

About this form

MidCoast Council requires the payment of a damage bond for developments, including demolition of a work or building, erection of new buildings, additions, sheds, swimming pool installations and subdivisions where the estimated cost of development is \$50,000 or more and the development has frontage to a sealed road. The purpose of the bond is to fund repairs to Council assets as a result of activities associated with private construction works.

Relevant DA/CDC Number

Type of works the bond is being lodged for eg. dwelling

Subject property address

Address

Suburb

Postcode

Lot number

Deposited/Strata Plan number

Section number

Please note: You can find the Lot, DP or SP, and Section (if applicable) details on a map of the land or the title document for the land.

Lodgement Details

Applicants name

Postal address

Suburb

Postcode

Email

Phone

Mobile

Owners Name *(if different from applicant name)*

Postal address

Suburb

Postcode

Email

Phone

Mobile

Payer Name (this is the person/company/responsible party that the bond will be refunded to)

Postal address

Suburb

Postcode

Email

Phone

Mobile

Applicant's declaration

I/We have read, understood and accept the conditions and applicable fees specified in relation to this application. I/We accept that all these conditions must be complied with. I/We declare that all the information given is true and correct. I/We understand that:

- if incomplete, the application may be delayed or rejected; and
- more information may be requested after the date of lodgement.

Name

Name

Signature

Signature

Date

Date

Inspections

Preliminary Inspection

Council's responsible officer will undertake a preliminary inspection prior to the commencement of the development. Photographs are taken as part of the preliminary inspection and will record any existing damage to Council assets so that any existing damage is not attributed to the development works being undertaken by the applicant. Should the applicant have comments relating to any existing damage to Council assets, please attach a written submission along with relevant photographs with this application.

Final Inspection

A final inspection will be carried out by Council's responsible officer and the bond (minus any administration /inspection fees) will be considered for refund:

1. Once all works, including landscaping, driveway construction, turfing etc have been completed; AND
2. Following issue of Whole Occupation Certificate by the Certifying Authority for the development; or
3. Upon application for the release of the subdivision.

It is the responsibility of the applicant to advise Council when all works are completed and a whole occupation certificate has been issued for the refund process to be undertaken.

Repairs to damage of Council assets

The applicant is responsible for any damage incurred to Council assets as a result of development works. The applicant will be responsible for repairing this damage at no cost to Council. The bond cannot be refunded until all repair works have been completed. Should the applicant chose not complete the repair works, Council will undertake these works with the cost to be deducted from the bond. If the repairs exceed the amount of the bond, the applicant will be required to pay the excess amount – this may involve a debt recovery process being undertaken in the event that the applicant refuses to pay.

Refund of damage bond

Following a satisfactory final inspection, the Damage Bond, minus any administration fee and any other additional inspection fees applicable, will be refunded (**within 28 working days from date of request**). The refund payment will be by direct deposit to the Payer nominated on this form. Council will request the bank details at the time of the refund. If the bond has been held by Council for longer than 12 months, interest will be paid in accordance with Council's relevant adopted Procedure. If the refund is to be to someone other than the nominated Payer, a written request from the nominated payer must be forwarded to Council prior to refund of the bond.

Note: If Damage Bond is not claimed within 10 years from application date, an attempt to contact the applicant will be made. If contact is unsuccessful, Council reserves the right to consider the bond forfeited.

Damage Bond application fees

The Damage Bond is payable for the purpose of funding repairs to damage of Council assets and ensuring Council standards and specifications are met.

There are two components to this fee:

1. A non-refundable administration fee covers the administration of the Damage Bond plus the initial and final inspections.
2. A refundable damage bond as determined by the value of works.

[Current fees and charges](#) are available from Council's website (www.midcoast.nsw.gov.au/fees) or by contacting Customer Service on 02 7955 7777.

How to lodge this form

Lodge at one of our Customer Service Centres or email to council@midcoast.nsw.gov.au.

Privacy: This information is required to assist with your application and will not be used for any other purpose without seeking your consent, or as required by law. Your application will be retained in our Records Management System and disposed of in accordance with current legislation. Your personal information can be accessed and corrected at any time by contacting us.

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