

Subject: LANDSCAPING BONDS

Description: This document outlines when a bond is to be lodged with a development application for landscaping.

To ensure that the landscaping required by Council is finalised.

Objective:

PART 1 - POLICY

1. Council adopted, as a Planning Policy, the lodging of a bond with a Development Application for landscaping as set out in Council's Management Plan:
 - (a) Residential flat/units
 - (b) Light industry/industry
2. The amounts are to be minimum amounts required with the maximum amount being the estimated cost of landscaping. The minimum amount be set by Council in adopting its Revenue Policy and will be increased by CPI on an annual basis.
3. The bond can be by Payment into Council's Trust Account, Deed or Bank Guarantee which is to be set up in such a manner a refund cannot be made without Council's agreement (General Manager's signature).
4. A register is to be set up to record all relevant matters in relation to any bond.
5. A refund or revocation of the bond will not be considered until the end of a two (2) year period, to ensure the consolidation of the initial landscaping establishment and will be subject to final inspection.
6. See also Council's Policy on Bonds Management.

PART 2 - EXEMPTIONS

In rare instances, Council may waive the requirement for a bond. However, this would only be allowed by a resolution of Council, via the Development Assessment Unit after all facts have been considered. In such circumstances, Council will state the reason for waiving the requirement for a bond.

PART 3 - CRITERIA

1. Council considers that flats/units, including urban dual occupancy buildings and industrial developments require some landscaping for them to blend aesthetically with adjacent and surrounding development.
2. The bond needs to be retained until Council is satisfied that suitable landscaping has been established. Once that has occurred, provision has been made to revoke or refund the bond. A start date is to be recorded. The bond will not be refunded until a final inspection has been carried out and all landscaping work has been established in accordance with the approved plan or two years, whichever is the later.
3. Recognition of the need for such flats/units or industrial developments to be landscaped.

PART 4 - OTHER MATTERS

The following Policies should also be considered when reading this Policy:

- ◆ Planning - Bonds Management
- ◆ Planning – Deferment of Conditions of Consent
- ◆ Relocation of Dwelling Houses (in Council's Local Approval Policies)

Review: This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.
The bond amount to be updated annually at adoption of the Revenue Policy.

Resolution No: 265/97; Reviewed August 1999: 92/99; June 2000: 249/00; Revised March 05: 94/05; Revised September 09: Revised February 2011: 46/11; Adopted without Change August 2013 (249/13).
