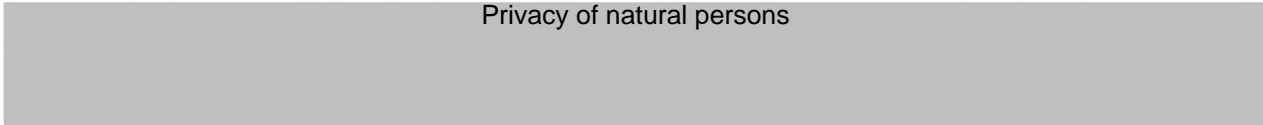
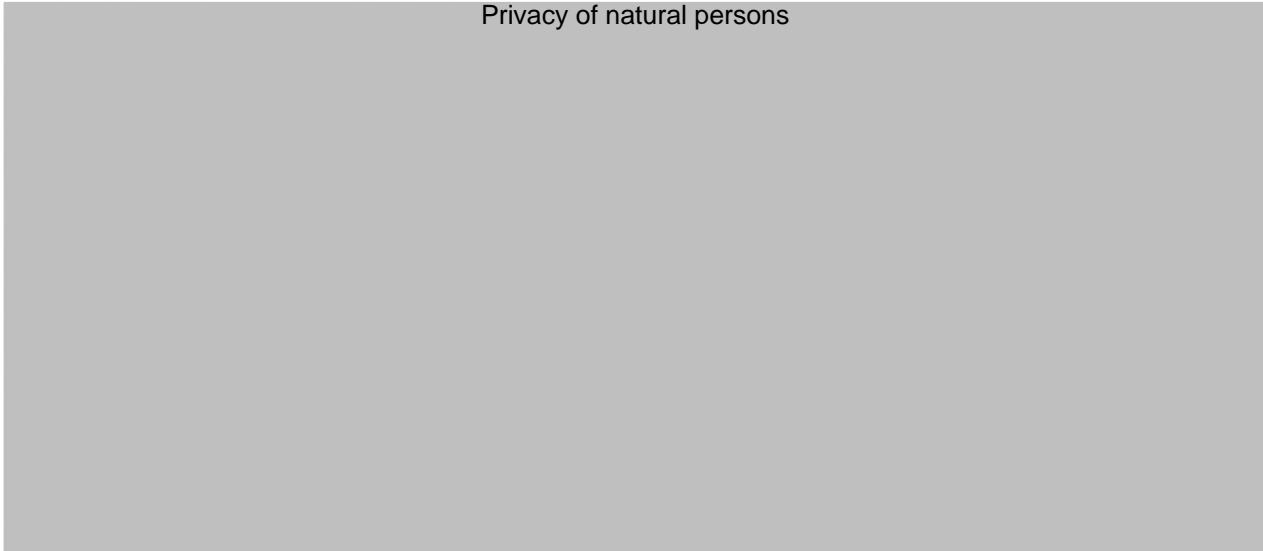
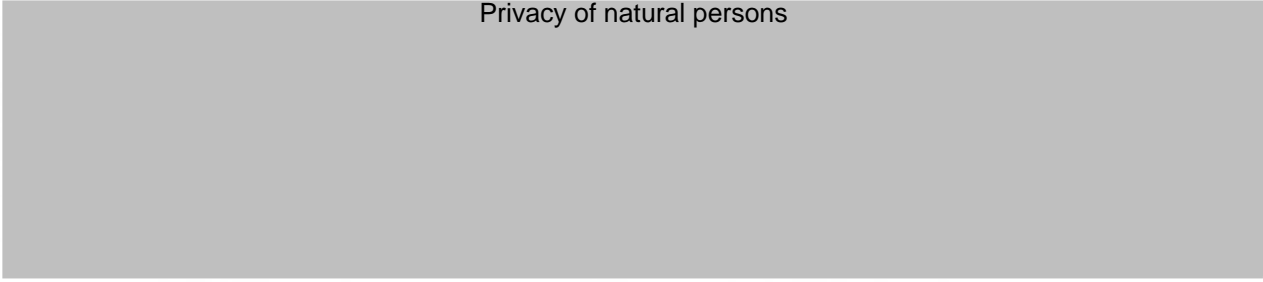
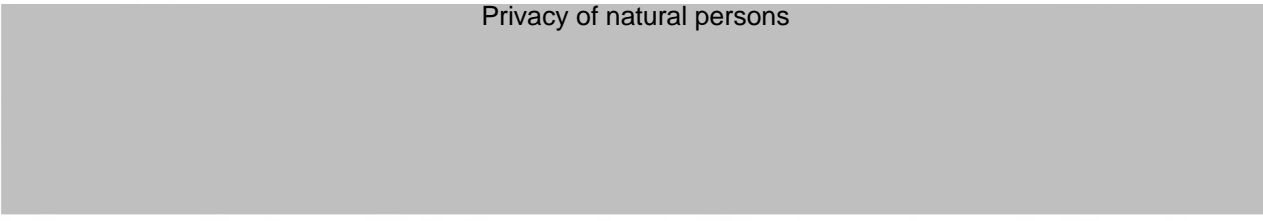
- If no, how and when will this be addressed?

N/A

**Part C: Project Delivery**

[Please note – this section refers to the actual activity associated with this application.]

25. Please provide an overview of the project management approach / plan for this activity.

Bridge installation will be managed by  Commercial Information  
  
Commercial Information  
  
Key Trustees are  Privacy of natural persons  
  
Privacy of natural persons  
  
Privacy of natural persons  
  
Privacy of natural persons  


26. Have you have independent verification of the project approach / plan?

Yes:

No:

If yes, who verified the project and when?

Commercial Information

27. Please provide us with a project plan, where possible please attach a schedule (i.e. Gantt chart):

*[Please use the following table to describe the milestones of the project, if preferred, a schedule can be provided]*

| # | Project Activity                                     | Responsible:           | Date / Period:         |
|---|------------------------------------------------------|------------------------|------------------------|
| 1 | Development of a detailed Commercial Information Com | Commercial Information | Commercial Information |
| 2 | Installation of access bridge                        | Commercial Information | Commercial Information |
| 3 | Development of farm track                            | Commercial Information | Commercial Information |
| 4 | Repair of fencing                                    | TBC                    | Commercial Information |
| 5 | Update to stock water system                         | TBC                    | Commercial Information |

**Note** that dates are subject Contractor/Supplier confirmation – to be finalised through completion of the business plan Commercial Information

28. Please provide a complete breakdown of the costs of the project to assist us in understanding where the funds will be utilised:

*[Note that figures in this table must align with other figures provided in Q11. Please use as many lines as it takes to provide us with the appropriate detail. If more suitable, please attach a budget spreadsheet to this application]*

| Cost Description:                 | \$ (excluding GST)        |
|-----------------------------------|---------------------------|
| Commercial Inform – access bridge | \$ Commercial Information |
| Farm track construction           | \$ Commercial Information |
| Fencing repair                    | \$ Commercial Information |
| Stock water system update         | \$ Commercial Information |
| <b>Total</b>                      | \$ Commercial Information |

29. What are the proposed deliverables if funding is approved?

| # | Description             | Payment criteria:                         | Invoice Value \$ (Exc. GST) | %        | Invoice Date:               |
|---|-------------------------|-------------------------------------------|-----------------------------|----------|-----------------------------|
| 1 | Bridge Construction     | On completion and presentation of invoice | \$                          | [Comm%]  | Click here to enter a date. |
| 2 | Farm track construction | On completion and presentation of invoice | \$                          | Comme%]  | Click here to enter a date. |
| 3 | Fencing Installation    | On completion and presentation of invoice | \$                          | Commer%] | Click here to enter a date. |
| 4 | Stock Water upgrade     | On completion and presentation of invoice | \$                          | Comme%]  | Click here to enter a date. |
| 5 | Other                   |                                           | \$                          | Comme%]  | Click here to enter a date. |

## 30. Please provide a description of why Government funding is required to deliver this project?

Government funding is required to deliver this project because:

Due to lack of vehicle access to Mangamaire landblocks Trustees have not been able to generate enough income from the land to fund installation of a bridge and other remedial work. The Trust has approximately Commercial Information in their bank account. In past years The Trust has tried unsuccessfully to have installation of a bridge funded by local/central government. Commercial Information

The inability to access our land has been very detrimental to our whānau. Throughout the years the lease of the land for grazing has been limited to neighbouring farmers because they can access our property through their own. This has worked well for them as we were unable to make improvements or provide maintenance to our land i.e. reticulated water, fencing, due to lack of access, therefore keeping the grazing prices to a minimum and a monopoly on our land.

Commercial Information

## 31. Please provide an overview of the applicant's relevant skills and experience for delivering a projects of this nature:

*[We would like to understand your relevant experience to assist in delivering this project. In addition, any track record you may have delivering projects of a similar size, scope, or complexity, and how these projects will enable the future success of your business. If you do not have the experience, then please indicate how you will manage this risk.]*

See question 25.

## 32. Please outline the project team and explain the Governance arrangements for this project

Privacy of natural persons hold responsibility for providing project updates, reporting through to the Trustees and ensuring all Trustees fully understand the land use changes proposed.

Governance of this project will be overseen by The Trustees. MPI will work alongside us to assist where possible.

Next AGM is 30 November 2019 – a report will be provided to all Trustees and landowners.

Continual communication is currently provided to Trustees of activity with MPI Commercial Information and outcomes of the Feasibility Study to date. Regular and transparent communication will continue. Trustees were consulted on the initial proposal and outcomes from the Feasibility Study. Bridge installation to provide access has been fully endorsed by Trustees.



33. What procurement process has been undertaken (i.e. selection of a provider), or will be undertaken, and how will that be managed? In addition, please provide a description of how greater public value will be achieved through the procurement process, for example by considering one or more of the following:

- How regional businesses (inc. Māori / Pacifica enterprises) will be provided with opportunities
- How skills will be developed in the market (i.e. via construction apprenticeships)
- How worker conditions in the supply chain will be improved / managed
- How waste / emissions are being reduced in this procurement.

For more information, please visit: <https://www.procurement.govt.nz/broader-outcomes/>

Multiple quotes for work sought as part of the MPI funded Feasibility Study.

- Commercial Informa provided most competitive quote for the bridge, also will ensure minimal disruption to the bank support from regional council.
- Commercial Informa provided most competitive costs and landowner percentage of profit %.

34. What risks are associated with the delivery of this activity?

| # | Risk                                                                    | Mitigation approach                                                                                                                                                              | Rating |
|---|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1 | Commercial Information                                                  | Commercial Information                                                                                                                                                           | Low    |
| 2 | Key Contractors are not able to schedule in the project for some months | The Trust has engaged with <span style="background-color: #cccccc; padding: 0 2px;">Commercial Informa</span> as key contractor and notified them of funding decision timeframes | Low    |
| 3 | Costs exceed those budgeted                                             | Quotes received from Contractors                                                                                                                                                 | Low    |

35. Will the applicant own the asset on delivery?

Yes:

No:

- If no, please describe who will own the asset.

36. When the project is delivered, what is the plan to operationalise the asset (if an asset), and maintain it through life?

*[We would like to understand what will happen after the funding has been used, and the project is delivered. Please cover how sustainable the resulting asset will be in terms of funding, skills required, and consumer demands etc.]*

The detailed business plan will provide detailed implementation plan and also include ongoing management arrangements for the project.

Profits from land use initiatives are expected to achieve profits within Commercial Information of implementation, providing the Trust with funds to maintain the land use initiatives and build up funds for ongoing management of the Mangamaire landblocks.

37. What will the impact be on the applicant's financial accounts?

The PGF funding will enable The Trust to implement initiatives that will earn a profit well in excess of current grazing arrangement.

**Part D: Declarations**

Commercial Information

- 38. 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
  
- 39. Has this activity ever been declined Crown Funding in the past?
  
- 40. Has the applicant or the contracting entity ever been insolvent or subject to an insolvency action, administration or other legal proceedings?
  
- 41. 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?
  
- 42. 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?
  
- 43. 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?
  
- 44. 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 39 to 44, 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](mailto:PGF@mbie.govt.nz); and
- 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.

Privacy of natural persons

Full name:

Privacy of natural persons

Title / position:

Signature / eSignature:

Date:

Commercial Information

01st November, 2019



## **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 (or e-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.

### **Electronic signature**

You can only file documents and information with us using an electronic signature if you're the signatory, or have authority to act on behalf of the signatory, and are using software that complies with our standards, in particular keeping records of transactions where an electronic signature has been used. Once a document with your electronic signature has been filed with us, we consider the information:

- has been provided with your full knowledge and agreement
- is authentic and accurate
- wasn't amended after your electronic signature was added to the document, unless a change has been clearly marked on the document.

You're responsible for:

- safeguarding how and when your electronic signature and credentials are used on documents and information
- managing who has authority to use your electronic signature on your behalf, for example, a chartered accountant.

If your electronic signature on a document or information is filed with us, you won't be able to dispute having signed and approved the document or information. If we question the authenticity of an electronic signature or online transaction, you must be able to demonstrate on request the validity of the software used to apply your electronic signature to the document.

You must use electronic signature software that captures authentication, time and source details for any online transaction where a document with your electronic signature has been filed. These details must be held within the software itself, in the form of a file that:

- is maintained in its original form with no amendments, and
- can be provided to us, if requested, within a specified time.

The file must be treated as a record, as defined by the Companies Act 1993, and a business record as defined by the Evidence Act 2006.

## Appendix 2 - Operational criteria for all tiers of the Fund

### Link to Fund and government outcomes

- Demonstrate the ways in which the project will contribute to lifting the productivity potential of the region
- Demonstrate how the project contributes to the Fund's objectives of:
  - more permanent jobs
  - benefits to the community and different groups in the community
  - increased utilisation and returns for Māori from their asset base (where applicable)
  - sustainability of natural assets (e.g. water, soil integrity, the health and ecological functioning of natural habitats)
  - mitigating or adapting to climate change effects, including transitioning to a low emissions economy
- Clear evidence of public benefits (i.e. benefits other than increased profitability for the applicant)
- Are in a Government priority region or sector

### Additionality

- Project is not already underway, does not involve maintenance of core infrastructure or assets (except for rail and transport resilience initiatives), and does not cover activities the applicant is already funded for (funding could be considered to increase the scale of existing projects or re-start stalled projects)
- Demonstrated benefit of central Government investment or support
- Detail of any supporting third party funding (and any funding sought unsuccessfully)
- Acts as a catalyst to unlock a region's productivity potential
- Demonstrated links to other tiers of the Fund and related projects, to maximise value of Government investment

### Connected to regional stakeholders and frameworks

- Evidence of relevant regional and local support, either through existing regional development mechanisms, or through another relevant body such as a council, iwi or other representative group (or reasons for any lack of local support)
- Has been raised and discussed with the region's economic development governance group
- Alignment with, or support for the outcomes of, any relevant regional development plan, Māori development strategy or similar document (whether regional or national)
- Demonstrated improvement in regional connectedness (within and between regions)
- Leverage credible local and community input, funding, commercial and non-commercial partners
- Utilise existing local, regional or iwi/Māori governance mechanisms

### Governance, risk management and project execution

- Evidence of robust project governance, risk identification/management and decision-making systems and an implementation plan appropriate to the size, scale and nature of the project
- Future ownership options for capital projects, including responsibility for maintenance, further development, and other relevant matters
- Benefits and risks clearly identified and quantified, depending on the scale of the initiative
- Evidence of potential exit gates and stop/go points, and a clear exit strategy
- Clearly identifies whole of life costs (capital and operating)
- Dependencies with other related projects are identified
- Evidence of sustainability after conclusion of PGF funding
- Adequacy of asset management capability (for capital projects)
- Compliance with international obligations (where relevant)