



UrbanUtilities

**UNCOMPLETED  
WORKS BOND  
GUIDELINES**

# CONTENTS

<b>1 Overview of Uncompleted Works Bonds</b> .....	2
1.1 What are Urban Utilities Uncompleted Works Bonds?.....	2
1.2 Uncompleted Works Bond requirements.....	2
<b>2 Requesting an Uncompleted Works Bond</b> .....	3
2.1 How to apply.....	3
2.2 Assessment fee.....	3
2.3 Review and approval.....	3
2.4 Bond execution and payment.....	4
2.5 Letter of approval.....	5
2.6 Currency and completion.....	5
<b>Table 1 Requirements for assessment of Uncompleted Works Bond Application</b> .....	6

# 1 Overview of Uncompleted Works Bonds

This guideline explains the requirements and process for obtaining an uncompleted works bond as administered by Urban Utilities. Uncompleted works bonds may assist a project to be completed while minimising impact on:

1. the operation of our water supply or wastewater networks, and
2. new or existing customers.

## 1.1 What are Urban Utilities Uncompleted Works Bonds?

An uncompleted works bond allows a developer to undertake early plan sealing, while simultaneously completing outstanding works to receive a Connection Certificate.

The bond is executed as a contract between us, as Urban Utilities, and the developer. The developer is required to provide a payment taken as security and later released upon completion of the outstanding works and issue of a Connection Certificate. Uncompleted works bonds may be requested for construction, testing, commissioning and compliance requirements.

The acceptance of an uncompleted works bond request requires certain conditions to be met and consideration of associated risks, including default, and as such it is not a right of development and any approval is at the discretion of Urban Utilities.

## 1.2 Uncompleted Works Bond requirements

Requests for uncompleted works bonds are assessed against the conditions identified in Table 1.

## 2 Requesting an Uncompleted Works Bond

### 2.1 How to apply

The applicant must submit the information identified in Table 1 in a concise and clearly identified package of attachments. Applicants must include a cover letter detailing their request for an Uncompleted Works Bond. Applications are made from the relevant Water Approval (PNT) application in the Developer Services Portal. Refer to the Quick Reference Guide on the Developer Services Portal webpage:

<https://www.urbanutilities.com.au/development/developer-services-portal>

### 2.2 Assessment fee

All uncompleted works bond requests incur a non-refundable review and assessment fee issued upon application (for current fee information refer to Urban Utilities website – Development – Fees and charges). Full payment is required in order to undertake your assessment.

As noted in Table 1, where the information provided regarding the uncompleted works is incomplete or insufficient, a field inspection may be required and a field inspection fee incurred. If a field inspection is required, we will contact you regarding the scheduling.

### 2.3 Review and approval

Once the assessment fee has been received your request will be reviewed. If we require clarifying information we will issue an Information Request (IR) from the Developer Services Portal. To minimise review and approval timeframes please ensure the most complete and accurate information is provided.

Where the request is approved, we will issue:

- confirmation of the approved value of the uncompleted works bond
- a standard bonding agreement for completion and execution by the developer
- payment information (proforma invoice for cash amounts and/or bank guarantee requirements for a bank guarantee).

## 2.4 Bond execution and payment

Refer to the Quick Reference Guide on the Developer Services Portal webpage <https://www.urbanutilities.com.au/development/developer-services-portal>

Applicants should upload a scanned signed copy of the executed agreement to the documents tab of the Bond application in the Developer Services Portal along with a current company extract for the contracting entity.

Please prepare payment of the approved security amount according to the instructions below:

### 1. For values up to \$100,000.00 payment is accepted via EFT or bank guarantee.

If your application is approved, a proforma tax invoice for the approved value will be uploaded to the documents tab of the bond application in the Developer Services Portal. Please note: the proforma tax invoice will be made out to the Billing Entity nominated in the Bond application.

### 2. For values over \$100,000.00 only payment via bank guarantee is accepted.

The bank guarantee must be in a form and substance that meets the following conditions:

- Bank guarantee must be the original document on official letterhead of the financial institution. Photocopies or electronic copies will not be accepted.
- Bank guarantee must refer to Urban Utilities' legal entity name:  
*Central SEQ Distributor-Retailer Authority T/As Queensland Urban Utilities  
ABN 86 673 835 011*
- Bank guarantee must contain Urban Utilities' current address:  
*Level 10, 31 Duncan Street, Fortitude Valley QLD 4006*
- Bank guarantee is in favour of the Distributor-retailer or an entity stated in a Notice given by the Distributor-retailer to the Proponent.
- Bank guarantee is given by a financial institution consented to by the Distributor-retailer.
- Security must be given by one of the mainstream financial institutions with offices in Queensland. Urban Utilities will not accept any security from an online financial institution.
- The Distributor-retailer may claim a payment on demand without reference to the Proponent and despite an objection, direction, or Claim by the Proponent to the contrary.
- The financial institution may make a payment on demand without reference to the Proponent and despite an objection, direction or Claim by the Proponent to the contrary.

- Bank guarantee is unlimited in time.
- Bank guarantee is irrevocable.
- Bank guarantee is otherwise unconditional.
- Bank guarantee is in a form and substance to the Distributor-retailer's satisfaction.

## **2.5 Letter of approval**

Upon receipt of payment and the executed agreement, and where all other agreement conditions are satisfied, Urban Utilities will countersign the bonding agreement and finalise the approval letter. Both the fully executed bonding agreement and the Uncompleted Works approval letter will be uploaded to the Bond application in the Developer Services Portal.

The Uncompleted Works approval letter is an endorsement provided by us that will allow early plan sealing of a Development and will need to be provided to the local council in that process.

Importantly the approval letter only allows for early plan sealing. Unlike a connection certificate the approval letter does not authorise lawful use of the water and sewer services.

### **IMPORTANT NOTE**

Following early plan sealing, if lots are sold it is mandatory that new owners are advised in writing by the Developer that the water and or wastewater for the applicable lot is not complete and will not be complete until a Connection Certificate is issued to the Developer. It is not possible to further develop these lots by adding new connections (i.e. duplex) until the Developer has met all water approval obligations and is in receipt of a Connection Certificate for the applicable water approval.

## **2.6 Currency and completion**

The Uncompleted Works approval is valid for a period of three months, or other specified timeframe agreed by Urban Utilities, during which all works must be completed, and all certified As-Constructed Package requirements submitted and approved. Anything outside of this timeframe requires authorisation by Urban Utilities special endorsement.

Upon completion, the works will be reviewed to ensure all conditions of the Water Approval have been met. Following approval, we will issue your Connection Certificate and the Uncompleted Works bond security will be released to the provider of the security.

The Maintenance Period formally commences as per the Connection Certificate date of issue.

**Table 1 Requirements for assessment of Uncompleted Works Bond application**

Category	Details	Information required
Applicant eligibility	The applicant seeking to execute an uncompleted works bond is typically the owner, or developer, of the subject site(s), or a third party acting on behalf of property owner, including contractors and consultancies.	<p>Current company extract (available via ASIC Connect).</p> <p>Copy of the agreement to be executed under Power of Attorney.</p> <p>Where the applicant is an individual, full name, contact number and postal address must be provided.</p>
Status of works to be bonded	<p>All designs associated with the works must be completed and approved, in additional to minimum 50 per cent of works constructed.</p> <p>NOTE: 'Works' includes construction and post-construction activities (As-Constructed Packages), including any required surveying and easement submissions).</p>	<p>Bill of Quantities (BOQ) schedule (or cost breakdown) showing works completed and works outstanding.</p> <p>BOQ certified by an RPEQ Engineer.</p> <p>For multistage developments a complete Stage Summary referencing stage, Water Approval reference, and current status, is required with an accompanying map/drawing.</p> <p>Where the BOQ is insufficient to determine the true and accurate extent of outstanding works, a site inspection may be required, and associated fees will apply. Applicants will be notified prior to field inspections being undertaken.</p> <p>NOTE: Bond applications for multi-stage developments may be rejected where existing Uncompleted Works agreements are in breach or previous stages are still awaiting issue of a Connection Certificate.</p> <p>Applicants with multiple sites under active Water Approvals may not be permitted to submit new bond requests where existing bond agreements are in breach.</p>
Completion of works to be bonded	Under the terms of the agreement, the bonded works must be completed within three months of bond execution or timeframe specified by Urban Utilities.	Detailed Gantt chart showing outstanding tasks and proposed timeframes to completion.

Easements	Where applicable, easements associated with the works must be reviewed, approved and accepted by Urban Utilities. To resolve any outstanding easement requirements, please email to <a href="mailto:development.compliance@urbanutilities.com.au">development.compliance@urbanutilities.com.au</a>	Completed Registered Survey Plan (including easement title) and/or Urban Utilities' easement agreement (or other authorisations) relevant to the completed works (if applicable).
Bond value	The bond amount must be 125% of the value of the outstanding works, or an alternate amount assigned by Urban Utilities based on the risk profile of the application.	Proposed bond amount (125% of the value of the outstanding works).  Minimum Bond amount \$10,000.00  NOTE: Payment methods will be advised on approval. Bank guarantees must be provided for sums over \$100,000.00
Fees and charges	All outstanding Water Approval application fees including infrastructure charges must be paid for assessment of your bond request.	NOTE: Urban Utilities will confirm independently that this requirement has been met.