

Guideline – Final Works Acceptance

About this Guideline

This Guideline has been prepared to assist applicants to gain Final Works Acceptance certification.

The Final Works Acceptance Guideline has been carefully designed to match the content and layout of the mandatory Submission Form – Final Works Acceptance.

This Guideline should be used as a reference when preparing the submission as it will assist in submitting a complete application streamlining the approval process once lodged with Council.

Why does Council issue a Final Works Acceptance Certificate

A Final Works Acceptance is requested and given after the completion of Defects Liability Period. Some developments may also require a Landscaping Practical Completion Endorsement as stated in the relevant development approval.

Final Works Acceptance Certification is the concluding step in the Post Approval process. Following a Defects Liability Period of at least twelve (12) months, we will inspect the site to ensure the infrastructure we are taking possession of is free of defects as defined in the FNQROC Development Manual. In addition to defects, landscaping must be established and maintained in accordance with the Landscaping Practical Completion Endorsement.

The Final Works Acceptance inspection ensures that the performance of future Council assets is satisfactory and that any defects that may have arisen during the Defects Liability Period have been repaired to the appropriate standard, including any defects noted in the Works Acceptance process.

As Final Works Acceptance is the concluding step in the Post Approval process, we will not issue a conditional certificate. All relevant conditions and approvals including any items noted at Works Acceptance and Landscaping Practical Completion Endorsement must be satisfied and completed.

Applicants should discuss the full requirements with their professional consultants to determine the full extent of documentation required.

Generally, the Consulting Engineer will lodge the submission to Council on the owner's behalf.

Overview of application process

To request a Final Works Acceptance Certificate a submission is required to be lodged, followed by an inspection of the site to ensure conditions, standards, and requirements, including any remaining conditions from the Works Acceptance have been met.

Broadly, all submissions will follow the same five (5) steps as shown in the below:

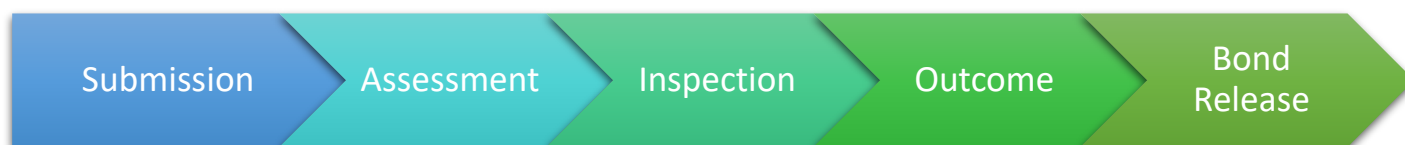
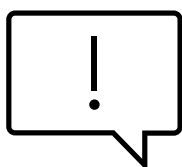


Figure 1 – Overview of submission process

Step 1 – Application

Important



Council has processes in place to ensure an efficient turnaround from submission to inspection to certification. It is vital the Final Works Acceptance Submission is complete and compliant at the time of lodgement. An incomplete submission will not proceed past an initial assessment and may result in unnecessary delays.

An applicant must prepare and lodge a complete submission, further instructions on submitting a complete submission are found under “Guideline to Making a Complete Submission” in this form.

The Submission Form – Final Works Acceptance, lists all required details and information required.

Council acknowledges it can take time to prepare all the documentation and may involve third party professional assistance.

Once all the required documents have been collated, ensure they are clearly labelled according to the Document Order Number, outlined on the Submission Form. For example, the “Final Acceptance Checklist” must be labelled as “Document 1”, evidence of repaired defects must be labelled as “Document 2” and so on.

Applications are preferred to be lodged electronically at planningadmin@cairns.qld.gov.au.

Step 2 – Assessment

The assessment of the submission is a two-part process.

1. The initial assessment is an administrative check to confirm all documents required for the project have been submitted.
2. The technical assessment is a detailed review of the documents undertaken by Council Officers to confirm the content is correct and compliant.

Due to the administrative nature of the initial assessment, the application form must be entirely completed, including the documentation checklist. The assessment will be carried out based on what has been detailed on the application form, missing information or incomplete sections will result in an application that cannot be assessed and will be returned to the applicant for resubmission.

You will be advised if Council identifies any errors or omissions in the submission.

Step 3 – Inspection

Once the technical assessment has been completed and accepted, Council officers will send a calendar invitation to the nominated representative, typically the Consulting Engineer, for the Final Works Acceptance Inspection.

The inspection will take place on site with Council representatives to ensure comprehensive technical inspection of the assets and site. The applicant's representative is required to attend.

Step 4 – Outcome

There are two (2) potential outcomes from the Final Works Acceptance Inspection, determined based on the FNQROC Development Manual (Construction Phases CP1), relevant development approval conditions and what is assessed at the inspection.

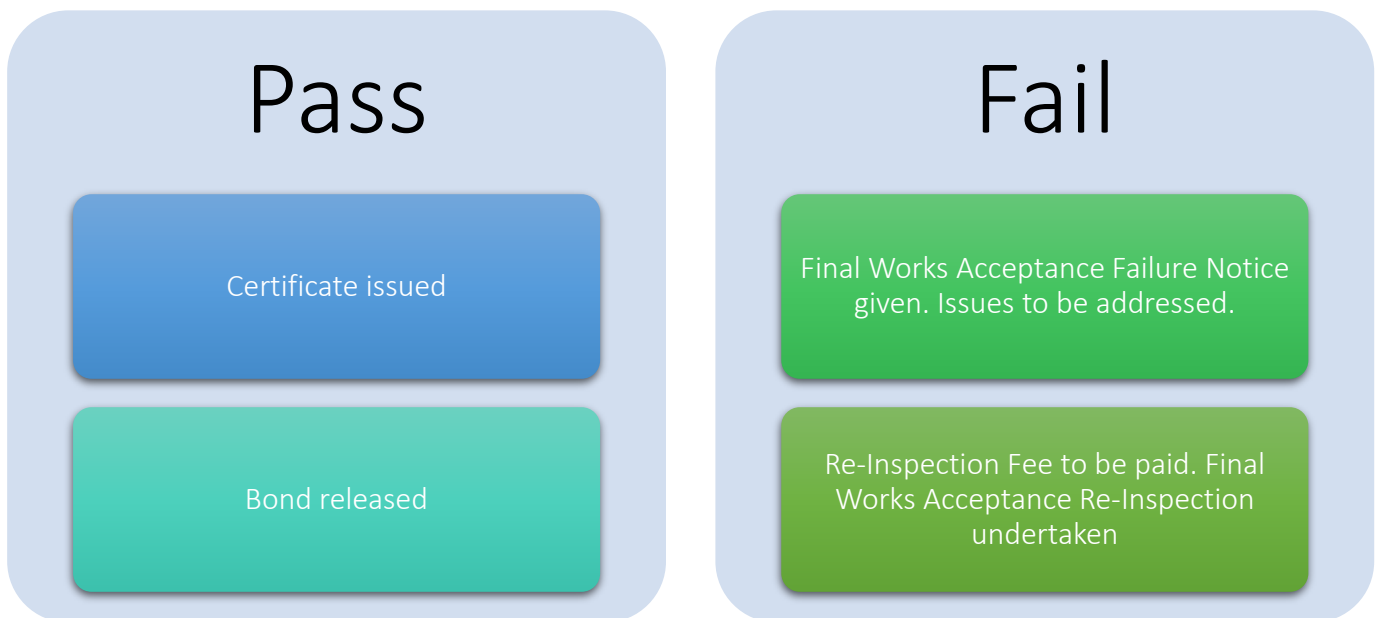


Figure 2 – Overview of possible inspection outcomes

If the inspection outcome is determined to be a pass, interim notification will be issued shortly after the inspection.

If any areas of concern are identified, this will be communicated at the inspection and be detailed in the Final Works Acceptance Failure Notice. This outcome will require a re-inspection after the defects have been addressed. Prior to re-inspection being booked, the Re-Inspection Fee must be paid.

Final Works Acceptance is the concluding step in the Post Approval process. It is not feasible to issue a conditional certificate as there is no recourse for these conditions to be reviewed and managed. All relevant conditions and approvals including any items noted at Works Acceptance and Landscaping Practical Completion Endorsement must be satisfied and completed entirely prior to certification being issued.

After the Final Works Acceptance Certificate has been issued, the defects liability bond may be released at the request of the bonded party.

Step 5 – Bond Release

Council requires a request for the release of the Defects Liability Bond in writing. If the bond was paid in cash, a completed and signed Bond Refund Request Form must be submitted with this request. Once Council has received the request and appropriate documentation, the funds will be returned.

If the bond was paid with a bank guarantee, Council will process the written request. The original bank guarantee will be returned to the bank or applicant, including written confirmation from Council the bond has been released. Additionally, copies of this correspondence will be mailed to the bonded party confirming of the bond’s release.

Guideline to making a Complete Submission

It is acknowledged that the requirements of a submission can be complex. To assist applicants in completing the submission form and ensuring the provision of correct documentation, the following guidance material has been provided.

The guidance material and the Submission Form have been designed so that they can be read together, with the use of consistent formatting and cross-referencing. For example, Section 1 of the below guidance material relates to Section 1 of the Submission Form, and so on.

Applicant Details	
Section 1	<i>Guidance: Section 1 requires the applicant who is requesting the approval of Final Works Acceptance to insert their contact details. The contact details provided will be the point of contact for all Council correspondence about the submission.</i>
	<i>The applicant is required to provide the property details of the current land that is the subject of the application, including all Registered Plans. This information is required to attach the application to the correct land records of Council.</i>
	<i>The Consulting Engineer & Primary Contractor details are required so Council know who to contact in the instance further information regarding the development is required.</i>




Related Development Approvals		
PART A - Details of related Development Approvals (Operational Work Approval)		
Section 2	Operational Work Permit reference number(s) (i.e. 8/10/xxxx)	<i>Guidance: Please state the reference numbers of the related Development Permit for Operational Work (if applicable).</i>
	What is the date of the Approval	<i>Guidance: Please state the approval date of the Operational Work Development Permit.</i>
	Is approval subject to an Appeal or Change Representations?	<i>Guidance: Please state if an appeal or change representations during the applicant’s appeal period has been commenced.</i>
	Is the approval subject to a Change Application (S81 or S82 of Planning Act 2016)?	<i>Guidance: Please advise if a Change Application under S81 or S82 of Planning Act 2016 is in progress and undecided.</i>

	Condition and Landscape Compliance Checklist (where applicable)	<i>Guidance: As part of the parent approval, a condition compliance checklist must be completed and attached to application, this also includes landscaping works per the Landscaping Practical Completion Endorsement.</i>	
PART B - Details of current approval (Planning Approval)			
Section 2	Part B	What is the related planning approval?	<i>Guidance: If there is a related approval this will typically be in the form of a Material Change of Use or Reconfiguring a Lot. Often these approvals will contain conditions that will be required to start works. It is the applicant's responsibility to address these requirements in the submission.</i>
		Planning Approval reference number (i.e. 8/13/xxxx)	<i>Guidance: Please state the Development Permit reference number (i.e. 8/13/XXXX).</i>
		What is the date of the Approval?	<i>Guidance: Please state the date of the Related Development.</i>
		Is the approval subject to a Change Application (S81 or S82 of Planning Act 2016)?	<i>Guidance: Please advise if a Change Application under S81 or S82 of Planning Act 2016 is in progress and undecided.</i>
		Is the Development Permit subject to an Appeal or Change Representations?	<i>Guidance: Please state if an appeal or change representations during the applicant's appeal period has been commenced. If the applicants, or if the submitter appeal periods related to the Development Permit are in effect, the development approval has not yet taken effect.</i>
		Is there a related Development Permit for Operational Work?	<i>Guidance: Please state the reference numbers of the related Development Permit for Operational Work (if applicable).</i>
		Condition and Landscape Compliance Checklist	<i>Guidance: As part of the parent approval, a condition compliance checklist must be completed and attached to application, this also includes landscaping works per the Landscaping Practical Completion Endorsement.</i>

Section 3	Declaration
	<p><i>Guidance:</i> This section ensures the applicant acknowledges they are aware of the requirements prior to submission and the potential Re-Inspection Fee falling due if the submission or site are not complete. The declaration is in place to encourage applicants to submit complete forms and avoid preventable fees & charges or delays.</p>



Mandatory Submission Documents		Please ensure all documents are labelled and submitted in the correct order according to this guide and the Submission Form. The initial assessment is dependent on the form being filled out completely. It is critical that each document be indicated as "attached" or "N/A".
Section 4	1. Final Acceptance Checklist (at the end of this form)	<i>Guidance: This a key document, required by FNQROC to be completed as part of Final Works Acceptance. It is an excellent opportunity for the applicant to audit the works completed to ensure they are ready for Final Works Acceptance.</i>
	2. Evidence of any defects being satisfactorily repaired	<i>Guidance: Any defects identified in the Works Acceptance certificate or during the Final Works Inspection will require documentation proving they have been addressed.</i>
	3. Evidence of Works Acceptance conditions being satisfactorily met	<i>Guidance: The Works Acceptance Certificate will identify defects and associated conditions that are to be addressed prior to the issue of the Final Works Acceptance certificate. Evidence of these conditions being met must be supplied.</i>
	4. Works Acceptance Certificate	<i>Guidance: The certificate that is issued 12 months prior to the Final Works Acceptance certificate – this certificate identifies any existing or potential defects that may arise during the 12 months "Defects Liability" period.</i>
	5. Landscaping Practical Completion Endorsement	<i>Guidance: A Landscaping Practical Completion Endorsement is a letter that verifies that the approved or endorsed landscaping works have been established and inspected by Council at a Landscaping Practical Completion Inspection a minimum of 13 weeks prior to the Final Works Acceptance, or as stated in the conditions. This letter lists the associated approvals, standard items to be addressed during the landscaping establishment period and any identified items required to be rectified or installed at the Final Works Acceptance.</i>
	6. Evidence of Landscaping Practical Completion conditions be satisfactorily met	<i>Guidance: Evidence of the completion of any non-standard landscaping establishment items listed on the Landscaping Practical Completion Endorsement must be provided with the Final Work Acceptance documentation. This evidence shall demonstrate that all landscaping works have been completed and are an acceptable standard.</i>

For Enquires and Feedback	 Customer Service Centre located at: 119-145 Spence Street, Cairns This office is open from 8:30am to 4:30pm weekdays (excluding public holidays)
	 All electronic enquires must be sent to: planningadmin@cairns.qld.gov.au
	 For feedback about this form, please send direct to: planningadmin@cairns.qld.gov.au
Privacy Collection Statement	Cairns Regional Council collects and manages personal information in the course of performing its activities, functions and duties. We respect the privacy of the personal information held by us. The way in which Council manages personal information is governed by the <i>Information Privacy Act 2009</i> . We are collecting your personal information in accordance with the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i> . The information will be used to process this request, update our records, and undertake compliance related activities as necessary. Generally, we will not disclose your personal information outside of Council unless we are required to do so by law, or unless you give your consent to this disclosure. For further information about how we manage your personal information please see our Information Privacy Policy.

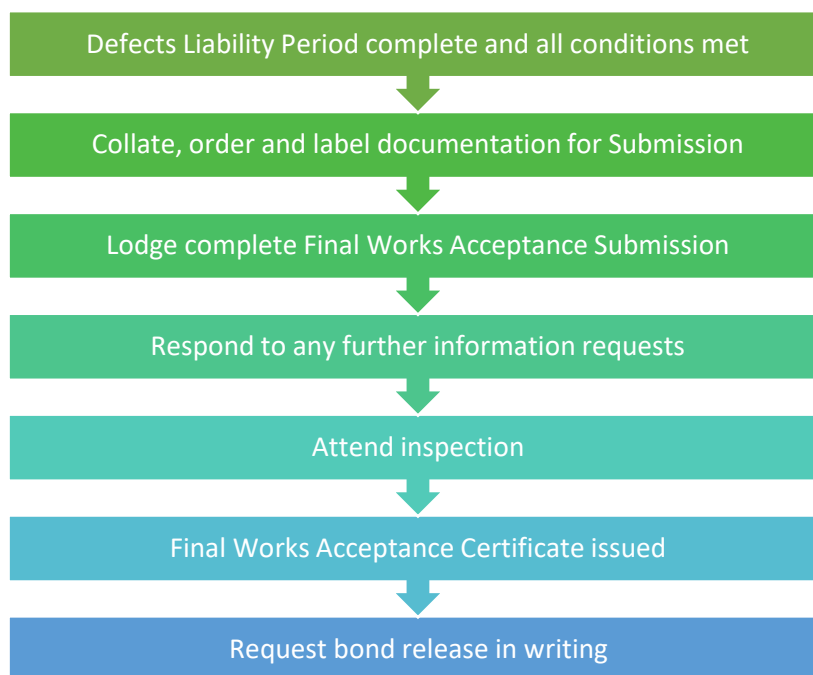


Figure 3 – Final Works Acceptance process flowchart