
**CERTIFICATION DEED POLL
OF THE DEVELOPMENT COORDINATOR**

- In favour of: Council of the City of Gold Coast
of 135 Bundall Road, Bundall in the State of Queensland
(the “**Council**”); and
- Minister for Economic Development Queensland
of Level 4, 229 Elizabeth Street, Brisbane in the State of Queensland
(the “**MEDQ**”)
- By: The entity named in Item 1 of Schedule A
(the “**Entity**”)
- And by: The person named in Item 2 of Schedule A
(the “**Development Coordinator**”)

RECITALS

- A. The owner/development proponent intends to make to the City the PDA development application stated at Item 3 of Schedule A (the “**Application**”) in respect of the land stated at Item 4 of Schedule A (the “**Land**”).
- B. If the PDA development approval is granted by the City, there may be some works or other matters that are required to be assessed in accordance with the *Economic Development Act 2012* Certification Procedures Manual (the “**Manual**”).
- C. The owner/development proponent has requested the City nominate the Development Coordinator as an auditor for the works and other matters that may be subject to assessment in accordance with the Manual, under any PDA development approval that may be issued in respect of the Application.
- D. The Entity and the Development Coordinator make this Deed Poll in favour of the City and MEDQ in accordance with the requirements of the Manual.

This Deed Poll provides:-

1. DEVELOPMENT COORDINATOR

- 1.1 The Development Coordinator is an **employee/contractor/ consultant/ partner of/ in** the Entity.
- 1.2 The Development Coordinator has the relevant educational and professional qualifications stated at Item 5 of Schedule A.
- 1.3 The Development Coordinator’s professional registration details are as stated at Item 6 of Schedule A.

2. PRE-APPLICATION STAGE

The Development Coordinator must, prior to the Application being made by the owner/development proponent, review the risk assessment prepared by the Project Coordinator (the “**Risk Assessment**”) and provide a written report including recommendations for reducing any identified risks to the Project Coordinator.

3. POST-DECISION STAGE

- 3.1 If a PDA development approval is granted by the City for the Application, the Development Coordinator must review any updates to the Risk Assessment made by the Project Coordinator assist the project coordinator as necessary with the completion of the pre-construction certification form in the Manual.
- 3.2 If additional risks are identified or the level of the risk is heightened in the update to the Risk Assessment made by the Project Coordinator, the Development Coordinator must provide a written report including recommendations for reducing any new or heightened risks to the Project Coordinator.
- 3.3 The Development Coordinator must review the post-construction certification forms completed by each of the certifiers and given to the Project Coordinator.

4. GENERAL OBLIGATIONS AND RESPONSIBILITIES

- 4.1 At all times the Development Coordinator must:-
 - (a) ensure that all documents prepared by the Development Coordinator and given to the City do not to the best of his or her knowledge contain information that is false or misleading; and
 - (b) advise the City in writing immediately on becoming aware that any document given to the City (whether or not prepared by the Development Coordinator) contains information that is false or misleading.
- 4.2 The Development Coordinator must carry out his or her responsibilities and obligations under this Deed Poll with due care, skill and diligence.
- 4.3 To remove any doubt, this Deed Poll does not limit any of the responsibilities and obligations of the Development Coordinator under any PDA development approval, the *Economic Development Act 2012* or otherwise at law.
- 4.4 The Development Coordinator acknowledges and accepts that the City is entitled to and will rely on:
 - (a) the reviews undertaken by and the documents prepared by the Development Coordinator and the representations contained therein;
 - (b) the Development Coordinator complying with his or her obligations under this Deed Poll.

5. INSURANCE

- 5.1 The Entity must hold and maintain for the Term of the Deed:-
 - (a) professional indemnity insurance for \$5,000,000 from an insurer and on terms acceptable to the City;
 - (b) public liability insurance to the value of \$20,000,000 from an insurer and on terms acceptable to the City; and
 - (c) any other insurance required by law, from an insurer and on terms acceptable to the City.
- 5.2 The insurance policies held and maintained by the Development Coordinator must cover the acts or omissions of the Development Coordinator.
- 5.3 The details of the insurance held by the Development Coordinator as required by this Deed Poll are stated at Item 7 of Schedule A.
- 5.4 The Development Coordinator must produce a copy of an insurance policy following a request by the City.

6. TERM OF DEED

- 6.1 This Deed Poll is in effect for a period of ten (10) years form the date it is signed by the Development Coordinator (the “**Term of the Deed**”).
- 6.2 This Deed Poll may not be revoked or amended without prior written notice being given to the City.

7. DEFINITIONS

- 7.1 Terms used in this Deed Poll and not separately defined but which are defined in the Manual, have the meaning assigned to them by the Manual.

SCHEDULE A

Item	Reference	Description
1.	Entity	(a) Name _____ (b) Address _____ _____
2.	Development coordinator	(a) Name _____ (b) Address _____ _____
3.	Proposed PDA Development Application	_____ _____
4.	Land	(a) Real property description _____ (b) Address _____ _____
5.	Development Coordinator’s relevant educational and professional qualifications (Documentation may be attached to this Deed Poll, if necessary)	_____ _____ _____
6.	Development Coordinator’s professional registration	_____ _____ _____

7.	Insurance	(a) Professional indemnity insurance	
		Amount (must not be less than \$5,000,000.00)	
		Provider:	
		Policy number:	
		Date of commencement of policy:	
		Expiry date	
		(b) Public liability insurance	
		Amount (must not be less than \$20,000,000.00)	
		Provider:	
		Policy number:	
		Date of commencement of policy:	
		Expiry date	
		(c) Other insurance	
		Amount	
		Provider:	
		Policy number:	
		Date of commencement of policy:	
		Expiry date	

EXECUTED AS A DEED POLL BY THE ENTITY

EXECUTED as a DEED POLL BY)
[INSERT NAME OF COMPANY AND ACN])
this day of 20.... In)
accordance with the *Corporations Act 2001*)
)
)

Director

Director / Secretary

EXECUTED AS A DEED POLL BY THE DEVELOPMENT COORDINATOR

SIGNED SEALED AND DELIVERED by)
[NAME], in the presence of:)
)
)

(Witness – Signature)

(Development Coordinator – Signature)

(Witness – Print Name)

on:

(Date)

Disclaimer

The information collected on this Agreement will be used by the Council of the City of Gold Coast in accordance with the assessment of your PDA development application and in relation to the works that may be undertaken in accordance with a PDA development approval that is issued. Your personal details will not be disclosed for a purpose outside the planning process, except where required by legislation including the Right to Information Act 2009) or required by Parliament. This information may be stored in a City's database. The information collected will be retained as required by the Public Records Act 2002. Its contents should not be construed that the City would approve or refuse this application.