



Mr. David Taylor
General Manager – Property
Dart West Developments Pty Ltd
PO Box 228
Narellan NSW 2567

15/17627

Dear Mr Taylor

I refer to your correspondence regarding Badgally Road Extension Planning Agreement – Revised Staging Plans milestones dated 9 December 2015.

As previously advised the delivery of Badgally Road Extension in its entirety remains a requirement of the Agreement.

Clause 10.2 of the Badgally Road Extension Planning Agreement allows for the modification of the Planning Agreement in a manner determined by the parties. Schedule 5, Clause 3 of the Planning Agreement provides for variations to the staging or delivery timetable. Written agreement to the amendment is set out below:

The parties agree as follows:

The Badgally Road Extension VPA is amended to replace **Schedule 3** and **Schedule 5 Clause 1, 2 and Plans** with the revised **Schedule 3** and **Schedule 5 Clause 1, 2 and Plans** as attached to this letter

The revised **Schedule 3** comprises:

- The addition of Stage 7 to the Road Works;
- The sub-staging of Stage 5 into Stage 5A, 5B and 5C; and
- Amendments to Column 2 for Stages 3, 4, 5A, 5B, 5C, 6 & 7.

The revised **Schedule 5** including Plans comprises:


- The addition of Stage 7 to the Road Works;
- The sub-staging of Stage 5 into Stage 5A, 5B and 5C; and
- Amendments of the delivery milestones to reflect the revised staging.

Please sign as an agreement to the amendment of the Badgally Road Extension Planning Agreement. Please initial all attached pages including the plans. Please return the signed original to the Department.

Yours sincerely



Terry Natt
Director, Developer Contributions

Signature: 
Name: DAVID TAYLOR
Title: General Manager
Dart West Developments Pty Ltd

SCHEDULE 3

SIC Offset Amounts – Table (clauses 4.3)

Notes relating to Schedule 3

Column 1 refers to the Stages described in Schedule 3

Column 2 specifies, in dollars, the Attributable Cost of the Stage as at December 2008

Column 3 specifies, in dollars the Special Infrastructure Contribution Offset Amount to which the developer will be entitled on completion of a Milestone as at December 2008 which is 20% of the Attributable Cost for the Stage.

Column 4 describes a *Milestone*, as defined in clause 1.1

Stage 1A

Column 1	Column 2	Column 3	Column 4	
Stage	Attributable Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
1A	\$6,700,428.00	\$1,340,085.60	1	Expenditure of 25% of the value of the Construction Contract.
		\$1,340,085.60	2	Expenditure of 50% of the value of the Construction Contract.
		\$1,340,085.60	3	Expenditure of 75% of the value of the Construction Contract.
		\$1,340,085.60	4	Expenditure of 100% of the value of the Construction Contract.
		\$1,340,085.60	5	The later of handover of the Road Work, acceptance of the Road Work by the relevant Roads Authority, and completion of any defects liability period for the Road Work.

Department of Planning & Environment:

Dart West Developments:

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Stage 2

Column 1	Column 2	Column 3	Column 4	
Stage	Attributable Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
2	\$2,464,807	\$492,961.40	1	Expenditure of 25% of the value of the Construction Contract.
		\$492,961.40	2	Expenditure of 50% of the value of the Construction Contract.
		\$492,961.40	3	Expenditure of 75% of the value of the Construction Contract.
		\$492,961.40	4	Expenditure of 100% of the value of the Construction Contract.
		\$492,961.40	5	The later of handover of the Road Work, acceptance of the Road Work by the relevant Roads Authority, and completion of any defects liability period for the Road Work.

Department of Planning & Environment: 

Dart West Developments: 

SIC Offset Amounts – Table (clauses 4.3)

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Column 2 specifies, in dollars, the Estimated Costs of the Stage as at 1 July 2015

Column 3 specifies, in dollars the Special Infrastructure Contribution Offset Amount to which the developer will be entitled on completion of a Milestone.

Column 4 describes a *Milestone*, as defined in clause 1.1

Stage 3

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
3	\$3,310,740.48	\$662,148.10	1	Expenditure of 25% of the value of the Construction Contract.
		\$662,148.10	2	Expenditure of 50% of the value of the Construction Contract.
		\$662,148.10	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> • Completion of any defects liability period for the Road Work. • Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment: 

Dart West Developments: 

SIC Offset Amounts – Table (clauses 4.3)

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Stage 4

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
4	\$968,393.64	\$193,678.73	1	Expenditure of 25% of the value of the Construction Contract.
		\$193,678.73	2	Expenditure of 50% of the value of the Construction Contract.
		\$193,678.73	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> • Completion of any defects liability period for the Road Work. • Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment: 

Dart West Developments: 

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Stage 5A

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
5A	\$2,800,00.00	\$560,000.00	1	Expenditure of 25% of the value of the Construction Contract.
		\$560,000.00	2	Expenditure of 50% of the value of the Construction Contract.
		\$560,000.00	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> • Completion of any defects liability period for the Road Work. • Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment: 

Dart West Developments: 

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Notes relating to Schedule 3

Column 1 refers to the Stages described in Schedule 3

Column 2 specifies, in dollars, the Estimated Costs of the Stage as at 1 July 2015

Column 3 specifies, in dollars the Special Infrastructure Contribution Offset Amount to which the developer will be entitled on completion of a Milestone

Column 4 describes a *Milestone*, as defined in clause 1.1

Stage 5B

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
5B	\$1,050,000.00	\$210,000.00	1	Expenditure of 25% of the value of the Construction Contract.
		\$210,000.00	2	Expenditure of 50% of the value of the Construction Contract.
		\$210,000.00	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> Completion of any defects liability period for the Road Work. Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment: 

Dart West Developments: 

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Column 1 refers to the Stages described in Schedule 3

Column 2 specifies, in dollars, the Estimated Costs of the Stage as at 1 July 2015

Column 3 specifies, in dollars the Special Infrastructure Contribution Offset Amount to which the developer will be entitled on completion of a Milestone Stage.

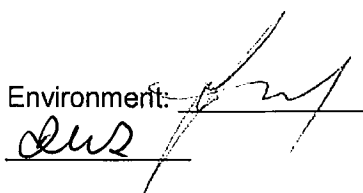
Column 4 describes a *Milestone*, as defined in clause 1.1

Stage 5C

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
5C	\$8,400,000.00	\$1,680,000.00	1	Expenditure of 25% of the value of the Construction Contract.
		\$1,680,000.00	2	Expenditure of 50% of the value of the Construction Contract.
		\$1,680,000.00	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> Completion of any defects liability period for the Road Work. Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment:

Dart West Developments:



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Column 2 specifies, in dollars, the Estimated Costs of the Stage as at 1 July 2015

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Column 4 describes a *Milestone*, as defined in clause 1.1

Stage 6

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
6	\$1,800,000.00	\$360,000.00	1	Expenditure of 25% of the value of the Construction Contract.
		\$360,000.00	2	Expenditure of 50% of the value of the Construction Contract.
		\$360,000.00	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> • Completion of any defects liability period for the Road Work. • Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment: _____

Dart West Developments: _____

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Stage 7

Column 1	Column 2	Column 3	Column 4	
Stage	Estimated Cost	SIC Offset Amount per Milestone	Milestones	
			No.	Description
7	\$7,000,000.00	\$1,400,000.00	1	Expenditure of 25% of the value of the Construction Contract.
		\$1,400,000.00	2	Expenditure of 50% of the value of the Construction Contract.
		\$1,400,000.00	3	Expenditure of 75% of the value of the Construction Contract.
		80% of Actual Costs less the sum of the SIC Discharge Amounts for Milestones 1 to 3 (inclusive)	4	Expenditure of 100% of the value of the Construction Contract and the handover of the Road Work, including acceptance of the Road Work by the relevant roads authority.
		100% of Actual Cost less the sum of SIC Discharge amounts for Milestones 1 to 4 (inclusive)	5	The later of: <ul style="list-style-type: none"> Completion of any defects liability period for the Road Work. Provision of evidence of satisfactory arrangements made with the Road Authority to address the defects liability

Department of Planning & Environment: 

Dart West Developments: 

SCHEDULE 5

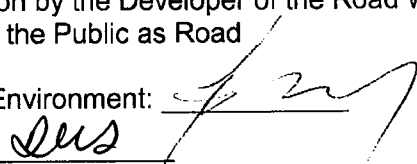
1 Road Work

The construction of Badgally Road generally as shown on the Plans in the following stages:

- **Stage 1A** – Construction of Badgally Road from Camden Valley Way to Ch 1460 (approximately), including;
 - Construction of the Camden Valley Way spur and the two lane southern carriageway including intersections and ancillaries;
 - The dedication by the Developer of the portion of Road Work Land for this stage owned by 'The Trustees of the Marist Brothers' (approximately 2.5Ha) to the Public as Road;
- **Stage 2** - Construction of Gregory Hills Drive from Ch 1460 (approximately) to Ch 1600 (approximately) on the southern carriageway and from Ch 1200 (approximately) to Ch 1600 (approximately) on the northern carriageway, including;
 - Construction of the two lane southern carriageway including intersections and ancillaries;
 - The dedication by the Developer of the Road Work Land (full road width) for this Stage to the Public as Road;
- **Stage 3** - Construction of Gregory Hills Drive from Ch 1600 (approximately) to Ch 2160 (approximately), including;
 - Construction of the two lane southern carriageway and two lane northern carriageway including intersections and ancillaries;
 - The dedication by the Developer of the Road Work Land (full road width) for this Stage to the Public as Road;
- **Stage 4** - Construction of Gregory Hills Drive from Ch 2160 (approximately) to Ch 2600 (approximately), including;
 - Construction of the two lane southern carriageway including intersections and ancillaries;
 - The dedication by the Developer of the Road Work Land (full road width) for this Stage to the Public as Road;
- **Stage 5A** - Construction of Gregory Hills Drive – Badgally Road from Ch 2600 (approximately) to Ch 3100 (approximately), including;
 - Construction of the two lane southern carriageway including a single carriageway bridge over the Water NSW Canal, intersections and ancillaries;
 - The dedication by the Developer of the Road Work Land (full road width) for this Stage to the Public as Road
- **Stage 5B** - Construction of Gregory Hills Drive – Badgally Road from Ch 3100 (approximately) to Ch 3450 (approximately) at the Camden – Campbelltown LGA boundary, including;
 - Construction of the two lane southern carriageway including intersections and ancillaries;
 - The dedication by the Developer of the Road Work Land (full road width) for this Stage to the Public as Road

Department of Planning & Environment:

Dart West Developments:



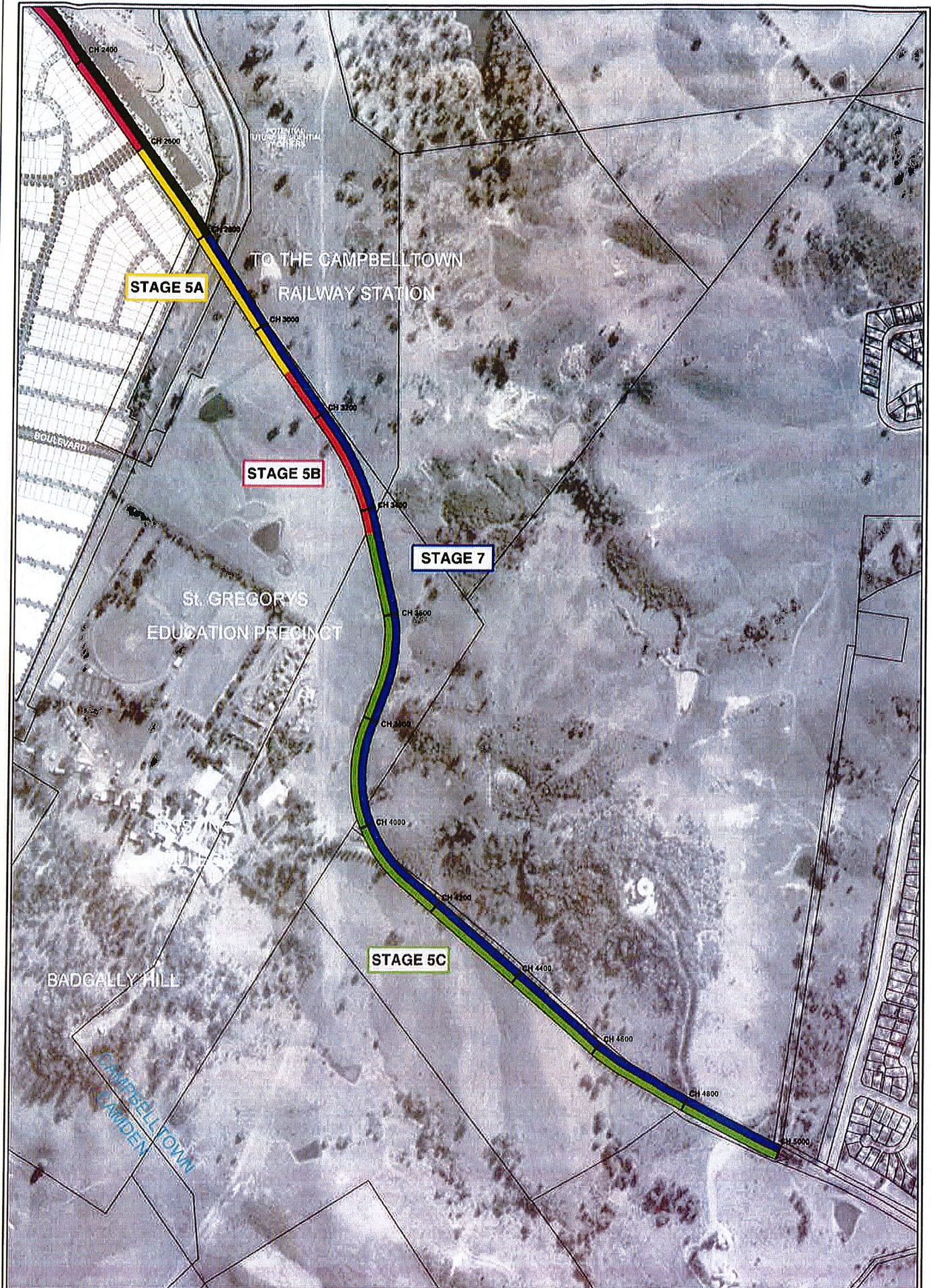
- **Stage 5C** - Construction of Gregory Hills Drive – Badgally Road from Ch 3450 (approximately) to Ch 5000 (approximately) at Eagle Vale Drive intersection, including;
 - Construction of the two lane southern carriageway including intersections and ancillaries to chainage 5000 (approximately);
 - The dedication by the Developer of the Road Work Land (full road width to the extent controlled by the Developer at the time of dedication) for this Stage to the Public as Road
- **Stage 6** - Construction of Gregory Hills Drive from Ch 2160 (approximately) to Ch 2800 (approximately), including;
 - Construction of the two lane northern carriageway including intersections and ancillaries;
- **Stage 7** – proposed to be deleted, but if not deleted, construction of Gregory Hills Drive from Ch 2800 (approximately) to Ch 5000 (approximately), including;
 - Construction of the two lane northern carriageway including intersections and ancillaries;

2 STAGING OF WORK

Stage	Delivery Milestone
1A	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 100 th Residential Lot within the Land
2	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 700 th Residential Lot within the Land
3	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 1,150 th Residential Lot within the Land
4	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 1,250 th Residential Lot within the Land
5A	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 1,700 th Residential Lot within the Land
5B	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 1,800 th Residential Lot within the Land
5C	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 1,900 th Residential Lot within the Land
6	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 2,040 th Residential Lot within the Land
7	Prior to the issue of a Subdivision Certificate for a plan of subdivision to create lots which are intended to accommodate the 2,500 th Residential Lot within the Land

Department of Planning & Environment:

Dart West Developments:



Gregory Hills Drive (Badgally Road) Extension - Staging Plan - Sheet 2 of 2

GREGORY HILLS

30 0 60 120 180 240 300 metres

Ref: DARGH-1-017 Data: 09/12/2015 Revision: F Scale: 1:1,000 @ A1

Note: All sizes and dimensions subject to established survey



P. 02/2015/01/01
E. 02/2015/01/01
W. 02/2015/01/01
F. 02/2015/01/01
R. 02/2015/01/01
S. 02/2015/01/01
T. 02/2015/01/01
U. 02/2015/01/01
V. 02/2015/01/01
W. 02/2015/01/01
X. 02/2015/01/01
Y. 02/2015/01/01
Z. 02/2015/01/01

**design
PLANNING**

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Tel: +61 2 9550 1111 Fax: +61 2 9550 1112

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