



Queensland Remembers Grants Program



Major Capital Works grants program ROUND 4 GUIDELINES



**Queensland
Government**

Major Capital Works grants program round four guidelines

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Interpreter



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Acknowledgement

We respectfully acknowledge the Aboriginal and Torres Strait Islander Traditional Owners and Elders of the lands and seas on which we meet, live, learn and work.

We acknowledge those of the past, the ancestors whose strength has nurtured this land and its people, and who have passed on their wisdom.

We acknowledge those of the present for their leadership and ongoing efforts to protect and promote Aboriginal and Torres Strait Islander peoples and cultures.

We acknowledge those of the future, the Elders not yet born, who will inherit the legacy of our efforts.

We recognise it is our collective efforts, and responsibility as individuals, communities and governments, to ensure equality, recognition and advancement of Aboriginal and Torres Strait Islander Queenslanders across all aspects of society and everyday life.

Veterans Acknowledgement

We extend our deepest gratitude and heartfelt appreciation to all veterans who have served our nation with unwavering courage, selflessness, and dedication. Your sacrifices have safeguarded our freedoms and preserved the values we hold dear.

We acknowledge the challenges you have faced, the hardships endured, and the burdens carried in the name of duty. Your resilience in the face of adversity serves as a beacon of hope and resilience for us all.

We also recognise the families of veterans who have stood steadfastly by their side, offering unwavering support and sacrifice of their own. Your strength and determination serve as a testament to the bonds of love and dedication that uphold the defence community.

Today, and every day, we honor and remember our veterans, ensuring that their service and sacrifices are never forgotten. Your legacy will endure, inspiring future generations to uphold the values of freedom, justice, and democracy for which you have fought so valiantly.



1. Overview of the program

The *Queensland Remembers Grants Program* offers three grant streams:

- **Queensland Remembers – Community grants program**
Funding up to \$50,000 (excluding GST) to deliver commemorative activities or events and projects such as the creation or refurbishment of war memorials, avenues of honour and memorial gardens.
- **Queensland Remembers – Minor Capital Works grants program**
Funding up to \$50,000 (excluding GST) to deliver minor capital works projects such as repairing or maintaining buildings or facilities, or for the purchase of equipment.
- **Queensland Remembers – Major Capital Works grants program**
Funding between \$50,000 and \$250,000 (excluding GST) to deliver major capital works projects such as building refurbishments or upgrades, improving access for people with a disability or upgrading communal meeting areas.

This document sets out the guidelines for the fourth round of the *Queensland Remembers – Major Capital Works grants program* (*Major Capital Works grants program*).

More information and guidelines for the *Queensland Remembers – Minor Capital Works grants program* and *Queensland Remembers – Community grants program* can be found at www.qld.gov.au/remembersgrants

Applicants can submit different applications across all three streams of the *Queensland Remembers Grants Program* if the applications are for different projects.

Multiple applications for the same project are **not** permitted.

Projects funded under a previous round of the *Queensland Remembers Grants Program* will not receive additional funding for the same project or subsequent stages of the same project in future funding rounds.

The Office for Veterans, Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts (DTATSIPCA) is responsible for administering this grants program.

2. Program objective

The primary objective of the *Major Capital Works grants program* is to provide support for the veterans' community through improved infrastructure.

3. Expected program outcomes

The *Major Capital Works grants program* will:

- improve the use of facilities accessed by veterans and their families, by addressing safety and accessibility
- expand the range of uses of a facility to attract new members or users.
- improve efficiencies in operation of the facility, improve financial sustainability or enable the purchase of equipment.



4. Key dates

Projects funded under this round of the *Major Capital Works grants program* must be delivered and acquitted within two years, between **1 March 2025** and **28 February 2027**.

Round opens	1 July 2024
Round closes	23 September 2024
Applicants notified	February 2025
Project commencement	From 1 March 2025
Project completion	Projects must be delivered by 28 February 2027

Please note: the above dates are indicative only and may be subject to change.

5. Program funding

Funding is available from \$50,000 up to a maximum of \$250,000 (excluding GST) per project, to deliver capital works projects such as building refurbishments or upgrades, improving access for people with a disability or upgrading communal meeting areas.

Expenditure incurred before 1 March 2025 is ineligible for funding.

Written quotes must be provided with the application, for all items over \$1000 (excluding GST).

At least 20 per cent of the total project costs must be met from the applicant's own or other sources. This contribution can be comprised entirely of cash or a combination of cash and in-kind support. However, the in-kind support cannot exceed half of the applicant's contribution.

Applicants unable to provide the minimum 20 per cent contribution are still able to apply for funding but must clearly outline the reasons for this limitation and their attempts to secure other funding in the application form.

Applications may include project management fees of up to five per cent of total project costs, exclusive of GST.

Applicants cannot apply for funding under this grants program if they have already received funding for the same expenditure item(s) from another funding source. Applicants will be asked to provide a detailed breakdown of funding support in the application form.

Applicants with outstanding financial accountability, service delivery or performance issues for activities previously funded by the Queensland Government may be ineligible to receive funding under this grants program. Applicants are required to declare any issues during the application process.

Capital works funding will be contingent on the infrastructure being used by the applicant or eligible third party for *at least five years* after the funded work program is completed.

Applicants may be offered a smaller funding amount than applied for in their application. This may be due to factors including, but not limited to:

- items that are ineligible for funding being incorrectly included in the funding sought
- amounts included in the project budget that have been rounded up from quotes
- items in the project budget that incorrectly include GST
- the *Major Capital Works grants program* being oversubscribed.



In these circumstances, a revised project plan or budget may be requested, noting the applicant is required to contribute at least 20 per cent of the total project costs.

Applicants are requested to indicate on their application whether they will accept partial funding, if the grant amount offered is less than the funding sought.

The applicant will also be responsible for meeting any cost increases that may occur over the course of the project.

6. Eligibility

6.1 Eligible organisations

Organisations providing services to the veterans' community are eligible to apply for funding, including:

- ex-service organisations
- other not-for-profit organisations that have a core purpose of providing assistance to the veterans' community.

In addition, to be eligible for funding applicants must:

- be an incorporated body
- have an Australian Business Number (ABN)
- be financially solvent
- be based in Australia, provided the capital works project is located in Queensland
- have met acquittal conditions for previous Queensland Government grant funding (if applicable)
- have appropriate public liability insurance cover (at least \$20 million).

6.2 Ineligible organisations

Ineligible organisations include:

- individuals
- organisations operating on a 'for profit' basis
- local councils
- hospitals, nursing homes or health care centres
- primary or secondary schools, universities, technical colleges and parents' and citizens' associations
- state or federal government departments
- government owned corporations
- political parties.

6.3 Auspicing and joint applications

Applications for a grant under the *Major Capital Works grants program* cannot be auspiced.

If multiple organisations apply together as part of a joint application, one organisation must nominate as the lead applicant and accept legal and financial responsibility for the grant. This should be the landowner or lease holder.

6.4 Eligible projects

While it is not possible to provide an exhaustive list of projects and items that are eligible or ineligible for funding, the lists below provide a general guide.

Capital works and building projects will be considered where they improve or expand the use of the building and/or facility by veterans or ex-service organisations. All projects must provide a direct and primary benefit to the veterans' community and be consistent with the objectives of the *Major Capital Works grants program*.



Examples of eligible projects include:

- the upgrade or development of meeting rooms, service delivery or activity areas
- improvements to kitchens, bathrooms, toilets or outdoor undercover areas
- adding or improving access for people with a disability through the widening of doors or corridors, or the installation of ramps, accessible toilets or meeting areas etc.
- improving the venue layout, flooring, roofing, windows or other aspects
- the installation of lighting for the facility to increase accessibility and security (excludes general lighting)
- the installation or upgrade of libraries, storage or museum spaces for war heritage collections
- the construction of new facilities or infrastructure that will directly support the provision of services to veterans and their families.

Where appropriate, applicants planning to undertake major capital works projects should contact peak bodies, local governments, and regional or state organisations to seek their support and input into the planning, design and approvals of proposed changes. Evidence of this should be provided with the application form e.g. building approvals.

Applicants must ensure that the project meets relevant legislative requirements and other Australian standards, and appropriately qualified, professional service providers are engaged to undertake the works where relevant. In addition, applications should demonstrate how the principles of universal design, environmentally sustainable design and health and wellbeing design have been incorporated where applicable.

Universal design

Universal design is a term used for projects that result in more accessible and functional venues through improving access, e.g. ramps, lifts, wider doors etc, and/or functionality and usability, e.g. design that accommodates the diverse range of user needs.

Environmentally sustainable design

Environmentally sustainable design is a term used for projects that result in energy efficiencies, reduced resource consumption and costs, e.g. the inclusion of insulation, solar panels, upgrading electrical systems, ensuring water efficiencies, improving lighting, heating, cooling, ventilation systems.

Health and wellbeing design

Health and wellbeing design is a term used for projects that result in places that support the physical and mental health of veterans and the veterans' community. Healthy places encourage activity, bring community together and encourage participation, e.g. activity areas including landscaping, gardens or gathering spaces.

6.5 Ineligible projects

Examples of ineligible projects are those that:

- do not provide a direct and primary benefit to the veterans' community
- are not undertaken in Queensland
- are privately owned projects or projects on private land
- result in a profit
- involve purchasing an asset or conducting works to an asset that will not be owned and/or controlled by the applicant or eligible third party for at least five years
- are the responsibility of other authorities, e.g. roads, footpaths, gutters
- prohibit public access
- involve smoking and/or gambling areas
- have not completed all requirements in the application form including providing evidence of consent, or support and financial commitment from any funding partners.

In addition, funding will not be approved for expenditure items that have been funded by other external funding sources or items that have been ordered or purchased before **1 March 2025**.



6.6 Property ownership

Evidence must be provided of ownership of the property. Where the applicant does not own the premises on which the works are proposed, the following are mandatory requirements:

- written consent from the relevant property owner approving the project, e.g. local government authority
- evidence from the property owner or landlord that the applicant or eligible third party has approval to use the property for at least **five years** from the date of the project completion and the facility will be used to support the veterans' community.

6.7 Eligible and ineligible items

Total project costs are likely to include a mix of eligible and ineligible items. Ineligible items are not funded by the grants program and will need to be met by the applicant.

Eligible items

Examples of eligible items include:

- construction costs, such as all site works required as part of the construction, and construction related labour, materials and equipment hire
- detailed design, e.g. the production of final or tender design drawings and/or specifications
- freight directly related to the project
- management costs, e.g. technical or professional adviser fees third party (details of the project management plan will be required)
- tradespeople or expert professionals who are engaged with delivering the project (all suppliers must have a valid ABN)
- signage costs relating to the project, including permanent signage, e.g. acknowledgement plaques
- any other costs deemed eligible by DTATSIPCA.

Ineligible items

Examples of ineligible items include:

- expenses incurred before **1 March 2025**
- accommodation and travel, including vehicle hire
- transportation costs, e.g. motor vehicle, taxi, toll and parking costs
- catering, hospitality, entertainment and official opening expenses, excluding permanent signage
- core business and general ongoing operating costs of the applicant (or a partner organisation/s if a collaborative project) including utility costs, ongoing routine operating and maintenance costs, or rent or venue hire for the organisation's day-to-day operations
- contingency costs, i.e. money budgeted or set aside for costs not yet incurred
- costs beyond the project period, e.g. ongoing costs for administration, operation, maintenance or management once the project has been completed
- costs of receiving financial advice
- donations, sponsorships or grants to third parties
- donations or payments to volunteers
- electrical works or equipment outside the scope of the project
- general fencing, streetscaping, landscaping, gardening or beautification activities unless the activities are an integral part of the overall project, incorporate universal design principles and do not exceed the boundaries of the project
- goods, services and fees from related parties, including companies with shareholdings or directors, board members, employees or immediate family



- in-kind support exceeding half of the organisation's contribution
- legal costs
- marketing or advertising advice or services
- other ongoing (recurrent) expenditure items
- purchase of core business capital equipment, e.g. vehicles, office equipment, computers, laptops or mobile phones
- regular maintenance work that should normally be undertaken to keep the premises in good repair
- repayment of debts and loans
- salaries and wages of regular staff, overtime, meal allowances, honorariums, superannuation, fringe benefits tax, internal training, scholarships or similar expenses
- statutory fees and charges, or any costs associated with obtaining regulatory and/or development approvals including grant writer fees, e.g. fees to manage grant applications and funding
- subsidies e.g. using *Major Capital Works grants program* funding to acquire or gain eligibility for other grants or contributions
- sponsorship, e.g. using *Major Capital Works grants program* funding to secure sponsorship for the organisation
- restoration of graves
- trophies, prizes, awards, gifts or medallions
- vehicle or office equipment leasing.

The above list identifies examples of ineligible costs but is not intended to be exhaustive.

7. Applications

Applications are only accepted through the SmartyGrants online portal, which is available at <https://premiersqld.smartygrants.com.au/QRMajorCapitalWorksRound4>. The application form must be completed by a person authorised to submit the application on behalf of the organisation. Applications will not be accepted in person, by email, post, fax, or once the closing date for applications has passed.

The applicant will receive an instant email notification from the SmartyGrants online portal confirming submission of the application. If the applicant does not receive this notification, contact Office for Veterans on (07) 3003 9398 to confirm that the application form has been submitted correctly.

For guidance on using the SmartyGrants online portal please consult the [Help Guide for Applicants \(smartygrants.com.au\)](https://www.smartygrants.com.au/help)

Answers to [frequently asked questions](#) about the *Queensland Remembers Grants Program* are available online at www.qld.gov.au/remembersgrants.

8. Application process

Step 1: Check eligibility

Check that the applicant and project are eligible for funding by reviewing these guidelines, the [frequently asked questions](#) or emailing queenslandremembers@premiers.qld.gov.au

Step 2: Prepare supporting documents

Prepare the following documents and submit with the application:

- project plans with start and end dates, timelines for key activities, responsibilities and implementation stages
- detailed budget and written quotes for project costs from appropriately qualified persons. *Please supply the preferred quote(s) only (not competitive quotes for the same service)*
- a copy of the final construction or engineering design certification



- demonstration that the works to be undertaken will be completed by appropriately qualified persons and meet all relevant building standards and regulations for public buildings
- General Exemption or Heritage Exemption Certificates (if applicable) for heritage listed sites. *For more information on the application process visit <https://www.qld.gov.au/environment/land/heritage/development/approvals>*
- photographs and plans showing location of the proposed project and draft designs of the infrastructure to be repaired or maintained or upgraded
- letters of support from other organisations, agencies or partners involved in the project (on letterhead and signed), where relevant
- letter from the local council or Crown Land manager (for projects on public land), including approvals, their role and who is responsible for maintenance and ownership after completion, and acknowledgement that you have use of the premises for a minimum of **five years** after works are completed
- details of any consultation undertaken to support the application
- letters confirming any financial and in-kind contributions from other parties, including details of the amount of funding and any conditions attached to the funding. (Note: all funding must be confirmed at the time of submission.)
- Other key documents that are relevant to the project.

Step 3: Apply online

If it is your first time using the SmartyGrants online portal you need to [create an account](#)

If you have previously used the SmartyGrants portal, [login](#) using your organisation's details.

Applications can be saved and completed later. It is recommended that you start your application early to ensure you have all the required documentation.

Once submitted, you will receive an auto-generated email with an application identification number you can use as a reference. Please quote this number in all correspondence relating to your application.

The head of the applying organisation, e.g. chief executive officer or president is responsible for ensuring that the application is complete and accurate. Giving false or misleading information may exclude the applicant from funding consideration.

Incomplete applications will not be accepted. Applications and all required supporting documentation must be received by the closing date.

9. Assessment criteria

Funding under the *Major Capital Works grants program* is awarded through a competitive application assessment process. Eligible applications will be assessed by an independent assessment panel against the *Major Capital Works grants program* objectives and assessment criteria. Applicants may be contacted for further information.

Due diligence checking will be undertaken on the applicant, and outcomes from this process will inform project assessments.

The number and value of grants awarded in any round is at the discretion of the Queensland Government.

An application is not an agreement or contract. Meeting the assessment criteria does not automatically guarantee funding.

Applicants should prepare a thorough, detailed application and include all required information to assist assessors in their decision making.

Applicants are encouraged to carefully consider the following assessment criteria and the weighting applied to each assessment criterion.



Assessment Criteria	Weighting
<p>Why is the project needed and how will it respond to needs of the veterans' community?</p> <p>Evidence that the project responds to an identified need or gap, or will improve, increase or enhance use of a memorial, deliver support to veterans or provide community education or increase awareness of the service and sacrifice of veterans.</p>	25%
<p>What outcomes and benefits will be delivered for the veterans' community?</p> <p>How the project will leave a legacy for future generations, increase the knowledge of the local service history of the community or provide a social or cultural benefit to Queensland's veterans' community.</p>	25%
<p>How does the project meet program objectives?</p> <p>Evidence that the project responds to the <i>Major Capital Works grants program</i> objective to provide support for the veterans' community through improved building infrastructure.</p>	25%
<p>How will the project be delivered?</p> <p>Details of project planning and deliverables, timeframes, financial viability, value for money and details of all contributions towards the project. All relevant supporting documentation must be supplied.</p>	15%
<p>Who is involved and what support exists?</p> <p>The level of support for the project from key community stakeholders, community consultation and stakeholder engagement (e.g. letters of support from a federal or state Member of Parliament, local council or ex-service organisation). Identify how the project or activity will be promoted to the community, and how they will be involved. Outline confirmed financial or in-kind contributions toward the project.</p>	10%

10. After the assessment

10.1 Notification of outcome

All applicants will be notified of the outcome of their application in writing approximately six months after closing date.

If applicants require further information, please email queenslandremembers@premiers.qld.gov.au

Complaints about the outcome of an application can be made in accordance with DTATSIPCA's complaints management policy, which is available at <https://www.dsdsatsip.qld.gov.au/contact-us/compliments-complaints/our-complaints-management-policy>

10.2 Funding agreement

Successful applicants will be sent a legally binding Letter of Agreement. The Letter of Agreement is the legal agreement between the Queensland Government and the successful applicant and contains project deliverables, milestone dates, payment terms and other conditions of the grant.

There is no binding agreement until the Letter of Agreement is signed by the organisation's delegate and returned.

In managing the funding provided, the successful applicant must comply with the requirements of the Letter of Agreement.

Funding will be provided to successful applicants once they have entered into a Letter of Agreement and satisfied the milestones detailed in this agreement.

Grant funding will be released as follows:

- 70 per cent upon provision of a fully executed Letter of Agreement, signed by both the applicant and representative of DTATSIPCA
- 20 per cent upon achieving the second milestone
- 10 per cent upon completion of the final report and milestone(s) being achieved.



Extensions of time to the approved project completion date will only be considered in exceptional circumstances. Applicants are required to formally request an extension of time, via SmartyGrants, detailing the unforeseen circumstance impacting on project completion, the actions taken to minimise the impact and the adjusted project plan and milestones.

All funded projects will be monitored and evaluated by the Office for Veterans to ensure the *Major Capital Works grants program* is achieving the program objective.

11. Media

Applicants must seek and obtain the state's approval before contacting or responding to the media in relation to the *Major Capital Works grants program*.

12. Goods and Services Tax (GST)

Applicants do not need to be registered for GST.

All applicants are required to enter GST exclusive amounts in the grant application.

If the applicant **IS REGISTERED** for GST, the funding will be provided GST exclusive. GST registered applicants can claim an input tax credit through the Australian Tax Office for the GST component.

If the applicant **IS NOT REGISTERED** for GST, the funding will be provided GST inclusive.

Applicants must notify the Office for Veterans if their GST registration status changes.

The applicant is advised to seek independent professional advice on taxation obligations or seek assistance from the ATO on 13 28 69 or via its website at www.ato.gov.au. The Office for Veterans is unable to provide advice on the applicant's particular taxation circumstances.

13. Reporting requirements and acquittal of grant funds

All funded projects will be monitored and evaluated by the Office for Veterans to ensure the *Major Capital Works grants program* is achieving the program objective.

Successful applicants will be required to provide project status reports as part of their key milestones and deliver the project at the times and in the manner specified in the Letter of Agreement. Delays in submitting required reports may result in delayed payments to the applicant.

14. Privacy

We treat your personal information in accordance with the *Information Privacy Act 2009*. This includes letting you know:

- what personal information we collect,
- why we collect your personal information, and
- who we give your personal information to.

In submitting a grant application, you agree to the Queensland Government collecting your personal information, including your name, contact details and role in your organisation, to assess your application and for the purpose of grants administration. If you do not provide this information, we cannot assess your grant application.

The Queensland Government may also use and disclose information collected about you under this grant in any other Queensland Government business or function. This includes disclosing grant information on the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts website and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us in your application, including personal information, with other State entities, the responsible Minister, and their staff, and with Members of Parliament, for other purposes including government administration, research or service delivery, or as otherwise authorised or required by law.



15. Contact us

For more information about the grants, including the guidelines, terms and conditions and how to apply, please contact the Office for Veterans on email queenslandremembers@premiers.qld.gov.au or telephone (07) 3003 9656.



16. Terms and conditions

1. The *Queensland Remembers Grants Program* (including the *Major Capital Works grants program*) is conducted by the State of Queensland acting through the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts ABN 25 791 185 155 in accordance with the guidelines and on the following terms and conditions.

Definitions

2. In these terms and conditions:
 - a) “applicant” means the organisation making the application
 - b) “application” means the official application for a grant submitted by the applicant as part of the *Queensland Remembers Grants Program*
 - c) “closing date” means 5.00pm (Australian Eastern Standard Time) on Monday 23 September 2024
 - d) “DTATSIPCA” means the State of Queensland acting through the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts (ABN 25 791 185 155)
 - e) “Minister” means the Minister with responsibility for the *Queensland Remembers Grants Program*
 - f) “project” means the project or activity detailed in the application for which the applicant is seeking a grant
 - g) “personal information” has the same meaning as in the *Information Privacy Act 2009* (Qld)
 - h) “Letter of Agreement” means the written Letter of Agreement to be entered into between DTATSIPCA and each successful applicant on terms to be further agreed
 - i) “acquittal” means the discharge and settlement of the grant
 - j) “auspice organisation” means a third-party organisation that manages the grant funding on behalf of your organisation and accepts legal and financial responsibility for the grant.

Eligibility

3. Organisations making an application must be operating on a not-for-profit basis with a valid Australian Business Number (ABN) and seeking funding support for a project located in Queensland. They must also be one of the following:
 - a) an incorporated association or body
 - b) a corporation operating on a not-for-profit basis.
4. The following are ineligible to apply:
 - a) state or federal government departments
 - b) government owned corporations
 - c) local councils
 - d) organisations operating for profit
 - e) individuals
 - f) political parties
 - g) a hospital, nursing home or health care centre
 - h) primary or secondary schools, universities and parents’ and citizens’ associations.
5. Applications must:
 - a) be received by the closing date
 - b) contain all information specified in the application form
 - c) be submitted online through <https://premiersqld.smartygrants.com.au/QRMajorCapitalWorksRound4>. Applications submitted through any other means will not be accepted.



6. Joint applications will be considered as one application. While multiple organisations meeting the eligibility criteria may apply together as part of a joint application, one organisation must nominate to be the lead applicant and accept legal and financial responsibility for the grant.
7. Applicants must have no outstanding financial accountability, service delivery or performance issues for funding previously provided by the Queensland Government. Applicants with outstanding financial accountability, service delivery or performance issues for funding previously provided by the Queensland Government are required to declare this during the application process. Additional performance criteria may be imposed at the discretion of DTATSIPCA.
8. DTATSIPCA's decision upon the eligibility of an application shall be final.

Withdrawals

9. Applicants may withdraw their application at any time up to and including the closing date. After the closing date, applicants wishing to withdraw their application must contact DTATSIPCA via email at queenslandremembers@premiers.qld.gov.au.

Disclosure and publication

10. By submitting an application, the applicant:
 - a) authorises the use and/or publication of the applicant's name and details of the project, in relation to any promotional or advertising purposes in conjunction with the *Major Capital Works grants program*
 - b) consents to any information provided with the application being provided to Members of Queensland Parliament and the applicant's name, project details and funding being provided to the media
 - c) acknowledges that DTATSIPCA, its officers, employees, assessment panel members, agents and sub-contractors may use and disclose any of the information provided with the application including personal information, to Queensland Government departments or agencies, Queensland Government bodies, non-government organisations and/or the commonwealth, state or territory governments for any purpose in connection with the administration of the *Major Capital Works grants program*
 - d) consents to the applicant's name and details of the project including funding received being published on the Queensland Veterans' Portal and the Queensland Government Open Data Portal
 - e) acknowledges that the *Right to Information Act 2009* (Qld) provides members of the public with a legally enforceable right to access documents held by Queensland Government agencies, subject to the exemptions under the Act
 - f) warrants that the applicant is not in breach of any law, constitution or any other requirement the applicant is bound to comply with
 - g) warrants that the use of such information or material as above will not infringe the rights of any third party or any law.

Assessment

11. Members of the assessment panel, which is comprised of Queensland Government employees and panel members external to the Queensland Government, will assess applications against the assessment criteria and will provide recommendations to the Director-General, DTATSIPCA for approval. Applicants consent to information contained in the application being provided to the assessment panel, the Director-General, DTATSIPCA and the Minister for Treaty, Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts.
12. All decisions and recommendations are binding and final and there is no process of appeal.

Successful applications

13. Successful applicants will be required to:
 - a) enter into a Letter of Agreement with DTATSIPCA within a reasonable time of being notified that the application has been successful. Provision of the funding support to the successful applicant will be subject to and conditional upon the applicant further agreeing to and executing the Letter of Agreement
 - b) obtain all appropriate documentation, e.g. permits, approvals, bank details, insurances, and provide copies to DTATSIPCA on request and in accordance with the Letter of Agreement
 - c) provide DTATSIPCA with the applicant's banking details, for the purposes of verifying bank account details
 - d) acknowledge the Queensland Government's contribution, including but not limited to:



- i) logo acknowledgement (in print and online form)
 - ii) displays of Queensland Government signage in connection with the project, coordinating with DTATSIPCA an opportunity for the Minister for Treaty, Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts or delegate to participate at project events in person or provide forewords or messages for the project
 - iii) providing State Library of Queensland photos/videos of new or upgraded memorials and community events such as parades. The material will be available to the public for viewing.
- e) provide all advertising material to DTATSIPCA for approval before production
 - f) work with DTATSIPCA on any matter related to advertising and promotion of the project
 - g) if applicable, ensure DTATSIPCA is granted an appropriate licence to use, reproduce and communicate to the public any works produced in the course of or as a result of the project
 - h) provide DTATSIPCA with images of the project accompanied by signed photo consent forms and a perpetual, royalty-free, non-exclusive licence to the images
 - i) complete the project by the date stated in the Letter of Agreement
 - j) advise DTATSIPCA of all project changes immediately, including changes to programming and sponsors, project timeframes, project planning and design
 - k) fulfil all reporting and acquittal requirements as per the Letter of Agreement
 - l) return all unspent funds to DTATSIPCA and repay funds spent on purposes not approved by the date of acquittal.

Insurance

- 14. Successful applicants will be required to agree that they must hold and maintain the relevant insurances specified in the Letter of Agreement.

Payments, GST and reporting

- 15. For applicants **registered for GST**, the grant amount sought will exclude GST. For applicants **not registered for GST**, the grant amount sought will include GST.
- 16. The total amount of funding committed to the applicant's project will be paid by DTATSIPCA in milestones, generally as follows:
 - a) 70 per cent on acceptance of the first milestone report
 - b) 20 per cent on acceptance of the second milestone report
 - c) 10 per cent on DTATSIPCA's acceptance of a final report detailing the outcomes of the project and financial acquittal (due within four weeks of the project's completion)
 - d) or as otherwise approved by DTATSIPCA.
- 17. Projects are expected to be completed within 24 months. If an application for a project exceeding 24 months (from the date of the Letter of Agreement to the nominated project end date) is successful, the applicant may be required to provide additional project status reports as requested by DTATSIPCA. The abovementioned milestone payments may be subject to DTATSIPCA's acceptance of these reports.
- 18. The applicant will be required to submit valid tax invoices to DTATSIPCA in accordance with the GST legislation and reporting requirements.
- 19. Payments will be made via electronic funds transfer.

Reservation of rights

- 20. Despite any provision of these guidelines to the contrary, DTATSIPCA reserves the right to administer the *Queensland Remembers Grants Program* and conduct the process for the assessment and approval of applications to the *Queensland Remembers Grants Program* in such manner as it thinks fit, in its absolute discretion.



21. Without limiting the above paragraph, DTATSIPCA retains all rights and powers to make all decisions and actions in order to achieve the program objectives and DTATSIPCA reserves the right, in its absolute discretion and at any time, to:
- a) change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall *Queensland Remembers Grants Program*, including submission and compliance of applications, where in such circumstances DTATSIPCA may, by direct notification to applicants or via the website at www.qld.gov.au/remembersgrants
 - b) consider or accept, or refuse to consider or accept, any application which is lodged other than in accordance with these guidelines or is lodged after the relevant date for lodgement, or which does not contain the information required by these guidelines or is otherwise non-conforming in any respect
 - c) vary or amend the eligibility, assessment criteria, and the terms and conditions
 - d) take into account any information from its own and other sources, including other government agencies and other advisers
 - e) accept or reject any application, having regard to these guidelines, the eligibility criteria, the assessment criteria or any other item, matter or thing which DTATSIPCA considers relevant, including the limitations on the funds available for the *Queensland Remembers Grants Program*
 - f) give preference by allocating weighting to any one or more of the eligibility criteria or assessment criteria over other criteria
 - g) seek clarifications or additional information from or provide clarifications or additional information to any applicant, or to negotiate or deal with or seek presentations or interviews from any applicant
 - h) conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals
 - i) require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information
 - j) terminate the further participation of any applicant in the application process
 - k) terminate or reinstate the *Queensland Remembers Grants Program* or any process in the *Queensland Remembers Grants Program*
 - l) not allocate the total amount of funding available in a funding round if, in the opinion of the assessment panel, there are insufficient applications of suitable merit.
22. Where, under these guidelines, it is stated that DTATSIPCA may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise DTATSIPCA may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party, including an applicant.

No relationship and liability

23. DTATSIPCA's obligations in connection with the application process are limited to those expressly stated in these guidelines.
24. The conduct of inviting applications does not give rise to any legal or equitable relationship. No contractual or legal relationship exists between DTATSIPCA and an applicant in connection with the *Queensland Remembers Grants Program*, these guidelines or the application process or any stage of the *Queensland Remembers Grants Program*. An applicant, or its representatives:
- a) has no authority or power, and must not purport to have the authority or power to bind DTATSIPCA, or make representations on behalf of DTATSIPCA
 - b) must not hold itself out or engage in any conduct or make any representation which may suggest to any person that the applicant is for any purpose an employee, agent, partner or joint venturer with DTATSIPCA
 - c) must not represent to any person that DTATSIPCA is a party to the proposed project other than as a potential funder, subject to the competitive application process detailed in these guidelines.



25. Except for any liability that cannot be excluded by law, DTATSIPCA, including its officers, employees and agents, is excluded from all liability, including negligence, for any loss or damage, including loss of opportunity or personal injury, whether direct, indirect, special, or arising in any way out of an application.
26. Applications received, including material and documents accompanying the applications, shall not be returned to the applicant.
27. No person shall be entitled to claim compensation or loss from DTATSIPCA for any matter arising out of the application process, including but not limited to cancellation of the *Queensland Remembers Grants Program* including the *Major Capital Works grants program* or failure by DTATSIPCA to comply with the program guidelines or these terms and conditions.

Participation at applicant's cost

28. Each applicant participates in the application process at its own cost and risk.
29. To the extent permitted by law, no applicant will have any claim of any kind whatsoever against DTATSIPCA (whether in contract, tort, including negligence, equity, under statute or otherwise) arising from or in connection with:
 - a) any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting its application (including any amendments, requests for further information by DTATSIPCA, attendance at meetings or involvement in discussions) or otherwise in connection with the *Queensland Remembers Grants Program*
 - b) DTATSIPCA at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the *Queensland Remembers Grants Program*
 - c) any of the matters or things relevant to its application or the *Queensland Remembers Grants Program* in respect of which the applicant must satisfy itself under these guidelines.
30. Without limiting the above paragraph, if DTATSIPCA cancels or varies the *Queensland Remembers Grants Program* at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under the Reservation of Rights in these guidelines, no applicant will have any claim against DTATSIPCA arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation to (whether directly or indirectly) the *Queensland Remembers Grants Program*.

Non-exhaustive

31. These guidelines have been prepared to give potential applicants background information in relation to the *Queensland Remembers Grants Program*, and do not contain all of the information that applicants may require in reaching decisions in relation to whether or not to submit an application. Applicants must form their own views as to what information is relevant to such decisions.
32. Applicants must make their own independent investigations of the information contained or referred to in these guidelines.
33. Applicants must obtain their own independent legal, financial, tax and other advice in relation to information in these guidelines, or otherwise made available to them, during the application process.
34. DTATSIPCA accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the information provided by it in connection with the *Queensland Remembers Grants Program* or interpretations placed on that information by applicants.

Intellectual property

35. Any intellectual property rights that may exist in an application will remain the property of an applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain intellectual property rights should be clearly identified by an applicant.
36. The applicant grants to DTATSIPCA (and will ensure relevant third parties grant) a non-exclusive, royalty free and irrevocable licence to use and reproduce the intellectual property for the purpose of administering the *Queensland Remembers Grants Program*.

Law

37. These guidelines are governed by the laws applicable in Queensland.



Acceptance

38. By submitting an application, each applicant:
- a) warrants to DTATSIPCA that the information contained in its application is accurate and complete as at the date on which it is submitted and not by omission misleading, and may be relied on by DTATSIPCA in assessing the application
 - b) undertakes to promptly advise DTATSIPCA if the applicant becomes aware of any change in circumstances which causes the information contained in its application to become inaccurate or incomplete in a material respect
 - c) acknowledges that DTATSIPCA will rely on the above warranty and undertaking when evaluating the application
 - d) acknowledges that DTATSIPCA may elect to remove an application at any stage as a result of material changes to the information presented in its application
 - e) acknowledges that DTATSIPCA may suffer loss or damage if the applicant breaches the above warranty and undertaking
 - f) is taken to have accepted these guidelines, including these terms and conditions.
39. In certain circumstances, a construction project may be approved for funding where the applicant will not:
- a) own the land upon which the infrastructure will be built
 - b) own and operate the resulting infrastructure.
40. In these cases applicants must have obtained and must maintain all relevant permissions or agreements in order to ensure that:
- a) the applicant has the right to access the land in order to construct, operate and maintain the proposed infrastructure — evidence of this must first be provided with submission of a business case
 - b) the infrastructure will be operated in accordance with its intended purpose at the time of application for a period of not less than five years—evidence of this must be provided before construction commencement.

Other

41. Additional terms and conditions will be included in the Letter of Agreement.
42. Complaints pertaining to the outcome of an application will be dealt with in accordance with DTATSIPCA's complaints management policy which is available online at <https://www.dsdsatsip.qld.gov.au/contact-us/compliments-complaints/our-complaints-management-policy>

