

## Security for Building Work

### Head of Power

Local Government Act 2009  
Sustainable Planning Act 2009  
Building Act 1975

### Objective

To ensure sufficient security is retained by Council for the completion of building work in relation to a *nominated building or structure*.

### Application Statement

This policy applies to a *nominated building or structure* proposed to be placed on a property within the Moreton Bay Regional Council area (Italicised words are defined).

### Definitions

**“Building development permit”** - An approval or permit issued under the *Sustainable Planning Act 2009* by a building certifier allowing building work to be carried out lawfully.

**“Nominated building or structure”** – A *removal building*.

**“Removal building”** - A previously used building or structure proposed for relocation to another property.

**“Security”** - A performance bond in the form of cash, or a bank guarantee in a format acceptable to Council, having a value of no less than that determined pursuant to this policy.

### Policy Statement

Council may require that security is to be given to and retained by Council to ensure satisfactory completion of building work in relation to a *nominated building or structure*.

The amount of security will be determined based on the value of the proposed building work as estimated by Council, but not less than the amount listed in Council’s schedule of fees & charges as amended from time to time.

Security must be lodged with and verified by Council prior to the issue of a *building development permit* for a *nominated building or structure* (Refer to separate policy entitled ‘Amenity & Aesthetics – Impact of proposed building work’).

The security will be retained until such time as the building work has been satisfactorily completed in accordance with:-

- (1) Council’s conditions in relation to any ‘concurrency agency response’ given about the *building*; and
- (2) the *building development permit* issued for a *nominated building or structure*.

Should a *building development permit* for a *nominated building or structure* lapse prior to completion of the building work, Council may take the action it considers necessary to have the building work completed or rectified using all or part of the security required under this policy.

### Review Triggers

This policy is reviewed internally for applicability, continuing effect and consistency with related documents and other legislative provisions when any of the following occurs:-

- (1) The related documents are amended.
- (2) The related documents are replaced by new documents.
- (3) Amendments which affect the allowable scope and effect of a policy of this nature are made to the head of power.
- (4) Other circumstances as determined from time to time by a resolution of Council.

Notwithstanding the above, this policy is to be reviewed at least once every two years for relevance and to ensure that its effectiveness is maintained.

### Responsibility

This policy is to be:-

- (1) implemented by the Manager of Environmental Planning & Compliance; and
- (2) reviewed and amended in accordance with the "Review Triggers" by the Manager of Environmental Planning & Compliance.

### Version Control

<b>Council Resolution number</b>	<b>14/226</b>	<b>Date:</b>	<b>25.2.14</b>

### Related Links:

Policy entitled 'Amenity & Aesthetics – Impact of Proposed Building Work'