

LOCAL AUTHORITY SPECIFIC REQUIREMENTS

INTRODUCTION

This Section contains variations and additions to the Operational Works Guidelines, which are considered necessary for the effective application of the Guidelines in Cook Shire Council and shall be treated as amendments to the Guidelines.

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The following sections have varied or additional clauses

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CP1.27 BONDING OF UNCOMPLETED WORKS

Additional Clause:

- Refer to Cook Shire Council's 'Bonding of Works' Policy

Cook Shire Council

Bonding of Operational Works Policy

1. Purpose

The purpose of this policy is to provide a mechanism for developers to bond operational works to facilitate early sealing of plans, whilst maintaining compliance with statutory requirements, community standards and protecting Council's interests.

2. Scope

Council and any other entity associated with the development must follow this policy.

3. Definitions

"Development" shall be taken to mean the infrastructure works that are the subject of the approved operational works permit issued by Council.

"Council" shall be taken to mean Cook Shire Council.

"Entity" shall be taken to mean any person, partnership or company involved in the development excluding Council.

"Face Value" shall be taken to mean the total cost quoted by a third party to undertake the whole of the outstanding works.

4. Responsibilities

The Engineering Services Manager shall be responsible for

- the day to day administration of this policy; and
- determination of the length of the bond period.

The Chief Executive Officer shall be responsible for:

- making the final decision regarding any disputes arising from implementation of this policy;

5. General Policy

5.1 General

An entity may make application to the Council for consideration to bond operational works to facilitate early sealing.

Works unable to be bonded are;

- Water
- Sewerage
- Power

5.2 Determination of value of Bond

The Bond will be set at 200% the face value of the lesser of two independent legal quotes submitted to Council by the entity to undertake the subject works.

Works will not be bonded for works that exceed a legal quoted face value of \$75,000. (ie \$150,000 bond)

5.3 Period of currency

The period of currency shall be at the sole discretion of Council and no correspondence will be entered into.

The period will be a minimum of 6 months to a maximum of 12 months from approval of Bond.

5.4 Application and Lodgement of Bond

An application fee will apply of \$150.00 for bonding of works.

A minimum of two independent written legal quotes are to be submitted at time of application.

5.5 Forfeiture of Bond

If at the close of business on the last day of the period of currency the works have not been completed the entity will forfeit the total Bond to Council. Council will then undertake the works as soon as practicable.

The balance of any unexpended monies associated with the Bond will become the property of the Council and form part of consolidated revenue.

It is the responsibility of the entity to keep themselves informed of the period of currency expiration date.

If a Bond is forfeited for any reason Council reserves the right not to enter into further Bonding arrangements with the entity again.

6. Documentation

Application form to be filled in by entity requesting Bonding. Attachment A

Attachment A

Bonding Application form

I have read and understood the information provided governing the policy for Bonding of operational works.

I have been issued with the Bonding of Operational Works Policy.

Entity Name (print)

Signature/Company Seal:

Date: Contact Phone Number

Operational works Permit Number:

Description of works to be Bonded:

.....

.....

.....

.....

Contractor (1) Name:

ABN: Phone number:

Contractor (2) Name:

ABN: Phone number:

Note: Original Quotes to be attached

Office use only

Application Fee received..... Yes / No..... Date.....

Officer Name..... Officer signature.....