



Unite and Recover Community Stimulus Package

Program Guidelines

June 2020



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

An electronic copy of this report is available on the Department of Local Government, Racing and Multicultural Affairs' website at www.dlgrma.qld.gov.au.



Opening date:	22/06/2020
Closing date and time:	03/07/2020 at 5:00pm
Date guidelines released:	19/06/2020
Funding period:	Commences upon execution of a Project Funding Schedule. All approved projects must be completed by 30 June 2021 and Final acquittal documentation provided by 31 July 2021.
Policy Agency:	Department of Local Government, Racing and Multicultural Affairs
Administering Agency:	Department of Local Government, Racing and Multicultural Affairs
Enquiries:	<p>If you have any questions, contact:</p> <p>SOUTHERN REGION Brisbane Office (07) 3452 6762 Toowoomba Office (07) 4616 7315</p> <p>Brisbane Program Office (07) 3452 6728</p>
Type of grant:	Targeted competitive & non-competitive (fixed Allocation based)



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1.0 Introduction

The Department of Local Government, Racing and Multicultural Affairs (the Department) is responsible for administering the Unite and Recover Community Stimulus Package (Grant Program), which is a grant program available to twelve South East Queensland (SEQ) Local Governments.

The Grant Program provides \$50 million, delivered through a mix of base allocation funding of \$24 million (fixed allocation of \$2 million for each of the 12 eligible SEQ Councils) and \$26 million distributed on a competitive application basis.

There is no mandatory co-contribution required by Councils, however, for the competitive component co-contributions from Councils are encouraged to demonstrate Councils commitment to the project and will be considered against the 'value for money' criterion. This document sets out the guidelines for applicants for the Grant Program.

2.0 The Grant Program

2.1 Program aim

The aim of the Grant Program is to fast-track SEQ Council investment in new infrastructure and community assets that creates jobs and delivers economic stimulus to local communities.

2.2 Program objectives

The objective of the Grant Program is to support SEQ Councils to assist Communities to respond to and recover from the Novel Coronavirus (COVID-19) pandemic, including economic investment that:

- supports reductions in unemployment in areas of need (including youth unemployment or a location within a local government area within high unemployment);
- stimulates employment now and has lasting benefits for community assets and economic development; and
- provides for economic investment in outer-urban areas and rural towns of SEQ which are less connected to larger economic hubs.

2.3 Eligibility criteria

Councils eligible for funding are listed in **Attachment 1**.

2.4 Eligible projects

To be eligible for Project Funding under the Grant Program, a Project must:

- (a) be consistent with the objectives of the Grant Program;
- (b) achieve the following outcomes:
 - (i) support economic recovery/stimulus for local communities
 - (ii) create new or sustain existing jobs in a local government area



- (c) be a new infrastructure or upgrade of existing infrastructure project, in one of the following categories:
 - (i) an Essential Services Project, including a water supply, sewerage, waste infrastructure, waste management, roads and drainage, energy or communications project;
 - (ii) an Economic Development Project, including economic development infrastructure or tourism infrastructure project;
 - (iii) a Community Well-Being Project
 - (a) including an arts and culture; sport and recreation; library/knowledge center; community safety, health or education infrastructure project; or
 - (b) which promotes active transport and community movement enabling social distancing in public spaces;
- (d) be undertaken in the recipient local government's geographic area.

Projects can include a stage of a larger project, where delivery of the identified project stage can be achieved within program period and meets the Project Eligibility requirements.

Ineligible Projects include:

- (a) projects not able to be completed by the program end date of 30 June 2021;
- (b) projects already commenced or completed works;
- (c) projects that the State determines do not align with the objectives of the program;
- (d) purchase of an asset or works to an asset that is not or will not be owned and/or controlled by the recipient local government;
- (e) land purchases and/or costs associated with land purchases;
- (f) land buy-back schemes;
- (g) works constructed on land not owned or controlled by the recipient local government, except where it has permission to construct on Queensland Government-owned land. Should local governments wish to undertake works of this nature, evidence of land tenure and or permissions must accompany the application;
- (h) projects where land ownership and/or Native Title has not been resolved at the time of submitting the projects;
- (i) projects involving planning and design only;
- (j) temporary works;
- (k) planning studies;
- (l) purchase, lease or hire of core business capital equipment such as plant, motor vehicles and office equipment including information and communication technology (does not include the cost of leasing or hire of plant and equipment for the direct delivery only of the project works eg water trucks, excavators).



2.5 Eligible project costs

Project Funding may only be applied towards "Eligible project costs". Eligible Project costs:

- (a) include only:
 - (i) direct costs;
 - (ii) project management costs including remuneration of local government technical, professional and/or administrative staff for time directly related to managing the construction of approved works, but excluding executive duties and overhead charges
- (b) do not include:
 - (i) statutory fees and charges and/or any costs associated with obtaining regulatory and/or development approvals;
 - (ii) legal expenses;
 - (iii) official opening expenses;
 - (iv) ongoing costs for administration, operation and maintenance or engineering;
 - (v) remuneration of employees for work not directly related to the Approved Project
 - (vi) movable/portable furnishings, supplies and items (e.g. computers);
 - (vii) costs associated with preparing the project submissions and/or associated supporting material;
 - (viii) any other costs as determined by the Department.

Successful applicants must use Project Funding solely for Eligible project costs.

Provision of grant funding to local governments is not considered a taxable supply and so Goods and Services Tax (GST) is not applicable. All costs associated with the project must be excluding GST.

2.6 Other requirements

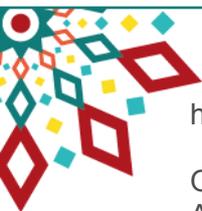
Funding is not to be used by the recipient local government as their contribution towards other State or Commonwealth Government funding programs.

2.7 Funding arrangements

Councils will be required to execute a Project Funding Schedule under their Head Funding Agreement with the State. If a Council applicant has not entered a Head Funding Agreement with the State, it will be required to do so.

The State has no obligation to provide Project Funding to a Council until a Head Funding Agreement and Project Funding Schedule have been executed by Council and the State.

Successful applicants should not make financial commitments until all necessary documents



have been finalised and executed.

Once executed, the Project Funding Schedule and certain parts of the Head Funding Agreement will constitute the "Project Funding Agreement" with a successful applicant for a Project.

2.8 Application process

Key Dates	Key Activities/Actions
19 June 2020	Release of program guidelines
22 June 2020	Application open date
3 July 2020	Application close date
6 July 2020 – 24 July 2020	Assessment of applications
From 27 July 2020	Expected announcement date
Upon execution of a Project Funding Schedule.	Date projects can commence
31 July 2021	Final acquittal of projects

2.9 How to apply

Funding of \$50 million is available under this grant program as follows:

- Non-competitive, allocation based - \$24 million; and
- Competitive application process - \$26 million.

Part 1: Allocation based funding (\$2 million per Council)

Each eligible SEQ Council will receive a \$2 million base allocation, which can be allocated by a Council to eligible projects.

To access this funding allocation, Councils must:

- complete the List of Projects (LOPs) template providing all information requested.
- ensure the LOPs contains sufficient information in the project description and is supported by any additional information that may assist the Department assess the project submission.
- submit the completed LOPs to the Department by the closing date and time.

Eligible Councils should ensure all necessary plans, documents, permissions, approvals, specifications and estimates of costs have been prepared prior to submitting the LOP and prior to commencement of works.



Eligible Councils are required to cost projects accurately and must ensure, in delivery, normal procurement and value for money practices apply.

Part 2: Competitive based funding (\$26 million available for allocation)

To apply for this funding Councils must:

- (a) complete the application form provided by the Department;
- (b) provide all the information requested;
- (c) address all eligibility criteria and assessment criteria;
- (d) identify any co-contribution the Council will make towards the total project cost;
- (e) include all necessary attachments; and
- (f) submit your application/s to the Department by the closing date and time.

All Councils are required to submit **Part 1** application. For **Part 2**, Councils may:

- choose not to submit an application.
- submit an application that builds on a project included in their **Part 1** LOPs (e.g. by enhancing a project or adding additional stages).
- submit a separate project(s) to those nominated in their **Part 1** application.

2.10 Assessment criteria

Allocation based funding (Part 1 applications)

Projects will be assessed as either being 'eligible' or 'ineligible'. In order to be assessed as 'eligible', the project must demonstrate it meets the requirements of an eligible project defined in Section 2.4 of these Guidelines.

Competitive application process (Part 2 applications)

Councils are invited to submit a Project Proposal for each project for which funding is sought. To be competitive, Councils will need to address all assessment criteria in the application.

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting information provided in the application should be relative to the project size, complexity and grant amount requested.

Assessment Criterion 1 — Proposed solution (weighting 40 per cent)

You should demonstrate this by identifying:

- how the project will assist in responding to and recovering from the Novel Coronavirus (COVID-19) pandemic, including how the project supports reductions in unemployment in areas of need
- why the proposed infrastructure is the most appropriate course of action and what



alternatives have been considered

- readiness to commence construction, including confirmation that required approvals have been obtained
- feasibility of delivering the project within the identified budget and timeframes.

Assessment Criterion 2 — Project benefits (weighting 35 per cent)

You should demonstrate this by identifying:

- how the project will support reductions in unemployment in areas of need (including youth unemployment or unemployment in a location within a local government area with high unemployment) and the expected number and types of jobs supported/created by the project.
- direct and indirect economic benefits that are expected to be realised by the project, including expected lasting benefits for economic development and community assets.
- direct and indirect community benefits that are expected to be realised by the project.

Assessment Criterion 3 — The value for money offered by the project (weighting 25 per cent)

You should demonstrate this by identifying:

- the likelihood the project would not proceed without the grant.
- the positive impact the grant will have on the size, scale or timing of the project.
- the extent to which the project leverages financial contributions from Council and/or other stakeholders.

2.11 Assessment and approval process

Allocation based funding (Part 1 applications)

LOPs submitted by Councils will be assessed by the Department against the eligibility criteria (see Section 2.4).

Final evaluation will be undertaken by a moderation panel who will make recommendations to the Minister for Local Government for endorsement.

Councils will be notified in writing following endorsement of projects by the Minister.

Competitive application process (Part 2 applications)

If eligible, the Department will then assess your application against the assessment criteria using the weighting indicated (see Section 2.10) and against other applications, having regard to how each project supports the delivery of the Program Objectives (see Section 2.2).

Assessments will then be referred to a Moderation Panel for assessment and final recommendation to the Minister.

Local Governments may be asked to provide additional information to support their submitted



Project Proposals.

The Minister for Local Government has discretion in funding decisions and is under no obligation to consider project proposals (Part 1 or Part 2 applications) made after the designated closing date and time.

Nothing in this section (2.11) limits the State's discretions under section 6.1 of these Guidelines.

2.12 Payment Claim Requirements

The Department will make payments according to the following schedule:

Payment schedule	Milestone
First payment (50% of Project Funding)	The Department will make the First Payment immediately following execution by both parties of the Project Funding Schedule/s.
Second payment (40% of Project Funding)	Second payment will be made after the local government has expended 50 per cent of the total project cost (that is, 50 per cent of the value of the grant Project Funding plus any co-contribution provided by the Council) and the prescribed Acquittal Form is received as per the Project Funding Schedule
Final payment (10% of Project Funding)	The Department will pay the local government upon receipt of a completed Final Acquittal Report. The final payment will be made after finalisation and acquittal of Approved Projects, as per the Head Funding Agreement and Project Funding Schedule.

The second and final payments must be made on the prescribed payment claim form.

Certification must be made by the Council's Chief Executive Officer, or authorised delegated officer, that the relevant milestone has been satisfactorily completed.

2.13 Program monitoring, acquittal and evaluation

All Projects will be monitored by the Department to ensure that the Grant Program is achieving the program aim and objectives.

Quarterly progress reports are to be provided for endorsed projects. The Department's Regional staff may conduct monthly follow up of project progress.

Councils must comply with the reporting, records and audit obligations in the Project Funding Agreement.

Councils will be required to acquit funds. Acquittal involves verifying funds were expended in accordance with these program guidelines and Project Funding Agreement.

The Final Acquittal Form and Project Completion Report and any supporting documents must be provided to the Department before the date specified in section 2.8.



All Projects will be evaluated by the Department to ensure that the Grant Program is achieving the program aim and objectives.

3.0 Communications

3.1 Communications with the media

All media enquiries or public announcements relating to the Grant Program will be coordinated and handled by the Department media team.

As far as practicable, all media and communications will be undertaken jointly with successful applicants.

Applicants must seek and obtain the State's approval before contacting the media to discuss any information regarding successful or unsuccessful applications for funding support under or in connection with the Grant Program.

3.2 Confidentiality, privacy and use of information

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

During the application, assessment and approval process, Councils must keep confidential its LOPs, application/s and its dealings with the State about these but may make disclosures if required by law or to its representatives or advisors who are under an obligation of confidentiality.

Councils must also keep confidential any information designated by the State as confidential. The State may disclose information, including confidential information, of or provided by Councils:

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

The State intends to publicly disclose the names of applicants, information about projects, the amount of funding granted to each Council and details about the anticipated economic outcomes and benefits of successful projects.

Any personal information submitted as part of an application will not be used by the State or disclosed to any third party for a purpose other than in connection with the assessment of the application without a Council's consent, unless required by law or in accordance with the Information Privacy Act 2009.

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



retained for two years.

The provisions of the Right to Information Act 2009 apply to documents in the possession of the State.

3.3 Complaints

The decision in relation to an application is final and may not be appealed. If, however, a Council has any concerns in relation to the application or assessment process, a Council may raise their concerns in writing by contacting: SEQcommunitystimulus@dlgrma.qld.gov.au.

All questions about decisions on applications for the Grant Program must be lodged in writing to: SEQcommunitystimulus@dlgrma.qld.gov.au.

4.0 Enquiries and Contact details

Councils may contact the Contact Officer in relation to general questions, requests for clarification and requests for further information.

The Contact Officers for the Program are:

Southern Region

Brisbane Office (07) 3452 6762

Toowoomba Office (07) 4616 7315

Brisbane Program Office (07) 3452 6728

The Department is not able to assist in the preparation of Applications.

5.0 Acknowledgement of the funding

In accordance with Section 10 of the Head Funding Agreement, recipient Councils must adhere to the Department's Funding Acknowledgement Guidelines recognising Queensland Government funding in all media and other communications. This includes:

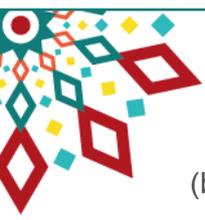
- (a) erection of signage at construction sites at the commencement of the project (evidence to be provided at second payment);
- (b) acknowledgement in publicly made statements or appropriate documentation.

Further information on acknowledgement requirements, including the use of the Queensland Government logo, is available on the Department's website at www.dlgrma.qld.gov.au.

6.0 Terms and conditions

6.1 Reservation of rights

- (a) Despite any provision of these Guidelines to the contrary, the State reserves the right to administer the Grant Program and conduct the process for the assessment and approval of



applications to the Grant Program in such manner as it thinks fit, in its absolute discretion.

- (b) Without limiting paragraph (a), the State retains all rights and powers to make all decisions and actions in order to achieve the program objectives and the State reserves the right, in its absolute discretion and at any time, to:
- (i) change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall Grant Program (including submission and compliance of applications), where in such circumstances notice will be provided to applicants;
 - (ii) 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;
 - (iii) vary or amend the eligibility or assessment criteria;
 - (iv) take into account any information from its own and other sources (including other Government agencies and other advisors);
 - (v) accept or reject any application, having regard to these Guidelines, the eligibility criteria, the assessment criteria or any other item, matter or thing which the State considers relevant, including the limitations on the funds available for the Grant Program;
 - (vi) give preference by allocating weighting to any one or more of the eligibility criteria or assessment criteria over other criteria;
 - (vii) conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals;
 - (viii) require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information;
 - (ix) terminate the further participation of any applicant in the application process;
 - (x) terminate or reinstate the Grant Program or any process in the Grant Program;
 - (xi) not proceed with the Grant Program in the manner outlined in these Guidelines, or at all;
 - (xii) amend the nature, scope or timing of the Grant Program;
 - (xiii) allow the withdrawal of an applicant;
 - (xiv) seek presentations from or interviews with any applicant and conduct negotiations with any one or more applicants after the applications have been lodged;
 - (xv) publish the names of applicants to the Grant Program; and
 - (xvi) take such other action as it considers in its absolute discretion appropriate in relation to the Grant Program processes.
- (c) Where, under these Guidelines, it is stated that the State may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the State may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including an applicant).



6.2 No relationship

The State's obligations in connection with the application process are limited to those expressly stated in these Guidelines.

No contractual or legal relationship exists between the State and an applicant in connection with the Grant Program, these Guidelines or the application process or any stage of the Grant Program.

An applicant, or its representatives:

- (a) has no authority or power, and must not purport to have the authority or power to bind the State, or make representations on behalf of the State;
- (b) must not hold itself out or engage in any conduct or make any representation which may suggest to any person that the applicant is for any purpose an employee, agent, partner or joint venturer with the State; and
- (c) must not represent to any person that the State is a party to the proposed project other than as a potential funder, subject to the application process detailed in these Guidelines.

6.3 No action

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

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

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

For the avoidance of doubt, each applicant:

- (a) participates in the Grant Program at its own risk; and
- (b) is wholly responsible for its costs of applying for, participating in, or otherwise in connection with, the Grant Program.

6.4 Non-exhaustive



These Guidelines 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.

Applicants must make their own independent investigations of the information contained or referred to in these Guidelines. Applicants must obtain their own independent legal, financial, tax and other advice in relation to information in these Guidelines, or otherwise made available to them, during the application process.

6.5 Disclaimer

The State makes no warranty or representation express or implied, and does not assume any duty of care to the applicants that the information in these Guidelines, or supplied in connection with the Grant Program (Information) is accurate, adequate, current, suitable or complete, or that the Information has been independently verified.

The State accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the Information or interpretations placed on the Information by applicants.

6.6 Intellectual property

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

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

6.7 Law

These guidelines are governed by the laws applicable in Queensland.



Attachment 1: Eligible Councils

Brisbane City Council
Gold Coast City Council
Ipswich City Council
Lockyer Valley Regional Council
Logan City Council
Moreton Bay Regional Council
Noosa Shire Council
Redland City Council
Scenic Rim Regional Council
Somerset Regional Council
Sunshine Coast Regional Council
Toowoomba Regional Council



Attachment 2: Glossary

Eligible project costs	has the meaning given in section 2.5 of these Guidelines.
Grant Program	means the Unite and Recover Community Stimulus Package, being the subject of these Guidelines.
Guidelines	means these guidelines for the Grant Program.
Head Funding Agreement	means the agreement entered into between the State and the applicant that sets out the terms and conditions under which the State will enter into project specific arrangements to provide funding for specific projects to local government applicants, if the applicant is successful in an application for funding under a grant program.
Milestone Schedule	means, for a Project, the schedule of dates for achievement of specified milestones, as set out in the relevant Project Funding Schedule.
Project	a project includes the entire scope of works identified in the application, e.g. for a construction project. This includes identified pre-construction activities (e.g. tendering), construction related activities and commissioning.
Project Funding	means the funds to be provided by the State to an applicant who is successful in an application for funding under the Grant Program.
Project Funding Schedule	means the schedule prepared by the State and executed by the parties in accordance with the Head Agreement, for the provision of Project Funding.