

DEVELOPMENT PERFORMANCE GUARANTEE

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1. OBJECTIVES

The objectives of this Policy is to ensure that developers fully comply with conditions of planning approval pertaining to ancillary and incidental development.

2. POLICY PROVISIONS

2.1 Scope of the Policy

- This policy applies in the whole of the City of Karratha (City) and forms part of the Shire of Roebourne Town Planning Scheme No. 8 (TPS).
- Developers may be required as a condition of planning approval to lodge a Development Performance Guarantee with the City, in the form of a bank guarantee or a cash bond, which shall be held and released upon the satisfactory completion of the development.
- Any Development Performance Guarantee shall be lodged for acceptance by the City either prior to the issue of any building licence under which a developer seeks to carry out any building works for which development approval has been granted, or prior to the commencement of any other substantial works not requiring building licence approval and for which planning approval has been granted.

2.2 Amount of Development Guarantee

The amount of the “Development Performance Guarantee” to be lodged by a developer shall be as follows:

- Bank Guarantee or Cash Bond: - Up to one third [1/3rd] of the estimated cost of the ancillary and incidental works to be guaranteed.

2.3 Value of Works Schedule

The estimated cost of typical ancillary and incidental works shall be as follows:

Type of Work	Value
Bitumen, asphalt & concrete sealed areas including directional signage	\$100 per m ²
Crushed rock, gravel or cracker dust sealed (hard standing) areas	\$50 per m ²
Landscaped areas	\$100 per m ²
Washdown bays & rubbish compound/bin storage facilities	\$5,000 per bay or compound
Perimeter and/or security fencing	\$100 per linear metre

Further ancillary and incidental works not specified in the Value of Works Schedule such as the removal or demolition of unauthorised buildings and structures, or cladding or painting of buildings, may also be subject to a Development Performance Guarantee. The estimated value of any such unspecified works shall be determined by the City.

Interest Accrued on Cash Bonds:

The City places cash bonds over \$5,000 into an interest bearing account. Any interest accrued over the holding period will be paid to the developer upon the release of the bond.

Failure to Complete Works:

In the event the developer fails to complete approved works within the time limits specified under the conditions of planning approval, or as otherwise advised or agreed to by the City in writing, the City may complete the outstanding works and deduct the costs including administrative or other overhead costs from the Development Performance Guarantee.

Issuance of Related Approvals:

The issue of a building licence, certificate of classification or lodging house licence may be withheld by Development Services until such time as conditions of planning approval typically relating to the completion of works subject to a Development Performance Guarantee, the use of the site or occupation of a building, are satisfied. Nothing in this policy shall constrain the City from taking any legal action as prescribed under the TPS and/or the *Planning and Development Act 2005*.

3. CONSEQUENCES

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Employees are reminded of their obligations under the Council’s Code of Conduct to give full effect to the lawful policies, decisions and practices of the Council.

4. REFERENCES TO RELATED DOCUMENTS

- *Shire of Roebourne Town Planning Scheme No.8*
- *Planning and Development Act 2005*
- Local Planning DP-06 Landscaping Requirements for Industrial and Commercial Areas

Policy Number:	DP02
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Last Review:	May 2009
Next Review:	May 2011
Responsible Officer:	Manager Planning Services

This Policy takes effect from the date of adoption by Council and shall remain valid until it is amended or deleted.