

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*.

Definitions

Building development permit means 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 means a *removal building*.

Removal building means a previously used building or structure proposed for relocation to another property.

Security means 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.

Application

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).

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 'concurrence 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.

Related Documents

This Policy complements and is to be implemented in conjunction with other Council policies, directives and relevant documents published by other agencies including, but not limited to:

Policy 2150-076 Amenity & Aesthetics – Impact of Proposed Building Work

Review and evaluation

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

A review of this policy will occur by June 2022.

Responsibility

This policy is to be:

- (1) implemented by the Manager Development Services; and
- (2) reviewed and amended in accordance with the "Review Triggers" by the Director Planning.

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