

# Planning scheme policy – Operational works application and construction requirements

TRACK CHANGES SINCE INDUSTRY CONSULTATION

December 2023

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## Amendment history

This planning scheme policy commenced on #####. Amendments since this date are listed in the below table.

Version number	Amendment title	Summary of amendment	Date adopted and commenced
DRAFT	Commencement	This amendment creates this PSP	Adopted Commenced

# 1 Introduction

## 1.1 Purpose

The purpose of the Planning scheme policy – operational works application and construction requirements (PSP – operational works; or ‘this PSP’) is to:

- support the Mackay Region Planning Scheme 2017 (planning scheme) and Mackay Waterfront Priority Development Area Development Scheme (PDA development scheme) by providing information on the approval process for operational works applications and the associated construction phase;
- provide supporting information and processes that support the planning scheme’s assessment benchmarks;
- outline supporting information that may be required for applicants; and
- identify actions associated with the operational works assessment and construction process.

This PSP should be read in conjunction with any conditions of a development approval.

## 1.2 Legislative authority

This PSP has been made by Mackay Regional Council in accordance with Chapter 2, Part 3, Division 2 of the *Planning Act 2016*.

## 1.3 Relationship to the Mackay Regional Planning Scheme and Mackay Waterfront Development Area (PDA) Development Scheme

This PSP is to be read in conjunction with the assessment provisions specified in the planning scheme and the PDA development scheme. This PSP applies to the areas covered by the planning scheme and PDA development scheme and specifically relates to the assessment of any relevant operational works application.

This PSP is to be read in conjunction with all codes in which reference is made to this PSP.

## 1.4 Terminology

Terms used in this PSP are as defined in the planning scheme, Schedule 1 – Definitions. A term used in this PSP which is not defined in Schedule 1 of the planning scheme is to be interpreted in accordance with Part 1.3.1 Definitions of the planning scheme which clarifies the interpretation of definitions.

In addition to the definitions presented in the planning scheme, each sub-section of this PSP may contain terminology that is referenced in support of that specific policy sub-section. For clarity, a reference in this PSP to any Act includes any Regulation or instrument made under it and where amended or replaced, means the amended or replaced Act. A reference in this PSP to a specific resource document or standard means the latest version of the resource document or standard.

## 1.5 Structure

The policy is arranged around eight sections. Each section is designed to group common themed sub-sections to improve the usability of the entire document.

The sections are:

- (1) Introduction;
- (2) Operational work – Development Application Guideline;
- (3) Operational work – Construction Application Guideline;
- (4) Inspections and Hold Points;
- (5) Construction Management;
- (6) Acceptance of Works;
- (7) As Constructed Documentation; and
- (8) Development Bonds.

## 1.6 Referenced documents

- (a) Council specifications:
  - (i) all planning scheme policies;
  - (ii) all construction specifications and standard drawings; and
  - (iii) all other relevant policies.
- (b) Australian standards:
  - (i) AS/NZS3905.2 – Guide to Quality System Standards AS/NZS 9001, AS/NZS 9002 and AS/NZS 9003 for construction;
  - (ii) AS/NZS3913 – Quality Manuals – Guide to Preparation;
  - (iii) AS/NZS ISO 8402 – Quality Management and Quality Assurance – Vocabulary;
  - (iv) AS/NZS ISO 9001 – Quality Systems – Model for Quality Assurance in Design; and
  - (v) AS/NZS ISO 9004.1 – Quality Management and QUALITY System Elements – Guidelines.
- (c) Other:

- (i) *Planning Act 2016 and Planning Regulation 2017;*
- (ii) *Economic Development Act 2012;*
- (iii) *Local Government Act 2009;*
- (iv) *Environmental Protection Act 1994;*
- (v) *Building and Construction Industry (Portable Long Service Leave) Act 1991; and*
- (vi) *Professional Engineers Act 2002.*

## 1.7 Process

The approval process for operational works applications and the associated construction of the approved works will generally follow the process shown in Figure 1.

These phases cannot proceed until the required documentation or applications have been provided, consistent with this PSP, the planning scheme or conditions of approval.

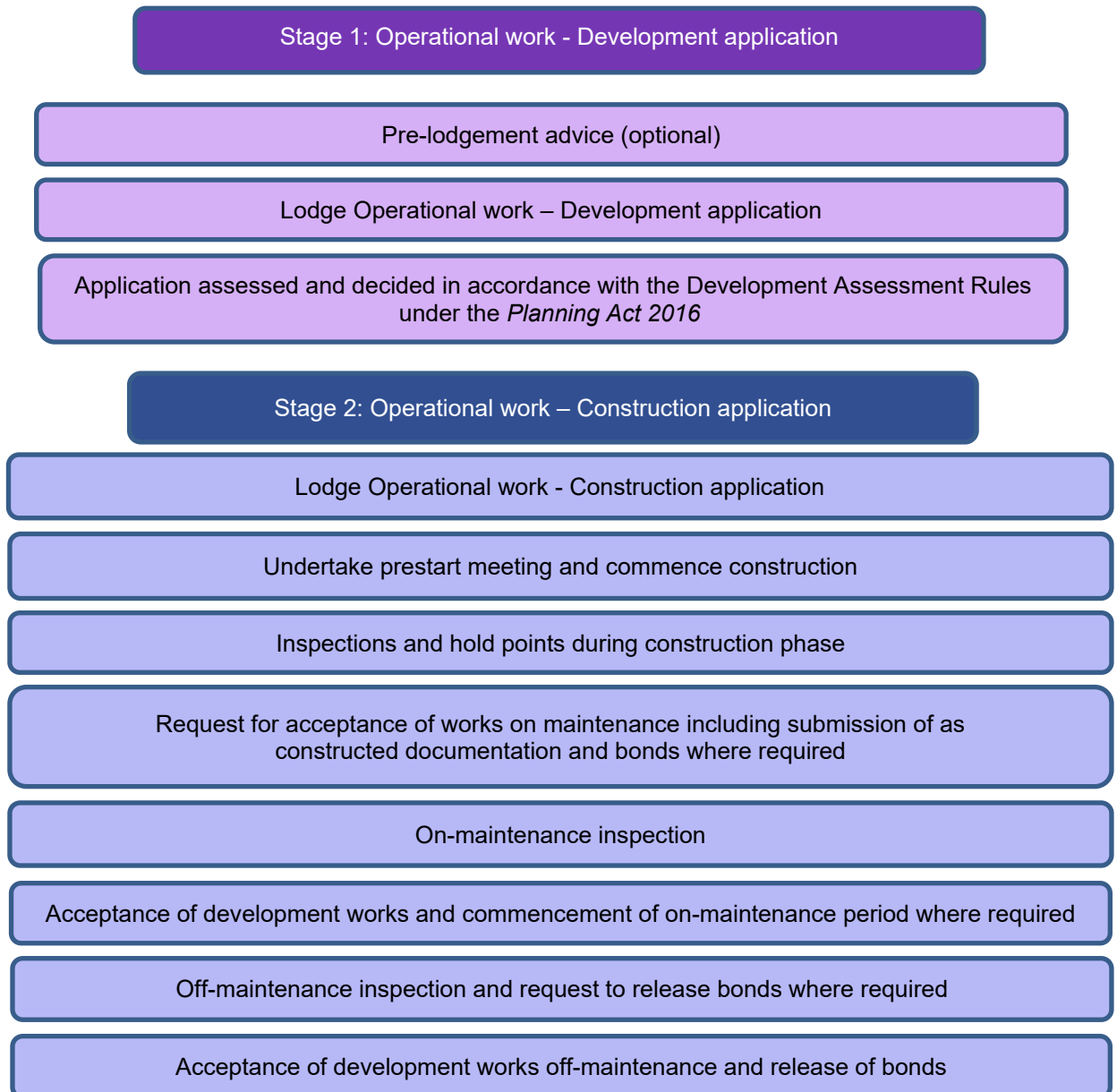


Figure 1: Typical development application and construction application process

## 2 Operational work – Development application guideline

### 2.1 Introduction

This section provides advice and guidelines for the submission of operational work development applications. An operational work development application is generally required by either the planning scheme's tables of assessment or by a condition of approval. The development assessment process is as per the Development Assessment Rules under the *Planning Act 2016*.

### 2.2 General advice

When undertaking development, professional engineering services shall be certified by a practicing professional engineer as defined by the *Professional Engineers Act 2002*. Registered Professional Engineers of Queensland (RPEQ) who are registered with the Board of Professional Engineers Queensland or suitably qualified and experienced persons, are to comply with the process contained within this document to satisfy the performance requirements of the planning scheme.

Where published standards, guidelines, and documents are referenced in this PSP, it is to be interpreted that the reference is the most current version (including any amendments) of that published standard, guideline or document. The applicant is responsible for ensuring the current edition of reference documents is used.

All standard forms are available on Council's website here:

[https://www.mackay.qld.gov.au/business/planning\\_and\\_development/development\\_applications\\_and\\_assessment/operational\\_works](https://www.mackay.qld.gov.au/business/planning_and_development/development_applications_and_assessment/operational_works).

Council's preference is that all application lodgements are made online through [Council's application portal - eApplications](#). Please refer to Council's website for online application assistance.

### 2.3 Pre-lodgement advice

Council will facilitate pre-lodgement meetings when requested to discuss development proposals prior to lodgement. Pre-lodgement meetings will usually require lodgement of details including reports, drawings and any information pertinent to the proposal to ensure an effective response to an applicant. All pre-lodgement meetings must have an agenda and the required information shall be put forward by the applicant as part of the advice request.

Pre-lodgement discussions are intended to:

- (a) confirm Council approval requirements (planning scheme, policies, local laws);
- (b) identify Council information requirements (additional studies);
- (c) identify Council approvals required;
- (d) identify need for referral to other agencies;
- (e) identify design issues that will need to be addressed based on a preliminary assessment;
- (f) explore possible solutions to those issues; and
- (g) provide clarity about the assessment process and potential timeframes.

This meeting is not intended to:

- (a) provide a detailed assessment of the proposal;
- (b) indicate the likely outcome of the ensuing assessment process;
- (c) provide a detailed compliance audit of the proposal against applicable codes / local laws or other Council requirements;
- (d) speculate on Council's view on specific issues; or
- (e) provide feedback on issues other than those listed on the agenda, or for any other issues which vary from the original meeting request.

Furthermore, pre-lodgement meetings cannot take into consideration other third-party interests such as referral agencies or anticipate possible issues that were not raised at the meeting, or were not foreseen at the time of lodgement.

Appointments are required for all pre-lodgement meetings. Upon receipt of a meeting request, Council will endeavour to arrange a meeting within 2-3 business days. A confirmation response is required at least 24 hours prior to confirm the meeting. If no confirmation from the applicant is received, the meeting will be cancelled, and a new request required.

To request a pre-lodgement meeting under the planning scheme, the applicant must complete a [Pre-Lodgement Meeting Request Form](#).

To request a pre-lodgement meeting under the PDA development scheme, the applicant must complete a [PDA Pre-lodgement Meeting Request Form](#).

Both Forms can be submitted by email to [development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au). The request must be accompanied with all relevant material including an agenda, concept, layout or design plans and a brief covering letter or report detailing any specific issues. Requests that don't include the relevant material may not be accepted by Council.

## 2.4 Operational work – Development application process

An application is to be lodged electronically through [Council's application portal - eApplications](#) or by email to [development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au). Fees will apply as per the Schedule of Fees and Charges available on Council's website.

The application must include:

- [DA Form 1](#) (applications under the *Planning Act 2016*) or [PDA Development Application Form](#) (applications under the *Economic Development Act 2012*); and
- Council's **Operational Work Development Application Form**, which requires the following to be attached:
  - a cover letter, including condition compliance statements of each related material change of use and/or reconfiguration of a lot condition;
  - owners consent where for prescribed tidal works;
  - engineering drawings certified by an RPEQ; and
  - engineering design report in accordance with Council's D20 Drawings and Documentation Guidelines certified by an RPEQ or relevant qualified person.

Additional information may be required under other relevant planning scheme policies. For example, landscape documentation for public landscaping or landscaped buffers in accordance with the Guidance Document for Landscape Documentation as per the PSP – Landscape. Any elements of the design which do not comply with planning scheme requirements, planning scheme policies or other relevant requirements are to be identified in the **Operational Works Development Application Form** in the Design Submission – Non-Compliance section. Payment of application fees (based on the estimate cost of works as per Council's Schedule of Fees and Charges) must be made for an application to be considered properly made.

## 2.5 Responsibilities

All design work is to be undertaken by appropriately qualified and experienced persons with the required expertise. Concept and detailed designs must comply with the relevant conditions of related development approvals, Council policies, the relevant planning scheme, provisions of this PSP and in accordance with recognised sound engineering practice.

Should a consultant propose a design which does not fall within the range of design alternatives which are consistent with the standards identified in this PSP and other relevant planning scheme policies, the RPEQ or appropriately qualified and experienced persons are to discuss the proposal with Council as early as possible to determine Council's support for the variation.



Consultants must retain appropriate design records including calculations in a format such that they can be understood readily by design staff with no prior knowledge of the particular design. The design file must be maintained by the applicant (the proponent or consultant) containing records of calculations, approvals and decisions and other design data which could be relevant in reviewing aspects of the design or planning future operation and maintenance responsibilities. Copies of records are to be made available to Council on request and without charge.

Council retains the right to audit all processes and documents related to the development design. The applicant must provide Council Officers all reasonable assistance in inspecting records of designs submitted to Council for acceptance.

Council's standards for engineering design drawings are detailed in the PSP – Quality assurance requirements for design.

It is expected that the certifying professional has performed sound judgement in preparing the designs taking into consideration existing site conditions and Council requirements. It is the responsibility of the RPEQ to verify compliance with all applicable standards. Council is not responsible for verifying the assessment of the RPEQ.

If any non-compliances are identified by Council, the applicant must rectify at the cost of the applicant, notwithstanding Council's prior approval as above or during design or construction phases.

## **2.6 Standard drawings and specifications**

Standard drawings and specifications have been provided by Council to provide guidance to Designers and Contractors in the creation of new public assets. It is intended that these standards be used to ensure a common approach is taken throughout the region.

These resources are available on Council's website and within the planning scheme policies. Note Council may amend, delete or add additional standard drawings or specifications at the discretion of the Council.

## **2.7 Development approval and acceptance of drawings**

Conditions of approval contained within a Decision Notice may require changes to the approved drawings. In these instances, the drawings will be issued to the Applicant with a red stamp advising 'Amendment Required'. Once these changes are made by the Applicant, lodged to Council for review and the amendments accepted by Council, the drawings will be issued to the Applicant with a green stamp advising 'Acceptance for Construction'. Drawings must be green stamped prior to lodgement of an Operational Works – Construction Application.

# **3 Operational work – Construction application guideline**

## **3.1 Introduction**

This section provides advice and guidelines for the requirements to be satisfied prior to construction commencing on site, and during the construction. An operational work construction application is generally required by a condition of approval of a related operational work development permit.

For context, Council separates the development application (design) and construction applications related to Operational Works to separate the application fees as historically applicants and consultants raised concerns that application fees were too high should construction not take place.

All professional engineering services shall be supervised and certified by an RPEQ. Public landscaping works shall be certified by a Registered Landscape Architect with the Australian Institute of Landscape Architects (AILA).

Operational work - Construction applications are required for works that will become Council assets. For private works on private property, Operational work - Construction applications are generally not required other than where works are required on Council land or require alteration of Council assets. For private works, it is the responsibility of the applicant's engineer to certify all works and it is the responsibility of the applicant to ensure all works are completed in accordance with the conditions of the operational works development approval. For private works on private property, there are no Council hold points, no maintenance periods and generally no bonds required. As-constructed drawings are required to be provided to Council upon completion of all works, including private works.

### 3.2 Operational work - Construction application process

An application is to be lodged through [Council's application portal - eApplications](#) or by email to [development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au). Fees will apply as per the relevant Schedule of Fees and Charges available on Council's website.

The application is made using the **Operational Works Construction Application – Lodgement and Prestart Meeting Request Form**, which requires the following additional materials to be attached:

- a Cover letter, including relevant development permit dates and references, any subsequent approvals from Council for Acceptance for Construction (refer section 2.7) and certification from a RPEQ representative that the "Acceptance for Construction" (Green Stamped) plans have not been amended;
- a copy of the "Acceptance for Construction" (Green Stamped) drawing set and related operational works decision notice;
- an estimated schedule cost of works (showing full list of costs relating to the application works), including a separate total each for public and private works, split per asset category (road works, stormwater, sewer, water and public park);
- erosion and sediment control program and plans certified by a RPEQ or CPESC (refer to PSP – healthy waters if applicable); and
- required Inspection Testing Plans (ITP), including rationale on how they comply with the specification requirements. Refer to section 4.4 for more detail about ITPs.

Additional information may be required such as:

- a tree protection plan for existing trees;
- a traffic management plan and approval where applicable; and
- any forms or checklists as required by other relevant planning scheme policies or Council.

Payment of application fees (based on the estimate cost of works as per Council's Schedule of Fees and Charges) must be made for a pre-start meeting to be booked.

### 3.3 Pre-start meeting

Prior to works commencing, a joint pre-start meeting is to be conducted between Council and key development project staff including the supervising RPEQ, site superintendent and the principal contractor for the works. A pre-start meeting will only be held if the items listed in section 3.2 have been submitted and accepted by Council and the appeal period of the related development permit has lapsed or has been waived by the associated applicant.

Landscaping components must be covered at the prestart meeting unless otherwise agreed to by Council. Council, the site superintendent, certifying landscape architect as well as any other nominated landscaping representatives must attend. The landscaping pre-start meeting may be held as part of the pre-start meeting or may be held separately, if agreed to by Council.

Works may not proceed until the meeting is held and any further requirements identified during the meeting have been satisfied. Suggested dates and times must be provided on Council's **Operational Works Construction Application – Lodgement and Prestart Meeting Request Form** as part of the submission of application material.

The pre-start meeting, chaired by the supervising RPEQ or Superintendent, is to be based on an agenda which is covered in the **Operational Works Construction Application – Pre-start Meeting Agenda Template** and includes:

- (a) introduction of the principal contractor, supervising RPEQ, design consultant (including any specialist), superintendent and Council representative. A statement of their respective roles and relevant personal contact details must also be tabled and distributed at that meeting;
- (b) confirmation that all relevant statutory permits/approvals have been obtained;
- (c) confirmation that suitable building licences (QBCC and any other) are current and held by the Principal Contractor and any sub-contractors
- (d) confirmation of any sub-contractors
- (e) evidence of payment of QLeave levy, if applicable
- (f) evidence of current public liability insurance;
- (g) review and discussion of all relevant conditions of the development approval;
- (h) review and confirmation of the site establishment and access arrangements including all necessary site security fencing and signage requirements;
- (i) review and discussion of the approved traffic management plan and haulage routes if applicable;
- (j) review and discussion on a schedule of “hold-points” to be adopted throughout the construction phase. This schedule of “hold-points” is to be approved by Council prior to construction proceeding, and include Council’s minimum hold point requirements;
- (k) discussion of site specific workplace health and safety issues and an approved work method statement and safety plan in compliance with the *Work Health and Safety Act 2011*;
- (l) review of the approved erosion and sediment control plan including site base stormwater management plans and sediment controls at all stages during and post construction;
- (m) location confirmation and identification of all existing public utilities, services and Council assets if applicable, including any approved demolition/rectification actions if required;
- (n) scheduling and identification of all necessary responsible persons to undertake any Council required works (e.g. disconnection of irrigation systems, sewer line connections etc.);
- (o) review of the vegetation protection plan if applicable and confirmation that any necessary vegetation protection measures are in place;
- (p) construction schedule and program and any other details that requires review before construction work commences (e.g. work quality plan and/or quality manual review of quality requirements and inspection test plan requirements);
- (q) if required, a development notice is to be erected;
- (r) confirmation of possession of site by the contractor; and
- (s) any other relevant matters specified by the principal contractor, supervising RPEQ, superintendent, consultant/s and/or Council representative that may be pertinent to the successful completion of the project.

The landscaping pre-start meeting is to cover:

- (a) contact details between superintendent, landscape architect (AILA), Council and contractor are exchanged;
- (b) Confirmation of supervision responsibilities for landscaping works;
- (c) copy of construction plans approved by Council made available for viewing;
- (d) confirm whether there is an approved environmental management plan and its requirements;
- (e) copy of works program has been viewed by Council to plan inspections;
- (f) confirm whether any works are proposed in existing road reserves and if so whether the contractor’s public liability certificate of currency has been sighted and the traffic management plan accepted;
- (g) plant supply confirmed with copies of supplying nursery’s certification details provided to Council. Confirm if acclimatisation of plant stock is required;
- (h) irrigation;
- (i) plant species;
- (j) proposed maintenance procedures during establishment and on-maintenance period;
- (k) manual or automated (temporary or permanent irrigation system) watering schedules;
- (l) playgrounds;
- (m) park furniture and structures;
- (n) park fitting and fixtures;

- (o) electrical;
- (p) park hardstands and footpaths;
- (q) WSUD;
- (r) inspection reports with photographs are to be submitted as part of the ITP;
- (s) confirm that the location of any stockpiles are outside tree protection zones;
- (t) confirm any stockpiles of topsoils are sized to a height that ensures the viability of the topsoil, including the use of sterile cover crop and weed management.

The Pre-start Meeting is not intended to consider other matters of a contractual nature between the applicant and contractor. The applicant may use the above pre-start meeting agenda to ensure minimum topics are covered.

## 4. Inspections and hold points

### 4.1 Introduction

This section of the PSP details inspections that are required to occur during construction.

A hold point is a mandatory hold on works until the supervising RPEQ or superintendent ~~and/or~~ Council has inspected the works on site via a scheduled site inspection and is satisfied that the works meet all relevant requirements and therefore can proceed past this point.

A witness point is a point where the works are inspected/witnessed by the supervising RPEQ or superintendent, who may provide comments where appropriate to the contractors representative. However, unless corrective actions are required works may proceed beyond this point. Council needs to be informed 48 hours prior to witness points and may attend. [All witness points are to be inspected and signed off before works proceed.](#)

### 4.2 Mandatory hold and witness points

Council's Website provides Inspection and Testing Plan (ITP) checklists **which** list all mandatory hold and witness points related to specific assets.

[For each hold or witness point, the applicant must complete the relevant section of the –ITP checklist as well as an Operational Works Construction Application – Inspection Certificate for Witness Holdpoint forms are to be completed](#), certified by the supervising RPEQ or landscape architect (AILA), and submitted to [development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au) with the request for a hold point inspection. The same [ITP](#) checklist will be lodged multiple times at different inspection points. When works are complete, the completed, signed [ITP](#) checklists is lodged with the **Operational Works Construction Application – Acceptance of Works on Maintenance – Inspection Checklist and Request Form**.

Multiple copies of ITP checklists may be required for different assets or for assets in different locations or stages of development. e.g. concrete pours in different locations would each require a 'General concrete pour' ITP checklist to be completed based on frequency and lot size/s.

### 4.3 Notice to inspect

A minimum 48 hours notice is to be given for all inspections, other than pre-start meetings (refer section 3.3). In addition to the 48 hours notice required to book an inspection, an indication of the week in which the inspection will fall is required to be provided two weeks prior to any landscape holdpoints.

The request for inspection is to be accompanied by the necessary documentation, as detailed on the specific ITP checklist form. Prior to all inspections, the supervising RPEQ is required to ensure that each element is ready for inspection by Council and all sections of the ITP checklist preceding and

including the relevant inspection are to be completed and lodged to [development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au) with a requested inspection date.

## 4.4 Inspection and testing plan

ITPs are to be prepared and submitted for approval with the **Operational Works Construction Application – Lodgement and Prestart Meeting Request Form**. ITPs should outline all required testing and witness and hold point inspections. ITPs are to include all hold and witness points listed in relevant Council ITP checklists as a minimum and must also include any other relevant testing or inspection to demonstrate that the works meet design, specification and performance requirements as determined by the RPEQ.

The ITP is to identify:

- (a) the element of the works;
- (b) the tests and checks required;
- (c) the standard required to meet;
- (d) the frequency of testing;
- (e) the inspections required including their type (whether they are hold or witness points) and who is required to attend;
- (f) the contractor's responsibilities;
- (g) the supervising RPEQ's responsibilities; and
- (h) Council's responsibilities.

Council will, on a random basis, call upon the supervising RPEQ to provide evidence of conformance with approved ITPs in the form of diary records, site visit reports etc. At the end of construction, each ITP must be certified by the RPEQ that it has been completed. Each certified ITP including copies of all inspection reports and tests from all hold and witness points listed in the ITP must be provided to Council as part of the acceptance of works on maintenance request (see section 6.2).

Quality assurance documentation that must be provided includes (but are not limited to):

- (a) compaction of fill test results;
- (b) subgrade California Bearing Ratio (CBR) test results;
- (c) subsoil drain filter media grading test results;
- (d) base, subbase and subgrade replacement course material quality (incl. gradings and CBR);
- (e) base, subbase, subgrade and subgrade replacement course compaction;
- (f) prime or primer and any seal spray material supply data sheets and application rates;
- (g) base, Ball pen tests and Degree of Saturation (DOS)
- (h) AC material supply and core tests;
- (i) playground softfall impact attenuation tests;
- (j) soil for horticultural purposes test results (or docket from supplier) stating compliance with AS-4419;
- (k) media for WSUD test results in accordance with relevant standards as outlined in the PSP – Healthy waters
- (l) water test requirements and clearance;
- (m) any concrete testing required by the technical specifications;
- (n) any other job specific testing carried out or required by Council if used; and
- (o) any other material supply data not listed above.

For stormwater and sewerage, conduit inspections must be undertaken in accordance with the WSAA Conduit Inspection Reporting Code of Australia WSA 05 and RPEQ certification provided to confirm that the works meet requirements.

Performance testing of pumping equipment, including associated SCADA network is required. This testing will require the connection of the electricity supply and water to the pump station. Certified results of field tests on pumping equipment are required.

Should any of the above test results fail to meet specification, the applicant is to include in the submission to Council, details of retesting rectification carried out. It is recommended that test results



are submitted periodically at appropriate hold points throughout the project to ensure acceptance by Council.

The documentation should be presented in a logically assembled and bound document including a table of contents to aid in confirming completeness of constructed works. Plans must be provided showing the location of tests for earthworks and roadworks (e.g. subgrade CBR test locations).

## 4.5 Non-conformances

Where any non-conformances are identified during an inspection, or at any point during work, works cannot proceed until the non-conformance has been rectified and signed off by Council. The **Operational Works Construction Application – Non-conformance Report Form** must be completed by and used for both identification of non-conformances and also to signoff that the non-conformances have been rectified. Non-conformances may be identified by either the Contractor, supervising RPEQ or Council. Council inspections are required to confirm non-conformances have been rectified, and are charged as per Council's Schedule of Fees and Charges.

Non-conformances may be in relation to, but not limited to:

- improperly constructed elements that require rectification;
- variances between approved plans and as-constructed elements;
- variances between constructed elements and conditions of relevant approvals or requirements of council policy;
- variances of constructed works from Council's specifications or sub-specifications;
- variances of constructed works from applicable Australian Standards; or
- variances of constructed works from applicable Council standard drawings.

Non-conformances are identified during the construction process. For all non-complying elements that remain as part of a request for on-maintenance, refer to section 7.3 which details non-compliance report requirements.

# 5 Construction management

## 5.1 Introduction

This section outlines general standards and guidelines which are to be observed during the construction of the approved operational works.

## 5.2 Standards and guidelines

### 5.2.1 General

All works are to be constructed in accordance with the approved plans. Council staff will not undertake necessary hold point inspections or enter the site until such time as a site-specific safety induction is undertaken by Council's officers, as arranged by the Contractor. A method of recording site attendance onto the construction site must also be provided and carried out for the entirety of the works.

### 5.2.2 Specifications

Unless otherwise approved by Council, the current specifications for donated assets at Mackay Regional Council are found on Council's website.

Variations to specifications or supplementary specifications may be considered by Council, if requested. Any application to vary the specifications or supplementary specifications must be supported associated documentation and RPEQ endorsement, with preference to be Department of Transport and Main Roads specifications or already accepted supplementary specifications used as part of Council projects. Supplementary specifications can be found on Council's website.

The PSP – water and sewerage (CTM Water Alliance) specification applies to water and sewerage assets.

### 5.2.4 Supervising RPEQ

The supervising RPEQ may allocate a competent person to undertake site inspections and testing, as a representative. The supervising RPEQ (or their nominated representative) shall provide sufficient site presence in accordance with the approved ITPs, so as to be reasonably satisfied that the works meet design, specification and performance requirements.

The supervising RPEQ is to take full responsibility for the construction of works on the development site, and confirm acceptability and compliance of works prior to requesting a Council inspection. Council will, on a random basis, call upon the supervising RPEQ to provide evidence of conformance with the approved ITP in the form of diary records, site visit reports etc.

### 5.2.5 Site management

The contractor is responsible for the management of the construction site and control of construction activities throughout the period of works, with particular attention to reducing the impact of the construction work on the public, adjacent and nearby properties and other areas of the site not part of the works. The primary objective is to eliminate the impacts of the temporary and permanent works having regard to:

- (a) work health and safety;
- (b) quality of works – achieving specification;
- (c) erosion control incl. stockpiling;
- (d) acid sulphate soils;
- (e) run-off;
- (f) traffic management;
- (g) disposal of all materials;
- (h) gaseous discharges and odour;
- (i) noise; and
- (j) dust.

Adjacent waterways shall be regularly monitored for turbidity plumes, algal blooms and dead marine life, or any other environmental measure which may be attributable to the impact from the construction of the works. It is the responsibility of the contractor to ensure all conditions of approvals, and all legal and regulatory requirements are complied with for the entirety of the works.

Where issues arise such as compliance concerns, workplace health and safety incidents or non-compliance with construction standards or conditions of approval, the contractor shall notify Council as soon as practicable.

## 6 Acceptance of works

### 6.1 Introduction

This section defines the requirements for the on-maintenance approval and off-maintenance asset handover process.

### 6.2 Request for acceptance of works on-maintenance

To enable formal acceptance of the works on-maintenance, the **Operational Works Construction Application – Acceptance of Works on Maintenance – Inspection Checklist and Request Form** must be completed. This form requires the following information to be certified by the supervising RPEQ:

- (a) Development Bonding Summary Sheet;
- (b) engineering certification that the works have been undertaken in accordance with the approved plans and specifications, Council's requirements, and conditions of the Operational Works Permit and other relevant approvals;
- (c) a copy of the ITPs signed by an RPEQ indicating that the works have been satisfactorily completed;
- (d) any test results or methodologies of rectification or acceptance in relation to non-conformances including copies of any **Operational Works Construction Application – Non-Conformance Report Forms**;
- (e) relevant geotechnical and structural certification e.g. level 2 technical report (where applicable);
- (f) overland flowpath certification and supporting documentation/calculations - If discharging through private lands easement documentation and sufficient calculations to ensure that nuisance downstream of the development will not be created to be provided as per QUDM
- (g) as-constructed documentation including electronic ADAC (which have been submitted via the **Operational Works Construction Application – As Constructed Documentation Lodgement Form** – refer to section 7)
- (h) submission of a list and details of non-complying elements which are to be reported in the non-compliance section of the **Operational Works Construction Application - As Constructed Documentation Lodgement Form**;
- (i) maintenance security deposit – 5% of contract value, 1.5 times cost maintenance security for landscaping works. There are alternate bond amounts for items listed in the PSP – healthy waters;
- (j) payment of any headworks or other contributions or charges specified in the development permit or levied by Council;
- (k) payment of any outstanding private works accounts;
- (l) written clearances to be obtained for works carried out on land under other ownership, upon completion of the works;
- (m) Open Space Maintenance Plan submitted as per the Guidance Document for Landscape Documentation;
- (n) operating and maintenance manuals and performance specifications;
- (o) any other documentation as required by Council; and
- (p) evidence of payment of any outstanding fees and permits.

### 6.3 On-maintenance inspection

Prior to acceptance of any works on-maintenance, it will be necessary for the works to be inspected in accordance with the **Operational Works Construction Application – Acceptance of Works on Maintenance – Inspection Checklist and Request Form**. A minimum 5 business days notice is required for a request to schedule an acceptance of works on-maintenance inspection as detailed on the request form. In the event of the works being unacceptable, a reinspection fee may be charged for subsequent inspections. This fee is as per Council's Schedule of Fees and Charges.

Council will, upon confirming that the maintenance security bond amount has been approved and received, and all other relevant fees and charges paid, confirm acceptance of the works on-maintenance and arrange for release or reduction of any uncompleted works bond held.

Notwithstanding the above, the works will not be formally accepted on-maintenance until the maintenance security deposit has been lodged and as-constructed drawings and documentation have been submitted and accepted by Council.

### 6.4 Maintenance period

The on-maintenance period for all works is a minimum of 12 months from the date of the acceptance of on-maintenance (via letter) or from the date of release of the formal plan of survey, whichever is later. A 24 Month on-maintenance period is required for stormwater quality management assets in accordance with the PSP – Healthy waters.



If for any reason during the maintenance period, a defect that impacts the integrity and longevity of the asset at Council's discretion is discovered, Council reserves the right to extend the on-maintenance period for a further 12 months from the date of correction of the defect, or as negotiated. Extended on-maintenance periods that only apply to the defective aspects may be negotiated in certain instances.

The applicant is responsible for all maintenance works during the maintenance period and advising Council of any significant works. During the maintenance period, the applicant shall bear the cost of any necessary maintenance and/or repairs, as well as all required testing (and re-testing) to satisfy the Council's requirements.

The applicant (or the applicant's agent or representative) will be advised of any remediation works required and a timeframe in which remediation works shall be completed by.

Should a safety issue be identified during the maintenance period, it is the responsibility of the applicant to attend to the issue immediately to ensure public safety is maintained and to inform Council. If the issue cannot be addressed immediately by the Contractor, emergency temporary works to ensure the safety of the site are to be carried out within 24 hours. Signs are to be erected advising of the hazard until repairs can be undertaken. Advice of all operations shall be provided to Council.

Should the applicant not undertake the necessary correction or emergency temporary works necessary to ensure the safety of the site within 24 hours of becoming aware of the issue, Council will complete the works and all associated costs will be borne by the applicant from the security bond.

## 6.5 Off-maintenance

A request for an off-maintenance inspection must include a completed **Operational Work Construction Application – Acceptance of Works Off-Maintenance - Inspection Checklist and Request Form**.

The inspection checklist component of the form requires the works to be inspected by the supervising RPEQ and certification submitted that certifies the works are performing as designed, are in sound condition and that the constructed works will achieve the intended design life. This must be completed prior to lodgement of the form.

The **Operational Work Construction Application – Acceptance of Works Off-Maintenance - Inspection Checklist and Request Form** also contains the details required to request an off-maintenance inspection.

The applicant is responsible for ensuring that all Council requirements are satisfied prior to requesting an off-maintenance inspection. In the event of the works not being accepted by Council, a reinspection fee may be charged for subsequent re-inspections.

Should the works require defects to be remedied due to an extended maintenance period, the cost is to be borne by the applicant (i.e. landscape areas have reached their useful life and require replacement). As per the PSP – Landscape, any defective trees, plants or grass must be established post-planting for a minimum of 12 weeks before they will be accepted off-maintenance.

A minimum 5 business days notice is required for a request for Council to schedule an off-maintenance inspection as detailed on the request form.

Following a satisfactory off-maintenance inspection, Council will advise the applicant that the works have been accepted off maintenance. At this time, Council will advise the applicant that a request for the release of the maintenance security bond can also be made by completing the **Development Bond Release Request Form**.

Council will, upon confirmation that no outstanding accounts or fees arising from the development are due to Council, confirm acceptance of the works off-maintenance and arrange for the release of the maintenance security bond.

Should the applicant wish to maintain the works beyond the maintenance period, a separate agreement shall be entered into between the applicant and Council.

## 7 As-constructed documentation

### 7.1 Introduction

As-constructed documentation, including as-constructed drawings, serves three functions:

- (a) checking and validation - to enable a quantitative check of the as-constructed works against the approved design, by both the certifying engineer and Council, so as to ensure delivery of the approved design, design outcome and specifications have been achieved and are certifiable;
- (b) recording - to provide an accurate record of asset data capture including as-constructed locations of assets, particularly underground services; and
- (c) quantity - to provide a record of the extent or quantity of the constructed elements to understand the scope of works for maintenance planning, asset management and accounting purposes.

Information required for the checking and validation function must be presented in a form which allows ready comparison between design and as-constructed data by experienced engineering and landscape staff. Alternatively, information required for the recording function must be presented in a form which allows ready and unambiguous interpretation and understanding by a wide range of end-users including engineers, parks managers, landscape architects, maintenance and trades persons and the general public.

Except as specifically excluded below, every drawing in the approved design drawing set, including any stormwater calculation sheets and catchment plans, is to be submitted in certified as-constructed form. It is the responsibility of the applicant to ensure all requirements associated with the as-constructed submission comply with Council's requirements.

### 7.2 Requirements for submission of as-constructed documentation

As-constructed documentation must be submitted to Council as part of the request for acceptance of works on-maintenance. Submission of As-constructed documentation requires the **Operational Works Construction Application – As Constructed Documentation Lodgement Form** to be completed. This form requires the following to be submitted:

- (a) as-constructed drawings – electronic and PDF;
- (b) any marked-up design drawings (PDFs) with as-constructed information;
- (c) tables and other documentation that demonstrate as-constructed information;
- (d) details of any non-complying aspects of the approved design;
- (e) as-constructed electrical wiring diagrams for all electrical elements, e.g. pumping stations or traffic signals.

As-con information must only be submitted after development is constructed. If a development is staged, drawings will only be accepted for works completed as part of the current stage. Drawings of un-constructed stages should not be submitted. Each stage should be submitted separately to make it easier for Council staff to record the constructed elements and therefore quicker for them to approve the submission. In particular .dwg files and red marked up pdf plans should not be submitted of works that have not yet been constructed.

The as-constructed information is to be presented in hard copy plans as well as an electronic format complying with Council's [Asset Design and As Constructed \(ADAC\) 5.01](#) standard for use and direct transfer to Council's geographic information system (GIS) and Asset Management Systems.

The following requirements shall be strictly adhered to by the supervising RPEQ in the supervision of development works and preparation and certification of as-constructed drawings:

- (a) departures (a change which varies the design intent) from approved designs should be approved by Council in writing before implementation and before submission of as-constructed drawings.
- (b) construction is to generally comply with the approved design (as amended above, if required), within the tolerances of Council's approved specifications.
- (c) where tolerances are not stated in the relevant PSP or Council's standard specifications, tolerances shall be in accordance with the relevant Australian Standard and accepted engineering / landscape and horticultural practice.

## 7.3 Non-compliance report

All non-complying aspects of the design are to be reported in the non-compliance section of the **Operational Works Construction Application - As Constructed Drawing/s Lodgement Form**.

Non-compliances are different to non-conformances. Non-compliances are elements of completed works that are non-complying while non-conformances are identified during construction. Refer to section 4.5 for more information about non-conformances.

The reporting of non-compliances is intended to place responsibility for identifying and reporting non-complying elements of works with the supervising RPEQ and to expedite Council checking and approval.

The non-compliance reporting must:

- (a) identify the nature and number of non-complying items;
- (b) nominate the supervising RPEQ proposals for rectification or Council acceptance including sufficient justification for non-conformance; and
- (c) provide Council with a fixed time frame for completion of any rectification works, and
- (d) show how the non-compliance will be treated in a way that will not result in it re-occurring

in many instances, concise, comprehensive and accurate reporting of non-compliances will enable Council to grant immediate on-maintenance approval provided all other requirements have been satisfied, including the supervising RPEQ certification of construction.

Non-compliances may be in relation to (but not limited to) variances between constructed works and:

- approved plans;
- conditions of relevant approvals;
- applicable specifications or sub-specifications;
- applicable Australian Standards;
- applicable standard drawings;
- planning scheme policies;
- the planning scheme.

## 7.4 Documentation requirements

### 7.4.1 Introduction

It is strongly recommended that as-constructed information be collected and verified as the works progress to identify any departures from the approved design as early as possible, so that any required rectifications do not delay granting of works on-maintenance.

Prior to acceptance of the works on-maintenance, the supervising RPEQ is to supply an AutoCAD.DWG Drawing file of the completed works, including landscaping, complete with the engineer's title description of the development.

As well as the above drawing requirements, any development permit issued after January 2020 (listed as OW-2020-XXX) will require Asset Design and As Constructed (ADAC) compliant information in accordance with Council's ADAC 5.01. The consultant and contractor must follow the ADAC guidelines on [Council's website](#).

## Specific as-constructed documentation requirements

As-constructed information should be provided to document all elements of constructed works, including all fittings, fixtures, levels, materials, grades, quality, specification conformance, design intent etc. The below table lists specific as-constructed documentation items that must be provided for various asset types. These are important inclusions but are not exhaustive lists.

Asset	As-constructed information shall include, but is not limited to
Subdivisions	<ul style="list-style-type: none"> <li>correct street names and lot numbers are to be shown on all relevant drawings;</li> <li>location and AHD values of Permanent Survey Marks installed in the subdivision.</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li>that works have been constructed in accordance with the approval and that appropriate finished surface levels, gradings have been achieved on allotments, batters, drainage features and other applicable earthworks site features;</li> <li>a table verifying levels are within tolerances should accompany any report.</li> </ul>
Roadworks	<ul style="list-style-type: none"> <li>road formation width: As-constructed information for all roads showing as-constructed widths (including carriageway, verge, footpath - from boundary to boundary);</li> <li>cross section grade: As-constructed annotated road cross sections for all roads;</li> <li>longitudinal section grade: As-constructed longitudinal section for all roads</li> <li>critical overland flow: As-constructed cross-section information shown where roadway conveys critical overland stormwater flow;</li> <li>street furniture, street lights, signage and line marking: Confirmation of signage installed (including all street name signage, regulatory, warning, and advisory signage, guideposts and other ancillary road furniture). Detailed survey of signage locations is not required;</li> <li>seal: show the as-constructed seal or surfacing composition;</li> <li>pavement: Show the as-constructed pavement layer thickness and composition including minimum CBR values for pavement materials for each road;</li> <li>subgrade: Show the adopted subgrade CBR value for as-constructed pavement design for each road;</li> <li>design traffic ESA: Show the adopted design traffic ESA and design life (years) for the as-constructed pavement.</li> </ul>
Stormwater drainage	<ul style="list-style-type: none"> <li>plan of alignment of culverts;</li> <li>long section of line/s with grades, lengths, depth to invert;</li> <li>culvert material type and class, and size of culverts, number of culvert cells;</li> <li>critical overland flow: As-constructed cross-section information shown where drain conveys critical overland stormwater flow.</li> </ul>
Stormwater Pits	<ul style="list-style-type: none"> <li>plan of location and pit layout;</li> </ul>

	<ul style="list-style-type: none"> <li>size, thickness of walls, sills, floor thickness, depth to invert, lintel type and design capacity detail.</li> </ul>
Stormwater Quality Management Devices	<ul style="list-style-type: none"> <li>swales – plan of locations, construction details (levels, grades, filter material, turf species, flush kerb entries), pits, subsoils;</li> <li>bioretention systems and constructed wetlands – plans showing, size (length and width), finished levels and grade overflow weir RL, layers thickness including drainage pipes liners and geofabric, landscaping plantings species density, sediment forebay, various layer material types.</li> </ul>
Water	<p>Water reticulation layout plan detailing alignment of mains, size, material and class of mains and envelopers, location of valves, hydrants, booster pump stations, reducers and other appurtenances, location of water services.</p> <ul style="list-style-type: none"> <li>sewerage reticulations;</li> <li>sewerage reticulation layout plan detailing the alignment of sewer, mains, location of maintenance structures named as per Council requirements (e.g. manholes), location of property services, location of any overflow structures;</li> <li>long section of line/s detailing maintenance structure name as per Council requirements, MH/MS cover type, MH/MS type, branch drop type, branch line number, property connection type, property connection details (including Lot number, PC invert level (IL), PC chainage to downstream MS/MH, PC depth), service conflict details (including service diameter, service type, crown level, clearance or invert level), bulkhead or trenchstop notes, property description, pipe diameter, type and class, grade, length, embedment type, depth of invert below finished surface level, invert level, finished surface level, existing surface level, chainage as per CTM standard drawings;</li> <li>Overflow/Eros details, where required, including all dimensions and levels;</li> <li>certification from the Consultant that the as-constructed alignment, pipes and fittings used are as per the approved drawings and specifications is required.</li> </ul>
Sewer pump stations and rising mains	<ul style="list-style-type: none"> <li>typical locality and site plan. Pump station to be named as per council's requirement.</li> <li>rising main layout plan including all appurtenances (may be combined with sewerage reticulation layout plan)</li> <li>rising main longitudinal section including pipe diameter and class, appurtenances, grade, depth to invert, invert level, existing natural surface level, finished surface level and chainage with services marked</li> <li>P&amp;ID diagram</li> <li>pump &amp; rising main details including rising main system curve (system curve to be provided in Excel format), pump curves with required and actual duty points marked, pump details, rising main details including velocities, mean static head at zero flow, and hydraulic test pressure results. Flow details into pumpstation for PWWF, PDWF ADWF, including flow rate into SPS, velocity in rising main, pump stats per hour and rising main detention times for each</li> <li>site layout</li> <li>general arrangement of wet well, valve pit,</li> <li>emergency storage dimensions and levels</li> <li>section of wet well as per CTM-SPS-003 A (or latest equivalent)</li> <li>pipework arrangement</li> <li>flowmeter &amp; section valve chamber</li> <li>air valve or scour details</li> <li>pump out point details</li> </ul>

	<ul style="list-style-type: none"> <li>• Eros pit details (and hydraulic grade line where necessary)</li> <li>• wet well structural details</li> <li>• level control and well washer details (if required)</li> <li>• covers – including general arrangement including showing the covers both closed and in open position, sections and hinge details, lock box mechanism, safety grille details and sections, and retaining posts (if required)</li> <li>• vent pole and odour control general arrangement and details</li> <li>• switchboard cubicle general arrangement</li> <li>• single line power schematic</li> <li>• power distribution</li> <li>• pump starter</li> <li>• pump control</li> <li>• common control</li> <li>• telemetry DC power distribution</li> <li>• telemetry local data network</li> <li>• telemetry RTU input/output</li> </ul>
Landscape works	<p>As-constructed information is to be certified by AILA and shall include:</p> <ul style="list-style-type: none"> <li>• confirmation of species, location, planting densities and embellishment details, materials, thickness, trees species, location</li> <li>• as-con for irrigation lines</li> <li>• as-con for electrical lines</li> <li>• Reduced pressure valve (RPZ) backflow protection device and controller types and location</li> <li>• plan of main distribution and sizes</li> <li>• Irrinet operation and electrical/electronics</li> <li>• hard landscaping – infrastructure type, manufacturer and model, plan location, path/s width depth material plan of location, fencing – type length, height.</li> </ul>

## 8 Development bonds

### 8.1 Introduction

The purpose of this section is to set out the circumstances and processes associated with Council requirements for:

- (a) accepting security for operational works prior to completion of construction;
- (b) accepting security for completion of operational works prior to on-maintenance;
- (c) accepting security for defects and maintenance of public assets during the on-maintenance period; and
- (d) to cover incomplete development obligations.

Development bonds provided to Council act as a financial security whilst works are still being or have been undertaken as part of an operational works – construction application. The bonds are held by Council for a specified period or until certain works are satisfactorily completed and the works formally accepted by Council. All bond forms can be found on Council's website.

### 8.2 Development bond types

The following bond types are accepted by Council based on works staging. All bond types (except for Maintenance Bonds) require prior written approval from Council before lodging.



### 8.2.1 Early release

Early release bonds are only accepted when prior approval is given to apply for a 'pre on-maintenance' subdivision plan endorsement. This approval is required in writing from Council. The bond is calculated as the equivalent of the maintenance bond for the entire construction work and provides an additional security of the risk to Council of unfinished works in addition to the incomplete and deferred works bond amounts.

As part of the request, the applicant must provide substantial reasoning to support early release and achieve the following as a minimum:

- Works on private lots completed in full (grading, infrastructure connections)
- Major infrastructure completed such as:
  - SPS constructed and operational - minor fixtures, such as fencing, grading of final ground level and ergon connection outstanding.
  - All sewer and water infrastructure including live connection by Council
  - Works in the road reserve - road pavements completed up to final seal, signage and linemarking, footpaths and minor fixtures outstanding.
  - Electrical and NBN installed and accepted by service providers.
  - Stormwater and WSUD infrastructure constructed – minor fixtures such as landscaping and WSUD planting outstanding.

If Council endorse a pre on-maintenance subdivision plan, the applicant must close all entry points to the works area to the public. Council may consider requests to open the estate where Incomplete works do not create hazards to the public.

All works not completed at time of request are required to be bonded as incomplete and/or deferred works. Release of the early release bond can be requested once the on-maintenance letter is given for all works.

### 8.2.2 Incomplete works bond

Incomplete works bonds are accepted as part of the process for early release as per Section 8.2.1. The bond is calculated as the cost of outstanding works and can be separated into infrastructure categories (stormwater, roads, landscaping, etc). The incomplete works bond cannot be utilised on private infrastructure. As part of the incomplete works bond request, the applicant must provide a breakdown of the bond amount per outstanding works item for Council's record.

It is anticipated that incomplete works should be completed within 3 months of acceptance of plan endorsement. Where works are not completed within the 3 months, Council may utilise the bond to complete the outstanding works. The applicant may request an extension, with provision of documentation outlining engagement of contractor and proposed works schedule.

Release of the incomplete works bonds can be requested once the on-maintenance letter is given for associated works.

### 8.2.3 Deferred works bond

Deferred works bonds are accepted as part of the process for early release (Section 8.2.1) or as part of the on-maintenance process as per Section 6.2. The bond is calculated as the cost of outstanding works and is multiplied by a factor based on the proposed deferred period. This approval is required in writing from Council. The deferred works bond can be utilised, where works are required for condition compliance as part of a survey plan endorsement process for works that are the responsibility of the applicant to undertake as per the related development permits.

As part of the request, the applicant must provide:

- Proposed work to be deferred, including cost of works
- Deferred period
- Reasoning for deferring works (i.e. planting bio-basin must be at 80% build out of subdivision, fencing contractor booked in 3 months time to undertake work).

The bonded work must be provided within the original deferred period. Where works are not provided within the deferred period, an additional deferred bond will be required from the developer. Alternatively, Council may utilise the provided bond to undertake the works. Release of the deferred works bonds can be requested once the on-maintenance letter is given for associated works. A Maintenance bond for the works will be required to be submitted prior to the release of the Deferred Works Bond if relating to public infrastructure.

#### **8.2.4 Maintenance bond**

Maintenance bonds are required for all public infrastructure and are held for a minimum of 12 months from the date of acceptance of works on-maintenance. The on-maintenance process is as per Sections 6.2 & 6.3 of this PSP. The bond covers Council's risk for any defects found over the initial 12 month period and is calculated as the higher of:

- 5% of the total cost of works; or
- a minimum \$1,000.00

Bonds for stormwater quality management devices (WSUD) differ and are identified in the PSP – healthy waters.

Release of the maintenance bonds can be requested as part of the off-maintenance process as per Section 6.5 of this PSP.

#### **8.2.5 Private works bond**

Private works bonds are only accepted when prior approval is given upon request. The request must include detailed quote of cost of works and a completed Private Works Bonding Summary form. This approval is required in writing from Council and will be accompanied by a Bonding Agreement. Private works should be completed within 12 months of acceptance of Bonding Agreement.

The following works are eligible for Private Works Bonding on Reconfiguration of Lot developments:

- Driveway and invert crossing
- Stormwater connections
- Landscaping

All other works are not eligible for Private Works Bonding and no Material Change of Use works can be privately bonded.

If prior approval has been received from Council for a Private Works Bond, the applicant must provide:

1. Detailed cost of works or quote from supplier/contractor;
2. Completed Private Works Bonding Summary Sheet signed by the owner/developer;
3. Contract entered between builder outlining timing of commencement of works date;
4. Bonding Agreement which has been signed by property owner and Council;
5. Copy of contract of sale outlining outstanding works to potential purchaser of the relevant lot(s)
6. Bond payment

If the owner fails to complete the required works within the specified period, Council will either draw on the bond and utilise the monies to complete the works in accordance with the signed Bonding Agreement or commence compliance action for a breach of the development Conditions of Approval

### **8.3 Lodgement of bonds and works compliance**

Council accepts two forms of payment for development bonds, bank guarantee or cash which is held in Trust (also referred to as a trust bond). All bonds submitted to Council must be accompanied by the following mandatory documentation, signed by an RPEQ.



- A [Development Bond Summary Sheet](#) form completed electronically & signed by a RPEQ;
- Evidence of Council approval of bonds as per the above bond types; and
- Bond payment (either a trust bond or a bank guarantee).

A signed letter of unconditional undertaking, guaranteeing that all uncompleted works (as defined in the RPEQ's certification) will be completed within 3 months of Council endorsing the plan of survey and to include a statement that the applicant grants permission to Council to call up the said bond for uncompleted works if not completed by the expiration of the 3 month period and (where applicable) agreeing that the incomplete works bond will be forfeited to Council if the uncompleted works are not completed within the required timeframe.

Non-compliance:

- (a) Council may, where the applicant has failed to comply with the terms of these bonding provisions, serve written notice on the applicant requiring the applicant within seven (7) days of the receipt of the notice to either comply with the terms of these bonding provisions or show cause why Council shall not call up the security and complete the works; and
- (b) Council may call up the security if the applicant has failed to comply with the notice served as stated above, and in the interest of public safety, environmental health or structural failure, certain works are required to be undertaken by Council.

### 8.3.1 Payment of bond with cash

When submitting a cash bond due to legislative requirements, funds must be refunded to the party shown on the Council Tax Receipt.

Payment of a cash bond can be made to Council via one of the following methods:

<b>ELECTRONIC FUNDS TRANSFER</b>	<i>Electronic Bank Transfer only</i>	Submit a <a href="#">Development Application Electronic Funds Transfer Payment Request</a> to Development Services. If you are eligible for this payment type, you will receive payment details via email within 2 business days.
<b>PHONE</b>	<i>Credit Card payment only</i>	Phone 1300 622 529 to make payment through Development Services, during the hours of 8:30am to 4:00pm, Monday-Friday.
<b>IN PERSON</b>	<i>Cash, Cheque or Eftpos payments available</i>	Visit one of Mackay Regional Council's Service Centres during office hours, 8:30am to 4:30pm, Monday-Friday.
<b>MAIL</b>	<i>Cheque only</i>	Mail a cheque and a cover letter outlining the application details to: Mackay Regional Council ATTN: Development Services PO Box 41, Mackay, QLD 4740
<b>Please Note: Council does not offer B-Pay services for this type of payment or accept American Express/Diners credit cards or money orders. Council also does not issue invoices for this type of payment.</b>		

### 8.3.2 Payment of bond with bank guarantee

The requirements for all bank guarantees supplied for Development Bonds are outlined below. Bank guarantees that do not follow the below requirements will be rejected and a new bank guarantee will need to be produced by the issuing bank.

<b>INSTITUTION RATING</b>	All guarantees must be submitted using a financial institution only. Guarantees from Insurance Companies are not accepted by Council.
<b>AMOUNTS</b>	All guarantee values must match those shown on the Bonding Summary Sheet exactly.
<b>FAVOUREE/BENEFICIARY</b>	Mackay Regional Council (ABN 56 240 712 069) 73 Gordon St, Mackay, QLD, 4740
<b>DESCRIPTION</b>	The description should read as follows (replacing the wording suit your guarantees requirements) – Application Number - Bond Type - Estate Name & Stage # or Property Address (if there is no estate name) - Bond Amount
<b>EXPIRY DATE</b>	All bank guarantees submitted to Mackay Regional Council must be open ended with no expiry date.

Bank Guarantees will be returned to the issuing financial institution noted on the submitted bank guarantee unless prior written arrangements have been made to collect the guarantee. If you wish to collect the guarantee from Council, you must outline this within the [Development Bond Release Request Form](#). If this form is incorrectly completed, the guarantee will be posted to the issuing financial institution. Upon release, a letter is emailed/posted to the issuing financial institution advising them that the guarantee is no longer required. The bank should cease all securities from the date of Council's release letter.