

Environmental Management Plan - Bond Retention

This Information Sheet is intended to assist proponents to achieve clearance of subdivisional conditions (ahead of works completion) relating to Environmental Management Plan delivery in the City of Armadale.

Subdivision applications are subject to conditions which are required to be met (or cleared) prior to lodging a plan for final approval and applying for new titles from the Western Australian Planning Commission (WAPC).

The WAPC is the statutory authority for approval of clearance of subdivisional conditions. However, the WAPC seek the City's advice as the "clearance agency" for several conditions.

At request, the City may provide advice to the WAPC to clear conditions of subdivision ahead of the required works completion.

Requests for Clearance of Subdivision Conditions ahead of works completion must be included in the application. See

[Subdivision - How do I lodge a subdivision clearance application? | City of Armadale](#)

To support the request, an opinion of probable cost, deed of agreement and bond is required in accordance with the process detailed below.

1. Confirmation of value of works outstanding.

An opinion of probable cost (OPC) is required for outstanding elements of the Environmental Management Plan in which clearance is sought.

City Officers may request supporting quotations, provided in the name of the developer or subcontractor, to verify commercial value of works.

OPC's are required to be summarised into works elements and tabulated in the following 3 categories:

Hard Landscaping Works - *non-living items requiring installation to comply with the Environmental Management Plan, including items such as fences, gates, park furniture, pathways, platforms, boardwalks, signs, bollards, mulch and habitat boxes.*

Soft Landscaping Works - *living items and their supporting items requiring installation to comply with the Environmental Management Plan (including plants, tree guards, and fertilizer tablets etc.).*

Maintenance Works - *programs of work to maintain the Soft and Hard Landscaping Works and any other environmental values as identified in the Environmental Management Plan. 'Maintenance Works' may include weed control, feral animal control, dieback control, and some hard infrastructure maintenance such as fence repair and graffiti removal.*

The calculated bond value is required to be 150% of the value of works outstanding.

Works already completed are not required to be factored into the bond value except in instances where failure of the completed element could compromise the achievement of other outstanding elements.

2. Deed of Agreement (DoA)

The City encourages the use of a template DoA which is available upon request.

The template DoA is structured to support requests for incremental bond return as the works components are achieved.

A tracked change version of the DoA must be completed by the applicant and provided back to the City for review, prior to the applicant's partial execution.

The partially executed document is to be provided in wet copy to the City for full execution.

3. Payment of a Bond in the form of Bank Guarantee (BG)

Following agreement of value and acceptance of DoA, the City will raise an invoice and provide it to the applicant to support the payment of the bond. A BG for each category of outstanding works (hard landscape, soft landscape, and maintenance works) is required.

BGs are required to be

- from a recognised financial institution,
- free of spelling errors,
- titled to reference the subdivision's number, stage, and condition,
- titled to reflect the name, and version of approved plan,
- reference the category of bond (hard landscape, soft landscape or maintenance), and:
- without expiry date.

A fully executed DoA and bond is required prior to the City recommending (to WAPC) that the condition(s) be cleared.