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**CERTIFICATION DEED POLL  
OF THE DEVELOPMENT PROPONENT**

- 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 “**Development Proponent**”)

**RECITALS**

- A. The Development Proponent intends to make to the City the PDA development application stated at Item 2 of Schedule A (the “**Application**”) in respect of the land stated at Item 3 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 Development Proponent makes this Deed Poll in favour of the City and MEDQ in accordance with the requirements of the Manual.

This Deed Poll provides:

**1. RESPONSIBILITIES AND OBLIGATIONS**

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- 1.1 The Development Proponent must, prior to making the Application:
- (a) ensure that each person to be named as the certifier, project coordinator and Development Coordinator in any PDA development approval that is granted by the City for the Application has signed the relevant certification deed in the Manual; and
  - (b) allow the City and its officers, agents, consultants, contractors and subcontractors reasonable access to the Land for the purpose of inspecting the Land. This right of access will continue after the Application is made.
- 1.2 If the Applicant is not the owner of the land and the land is not owned by the State or a State entity:
- 1.2.1 the Applicant warrants that the Applicant has the Landowner’s authority to permit the City to enter onto the Land pursuant to clauses 1.1(b) of this Certification Deed Poll.
  - 1.2.2 the Applicant must provide the City with this Certification Deed Poll as an irrevocable authority issued by the Landowner in the form attached in Schedule B.

- 1.3 If a PDA development approval is granted by the City for the Application, the Development Proponent must:-
- (a) ensure all work undertaken by the certifier(s), project coordinator and auditor appointed by the Development Proponent is in accordance with the PDA development approval;
  - (b) allow the City and its officers, agents, consultants, contractors and subcontractors reasonable access to the Land for the purpose of inspecting the works on the Land as they proceed.
- 1.4 The Development Proponent must comply with the requirements of the Manual and the PDA development approval in respect of works which will become the City's assets or are constructed on land under the control of the City.
- 1.5 The Development Proponent must comply with the requirements of the Manual and the PDA development approval with respect to bonding uncompleted works.
- 1.6 To remove any doubt, this Deed Poll does not limit any of the responsibilities and obligations of the Development Proponent under any PDA development approval, the *Economic Development Act 2012* or otherwise at law.

## **2. TERM OF DEED**

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- 2.1 This Deed Poll is in effect from the date it is signed by the Development Proponent until:
- (a) where there are no works that will become the City's assets, the date that is 12 months after the issuing of the certificate of classification for the development under the PDA development approval granted for the Application or sealing of the last survey plan for the development under the PDA development approval granted for the Application, whichever is the later; or
  - (b) where there are works that will become the City's assets, the completion of the on maintenance period, in accordance with the Manual.
- 2.2 This Deed Poll may not be revoked or amended without the Development Proponent giving prior written notice to the City.

## **3. DEFINITIONS**

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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.	Development proponent	(a) Name _____ (b) Address _____ _____
2.	Description of proposed PDA Development Application	_____ _____
3.	Land the subject of the proposed PDA Development Application	(a) Real property description _____ (b) Address _____ _____

**SCHEDULE B**

**IRREVOCABLE AUTHORITY ISSUED BY THE LANDOWNER**

**(Clause 1.2.2 of the Development Proponent Deed Poll)**

**ACKNOWLEDGEMENT, AUTHORITY AND RELEASE**

To: Council of the City of Gold Coast (Council)  
of 135 Bundall Road, Bundall in the State of Queensland  
(the “**Council**”); and

By: [Insert name of owner of land]  
of [insert contact address of owner of land]  
(the “Landowner”)

In respect of: land located at [insert street address] and more particularly described as  
[insert real property address] (the “Land”)

*[Note: If the landowner is known at the date of this document, insert address of parent parcel; if the land has already be subdivided at the date of this document, insert address of lot to be transferred.]*

And in respect of: [insert name of Development Proponent] (the “Development Proponent”),  
being the developer of the Land and who is to make application for a PDA  
Development Approval.

Dated: [insert date of signing]

If the Landowner is not the registered owner of the Land at the date of this Acknowledgement, Authority and Release this Acknowledgement, Authority and Release takes effect from the date of transfer of the Land to the Landowner.

The Landowner acknowledges that the Development Proponent intends to make to the City a PDA Development Application and has entered a Deed Poll in favour of the City and MEDQ in accordance with the requirements of the *Economic Development Act 2012* Certification Procedures Manual.

The Landowner irrevocably authorises the City and its officers, agents, consultants, contractors and subcontractors reasonable access to the Land for the purpose of inspecting the Land. This right of access will continue after the Application is made.

**EXECUTED by**

[COMPANY NAME AND ACN], in  
accordance with section 127 of the  
*Corporations Act 2001* on this [insert date]  
day of [insert month] [insert year]:

\_\_\_\_\_  
**Director**

\_\_\_\_\_  
**Director/Secretary**

**EXECUTED AS A DEED POLL**

**\*\*\*Note: Redundant signing clause to be deleted**

**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

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

\_\_\_\_\_  
(Witness – Signature)

\_\_\_\_\_  
(Development Proponent – 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 (Council) 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 the 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.*