

CERTIFICATION DEED POLL OF THE DEVELOPMENT CO-ORDINATOR

- In favour of: 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 co-ordinator**”)

RECITALS

- A. The owner/development proponent intends to make to the MEDQ 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 a PDA development approval is granted by MEDQ, there may be some works or other matters that are required to be assessed in accordance with MEDQ certification procedures manual (the “**Manual**”).
- C. The owner/development proponent has requested MEDQ nominate the Development co-ordinator 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 co-ordinator make this Deed Poll in favour of MEDQ in accordance with the requirements of the Manual.

This Deed Poll provides:

1. DEVELOPMENT CONDITION

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

2. PRE-APPLICATION STAGE

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

3. POST-DECISION STAGE

- 3.1 If a PDA development approval is granted by MEDQ for the Application, the Development co-ordinator must review any updates to the Risk Assessment made by the project co-

ordinator assist the project co-ordinator 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 risk is heightened in the update to the Risk Assessment made by the project co-ordinator, the Development co-ordinator must provide a written report, including recommendations for reducing any new or heightened risks to the project co-ordinator.
- 3.3 The Development co-ordinator must review the post-construction certification forms completed by each of the certifiers and given to the project co-ordinator.

4. GENERAL OBLIGATIONS AND RESPONSIBILITIES

- 4.1 At all times the Development co-ordinator must:
- (a) ensure that all documents prepared by the Development co-ordinator and to be given to MEDQ do not to the best of his or her knowledge contain information that is false or misleading; and
 - (b) advise MEDQ in writing immediately on becoming aware that any document given to MEDQ (whether or not prepared by the Development co-ordinator) contains information that is false or misleading.
- 4.2 The Development co-ordinator 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 co-ordinator under any PDA development approval, the *Economic Development Act 2012* or otherwise at law.

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

6. TERM OF DEED

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

7. DEFINITIONS

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 co-ordinator	(a) Name	
		(b) Address	
3.	Proposed PDA Development Application	..... .....
4.	Land	(a) Real Property Description	
		(b) Address	
5.	Development co-ordinator's Relevant Educational and Professional Qualifications (Documentation may be attached to this Deed Poll, if necessary)	..... ..... ..... .....
6.	Development co-ordinator'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 CO-ORDINATOR

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

(Witness - Signature)

(Development co-ordinator - Signature)

(Witness - Print Name)

on:

(Date)

Disclaimer

The information collected on this Agreement will be used by the Minister for Economic Development Queensland (MEDQ) 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 Freedom of Information Act 1992) or required by Parliament. This information may be stored in a Minister for Economic Development Queensland database. The information collected will be retained as required by the Public Records Act 2002. Its contents should not be construed that MEDQ would approve or refuse this application.