



SUBDIVISION OUTSTANDING WORKS BOND POLICY

POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Infrastructure & Works Manager	Executive Manager City Growth	23 August 2021	July 2023
PURPOSE	The purpose of this policy is to facilitate staged lodgement of final plans prior to the completion of subdivision work while ensuring that subdivision work is completed in a timely manner.			
SCOPE	This Policy applies to all subdivisions created within the municipal boundaries of the Devonport City Council.			
POLICY	<p>1. Introduction</p> <p>Council will accept bonds from the land owner undertaking subdivision work prior to the completion of the work to allow the land owner to lodge the final plan showing some completed lots and a balance lot. This facilitates the sale of these completed lots.</p> <p>2. Calculation of a subdivision outstanding works bond</p> <p>2.1. The value of an outstanding bond will be the value of the incomplete works of the subdivision related to the lots on the final plan (other than the balance lot) plus a further 30%.</p> <p>2.2. The value of the incomplete work includes all civil works, landscaping and reinstatement but excludes work on utilities such as water, sewer, gas and telecommunications.</p> <p>2.3. The value of the civil works component of the subdivision will be determined by the land owner's supervising engineer and will be subject to review by Council prior to acceptance.</p> <p>2.4. The supervising engineer will provide appropriate documentation detailing how the value of the works has been calculated. Further documentation and/or calculations may be required as determined by Council.</p> <p>2.5. Council will not accept outstanding works bonds valuing less than \$1,000 or works valuing greater than \$100,000.</p> <p>3. Payment/lodging of an outstanding works bond</p> <p>Council will accept the following types of payment method as acceptable for lodging an outstanding works bond:</p> <ul style="list-style-type: none"> • Cash/Direct Debit or Cheque • A non-expiring guarantee from a recognised financial institution <p>4. Requirements to be met for accepting an outstanding works bond</p> <p>4.1. For Council to accept an outstanding works bond, the lots on the final plan (other than the balance lot) must be fully serviceable and development-ready.</p>			

Works that must be completed include, but are not limited to:

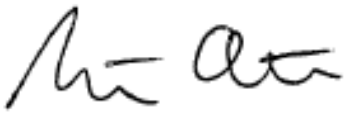
- a. Stormwater mains construction
- b. Domestic stormwater property connections
- c. Energy dispersion devices or scour treatment at any head walls
- d. Stormwater detention basins and OSD's
- e. Side entry pits and road drainage construction
- f. Road pavement construction, up to the frontages of the titles to be released
- g. Retaining walls that provide structural integrity to any drainage or road assets
- h. Kerb and footpath construction
- i. Property accesses – formation only
- j. Intersection construction at the interface between existing council infrastructure and the subdivisional roads
- k. Local area traffic management (LATM) devices
- l. Regulatory signage
- m. Intersection treatments such as roundabouts, traffic lights, dedicated turn facilities or deceleration/acceleration lanes
- n. Any other work that Council deems would present a high risk to the community if it was not completed

4.2. Works that can be covered by an outstanding works bond include:

- a. Line marking
- b. Street lighting
- c. Street and traffic management signage - excluding regulatory
- d. Landscaping and street tree planting
- e. Fencing
- f. Rehabilitation of public open space
- g. Property accesses – excluding formation
- h. Provision of turning head facilities at the termination of subdivisional roads

4.3. Council may require the developer to undertake additional work not shown on the approved engineering plans to ensure that the completed parts of the subdivision can operate effectively, in case the outstanding work (including to the balance lot) is delayed or does not progress. This work may include, but is not limited to:

- a. Turning heads on terminating roads (sealed)
- b. Stormwater pipes or open drains
- c. Line marking
- d. Signage
- e) Bollards

	<p>5. Period of an outstanding works bond An outstanding works bond will be held for up to 6 months. A request from the land owner to extend the period beyond 6 months must be received in writing and supported by an engineering based justification and is subject to approval by Council's City Engineer. Resource availability or financial considerations are not valid reasons.</p> <p>6. Release of outstanding works bond</p> <p>6.1. At any time during the 6-month period once the outstanding works are completed, the land owner can request that the bond be released. Council's Engineer will inspect the subdivision to ensure that the outstanding works have been completed to a satisfactory standard.</p> <p>6.2. If all outstanding works have been completed, Council will issue a certificate of completion and release the bond. Council will not release any bond to any third parties without the written consent of the land owner.</p> <p>6.3. If at the end of the 6-month period there are still outstanding works to complete and no extension has been agreed, then Council may complete the outstanding works and draw on the full amount of the bond. Council will notify the land owner prior to commencing works and on completion of works.</p>			
LEGISLATION AND RELATED DOCUMENTS	<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> <i>Land Use Planning and Approvals Act 1993</i> <i>Subdivision Outstanding Works Bond Procedure</i> <i>Devonport City Council Strategic Plan 2009-2030</i>			
ATTACHMENTS (IF APPLICABLE)	N/A			
STRATEGIC REFERENCE	2.1.2 – Provide consistent and responsive development assessment and compliance processes			
MINUTE REFERENCE	21/173			
OFFICE USE ONLY	Update Register	Y	Training/Communication	Y
	Advise Document Controller	Y	Advise HR / MCO	Y
	Management Sign Off:  Date: 23 August 2021			