

Returning a signed infrastructure agreement for water or sewerage



Notes for completing this form

This form is to be used when returning a signed infrastructure agreement to Council for execution.

Signing the agreement

Two copies of the agreed Infrastructure Agreement must be printed (double sided) and signed for each party (Proponent) to the agreement. It is important that the authorised person(s) as identified in the Infrastructure Agreement execute the agreement.

The Infrastructure Agreement may be signed by all the landowners or the Proponents if not the landowners. If the Proponent is not the landowner(s) of the development land they will need to provide evidence that the landowner(s) of the development land:

- a) have consented to the Development Obligations of a Proponent being attached to the development land under the Planning Act, and
- b) have given a copy of the document evidencing the landowner's consent to the Council.

A company may execute a document in line with sections 127(1) or (2) of the Corporations Act 2001 (Cth).

Section 127 (1) - "Execution of documents (including deeds) by the company itself": A company may execute a document without using a common seal if the document is signed by:

- a) 2 directors of the company, or
- b) a director and a company secretary of the company, or
- c) for a proprietary company that has a sole director who is also the sole company secretary—that director.

Section 127(2) - provides that a company may also execute a document by fixing the common seal to the document and having it witnessed by one of the three combinations of officers set out above.

As many Australian companies no longer use a common seal, it is more common to execute under section 127(1).

Supporting information

The following information may also need to be provided with the signed agreement:

- Current title search for each lot subject to the agreement
- Current company search (if applicable)
- Trust documents (if applicable)
- Power of Attorney (if applicable)

Returning the Agreement

You can return the originally signed duplicates of the agreement, checklist and all other supporting information:

- by mail, addressed to Water Development Services, Logan City Council, PO Box 3226, Logan City QLD 4114, or
- by hand, to Logan Water in Beenleigh attention Water Developer Services and Connections.

More Information:

2899 7733

WaterDA@logan.qld.gov.au

logan.qld.gov.au/water

Applicant details

Applicant name (company or individual)	
Contact name	
Postal address	
Contact numbers	
Email address	

Proponent / Owner details

Proponent name (company or individual)	
ABN number	
Postal address	
Phone numbers	
Email address	

Returning Executed Agreement

Who should the executed original agreement be returned to (please tick box):

- Applicant
- Proponent / owner

Supporting information

What supporting information has been provided with the signed agreement (please tick boxes below, you can select more than one box):

- Current title search for each lot subject to the agreement
- Current company search (if applicable)

- Trust documents (if applicable)
- Power of Attorney documentation (if applicable)

Number of Agreements

How many original signed duplicates of the agreement have been provided? Please note:

- one original signed agreement must be provided for each party to the agreement, and
- a minimum of two original signed duplicates of the agreement must be provided.

Number of signed original duplicates of agreements

Applicant's declaration

Applicants Name	
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Applicants Signature		Date	
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