



1.0 PURPOSE

- 1.1 This policy establishes guidelines for the levying of a monetary bond as a guarantee for the completion of non-constructed subdivision development works and the maintenance period applicable to completed works.

2.0 OBJECTIVE

- 2.1 The adoption of a policy addressing the levying of bonds for completion of subdivisional development works and maintenance periods will give certainty and consistency to Council's practice of being able to levy a bond to guarantee completion of subdivision works and the rectification of substandard works.

3.0 SCOPE

- 3.1 This policy shall apply to all applications to Council to seal the Final Survey Plan of a subdivision where the applicant agrees to pay a bond for all outstanding works as required on the original planning permit issued.

4.0 POLICY

- 4.1 A bond or bank guarantee is to be lodged by the developer to cover all outstanding or uncompleted works.
- 4.2 The bond is to be determined by Council based on the submission of two valuations for all outstanding works (*plus 20% of the maximum amount*).
- 4.3 The bond is to be held for a maximum of twelve months after the sealing of the Final Survey Plan by Council. Any outstanding or substandard works not completed by the developer within this time are to be completed by Council and the balance of the Bond, if any, refunded to the developer.
- 4.4 A bond can be required for a maintenance period following sealing of Final Survey plans. Such a maintenance bond to be 5% of the construction costs of the works.
- 4.5 Prior to maintenance works being undertaken during the maintenance period a 'show cause' request is to be delivered to the developer by Council with Council carrying out the outstanding work should the developer not comply with the request.

5.0 LEGISLATION/TERMINOLOGY

- Local Government (Building & Miscellaneous Provisions) Act 1993.
- Land Use Planning & Approvals Act 1993.
- At the Waratah-Wynyard Council, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993; and carries the same meaning for the purposes of the Local Government Act 1993 and all other legislation administered by or concerning the Council.



6.0 RESPONSIBILITY

- 6.1 Council is the responsible body for ensuring decisions made at Council meetings are consistent with policy. The operational implementation of this policy is the responsibility of the Director Infrastructure and Development Services.