



# Clarence City Council

38 Bligh St Rosny Park  
Tasmania, Australia

PO BOX 96  
Rosny Park 7018

ABN: 35 264 254 198

## INFRASTRUCTURE SECURITY DEPOSIT FORM- SINGLE BUILDING PROJECT

*Local Highways and Standard Requirements By-law  
By-law No. 2 of 2014*

Owner/s name: .....

Address: .....

Name of Agent .....  
(if deposit is not lodged by the owner)

Address of proposed building works: .....

What the works will comprise: .....

**The Owner/Agent:**

1. hereby lodges with Council a cash sum of \$918.00 (single dwelling residential)/\$1836.00 (multiple dwellings/commercial)being security against any damage to any Council crossings, services, infrastructure pavement or highway as defined in the above By-law caused or contributed to by any person involved in any way with the proposed building works described above.
2. agrees that the deposit may be held and dealt with by Council in accordance with the provisions of Part VI - Security of the By-law, a copy of which we have been provided with as part of this form.\*

Signed by the Owner/Agent: .....

Date : .....

Deposit to be refunded to: .....

Address: .....

**Office Use Only**

Building Permit Application (BPA) Number: .....

**Receipt No:**.....

*(\* page 2 of this form should be retained by the owners for future reference and should not be returned with the signed form)*

By-Law made under Section 145 of the *Local Government Act 1993* for the purpose of prescribing standard requirements for the construction of local highways and crossings and the regulation of works in highways in the City of Clarence.

## PART VI – SECURITY

### **Requirement for Bonds and Deposits**

42. (1) As security, the General Manager may require a person to whom this By-Law applies to deposit with Council, or enter into a bond or guarantee with Council for payment to Council of such costs as the General Manager requires:
- a) for the cost of any works to be carried out;
  - b) to remedy any damage which may occur or has occurred to any Council crossing, services, infrastructure, pavement, road or highway as a result of any works or non-approved works being carried out;
  - c) to provide security against any reasonable costs which the Council may incur as a result of the execution of any works; or
  - d) as a condition of a permit.
- (2) Council may require the security referred to in this clause to be reduced or increased if the General Manager considers the amount of the security should be changed.
- (3) The security must be:
- a) in a form and substance wholly satisfactory to Council; and
  - b) in the case of a bank guarantee expressed to be payable unconditionally on demand by the Council without the permission of the permit holder or any other person and provided by a bank approved by the Council or authorised person.
- (4) The security may be drawn against or utilised by the Council for such amounts the Council requires for:
- a) the reimbursement to the Council for any cost, expense, liability, damage or loss incurred by the Council arising out of or in relation to any failure or refusal by a person to whom this By-Law applies to carry out, perform and fulfil any of that person's obligations under the By-Law or a permit to the satisfaction of the Council or authorised person in accordance with the requirements of a permit or other approval; and/or
  - b) payment to the Council of any amount due and owing to the Council by a person to whom this By-Law applies that arises out of any condition of a permit or other approval.

### **Retention of Bonds and Deposits**

43. The General Manager may determine that all or part of the security referred to in this Part is to be retained by Council as a result of the Council incurring any expense in relation to any failure or refusal by any person to whom this By-Law applies to carry out the works as directed or required or carry out those works in accordance with a permit.

### **Release of Bonds and Deposits**

44. Security provided to the Council in accordance with this clause or available to the Council or the balance of the security after the deduction of the Council's expenses are to be forwarded to the person to whom this By-Law applies following final inspection and approval by the General Manager of the works carried out.