



# Bond Allocation Agreement

## BACKGROUND

This form of agreement is used in conjunction with a Rolling Bond and Licence Deed between the Applicant and Council.

If this agreement indicates that the Security Bond is being allocated to Incomplete Works, the Security Bond held by Council under the Rolling Bond and Licence Deed will be used for the purposes of clause 10.1.4 of PSP 3, where a Plan of Subdivision is to be approved prior to Public (Municipal) Works being Accepted on Maintenance.

If this agreement indicates that the Security Bond is being allocated to Maintained Works, the Security Bond held by Council under the Rolling Bond and Licence Deed will be used as a maintenance bond for the purposes of clause 10.1.3 of PSP 3, as a condition of Council Accepting on Maintenance Public (Municipal) Works.

This agreement has to be read in conjunction with the Rolling Bond and Licence Deed and any other Bond Allocation Agreements under the Rolling Bond and Licence Deed.

## Agreement Particulars

### Applicant

*Insert name of the applicant. Include ACN if a company.*

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### Land

*Insert details of the land to which the bond relates (as described in the Rolling Bond and Licence Deed).*

Lot	Plan	Address

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### Amount of Security Bond being allocated

*Insert how much of the Security Bond is being allocated by this agreement.*

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### Is the Security Bond being allocated to Incomplete Works?

<input type="checkbox"/> No <input type="checkbox"/> Yes – details below	
The Incomplete Works are required under decision notice for application no.:	
Decision notice date:	
Conditions requiring the Incomplete Works:	
Description of the Incomplete Works:	

## Agreement Particulars

**Is the Security Bond being allocated to Maintained Works?**

- ☐ No  
☐ Yes – details below

The Maintained Works are required under decision notice for application no.:

Decision notice date:

Conditions referring to the Maintained Works:

Description of the Maintained Works:

**Is the Security Bond being allocated to Public (Municipal) Works to be carried out on Council or private land?**

- ☐ No  
☐ Yes – details below

The Public (Municipal) Works are required under decision notice for application no.:

Decision notice date:

Conditions referring to the Public (Municipal) Works:

Description of the Public (Municipal) Works:

The Relevant Land is:

Lot	Plan	Address

Further particulars

*Complete if the Applicant is authorised only to access part of the land specified above.*

**Is this agreement being signed for the Applicant by Authorised Delegate(s)?**

- ☐ No  
☐ Yes

**Special conditions**

*Insert any special conditions.*

## Agreement Conditions

1. In this agreement:

**Rolling Bond and Licence Deed** – means the deed to which the Applicant and Council are parties and

## Agreement Conditions

which refers to the same land as is described in the Agreement Particulars, even if the deed refers to a larger parcel of land or it refers to the same land but by a now superseded real property description.

2. If the Agreement Conditions indicate that the Security Bond is being allocated to Incomplete Works, the Applicant and Council agree (for the purposes of the Rolling Bond and Licence Deed) that:
  - (a) this agreement is a "Bond Allocation Agreement"; and
  - (b) any Incomplete Works specified or described in this agreement (including all Incomplete Works required under a condition of a Development Permit referred to in the Agreement Particulars) are the Incomplete Works in respect of which the amount shown in the Agreement Particulars is accepted by Council as security.
3. If the Agreement Conditions indicate that the Security Bond is being allocated to Maintained Works, the Applicant and Council agree (for the purposes of the Rolling Bond and Licence Deed) that:
  - (a) this agreement is a "Bond Allocation Agreement"; and
  - (b) any Maintained Works specified or described in this agreement (including all Incomplete Works required under a condition of a Development Permit referred to in the Agreement Particulars) are Maintenance Works, the Maintained Obligations in respect of which the amount shown in the Agreement Particulars is accepted by Council as security.
4. If the Agreement Conditions indicate that the Security Bond is being allocated to Public (Municipal) Works to be carried out on Council or private land, the Applicant and Council agree (for the purposes of the Rolling Bond and Licence Deed) that:
  - (a) this agreement is a "Bond Allocation Agreement"; and
  - (b) any Public (Municipal) Works specified or described in this agreement (including all Public (Municipal) Works required under a condition of a Development Permit referred to in the Agreement Particulars) are Relevant Infrastructure Works and are the Public (Municipal) Works in respect of which the amount shown in the Agreement Particulars is accepted by Council as security; and
  - (c) the land specified or described in the Agreement Particulars is the Relevant Land for those Relevant Infrastructure Works.
5. If there are any special conditions in the Agreement Particulars, those special conditions prevail over these Agreement Conditions to the extent of any inconsistency between the two.
6. A term that is used but not defined in this agreement, and which has a definition in the Rolling Bond and Licence Deed, has that defined meaning unless the context in which the term is used indicates a different intention.
7. If the Agreement Particulars indicate that this agreement is being signed for the Applicant by Authorised Delegate(s), then each person signing this agreement for the Applicant warrants that he or she is an Authorised Delegate.

## Execution by Applicant (if a company)

### Executed as a deed by the Applicant under section 127 of the Corporations Act 2001

*If the Applicant has only one director who is also its company secretary, and has only one director and no company secretary, that director must sign*

*Otherwise, the signatures of two officers (each of whom must be a director or company secretary) is required*

Signature of director/company secretary

Name of director/company secretary signing above

Signature of director/company secretary

Name of director/company secretary signing above

Date signed

## Execution by Applicant (if an individual or if being signed by an Authorised Delegate for the Applicant)

### Signed, sealed and delivered by the Applicant

Signature of Applicant/Authorised Delegate

Name of Applicant/Authorised Delegate signing above (and position title if an Authorised Delegate)

Signature of witness

Name of witness signing above

Date signed

## Execution by Applicant (if an individual or if being signed by an Authorised Delegate for the Applicant)

### Signed, sealed and delivered by the Applicant

Signature of Applicant/Authorised Delegate

Name of Applicant/Authorised Delegate signing above (and position title if an Authorised Delegate)

Signature of witness

Name of witness signing above

Date signed

## Execution by Council

**Signed, sealed and delivered for Council as duly authorised delegate under section 238 of the *Local Government Regulation 2012***

Signature of Council  
chief executive  
officer/delegate

Name/position of person  
signing above

Signature of witness

Name of witness signing  
above

Date signed


### Information Privacy Collection Notice

Ipswich City Council is collecting your personal information in accordance with the *Integrated Planning Act 1997* or *Sustainable Planning Act 2009* so that we can process your application and perform our responsibilities under the Regulation. We will not disclose your personal information outside of Council unless we are required by law or you have given your consent. However, in order to perform the above functions we may need to disclose your personal information to the Chief Executive who may in turn make this information available to others in accordance with the Regulation. By complete and signing this form and returning it to Council, we will consider that you have given us your consent to manage your personal information in the manner described in Council's Privacy Statement, Personal Information Digest and this collection notice.