

6 December 2010

General Manager
Rockdale City Council
2 Bryant Street
Rockdale NSW 2216

Attention: Mr Stephen Kerr, Director City Planning and Development

Dear Stephen,

**Re: Discovery Point Concept Plan
Developer Contributions Proposal**

We refer to our meeting on 1st December 2010 and would like to confirm Australand Holdings Ltd ("**Australand**") proposal in relation to the s94 Contributions payable on the development known as Discovery Point, Wolli Creek ("**Discovery Point**")

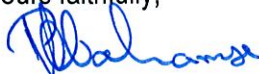
The application for the new Concept Plan MP 10-0003 ("**Concept Plan**") was lodged with the Department of Planning on 17th August 2010.

Australand have sought offsets in the Environmental Assessment Report submitted to the Department of Planning ("**DoP**") however we would now like to propose the following alternative for Council's consideration:

- Australand and Rockdale Council City ("**Council**") agree to enter into a Voluntary Planning Agreement (**VPA**) for Discovery Point.
- The VPA will be entered into prior to the determination of the third Project Application or Development Application.
- The basis of the VPA will be to cap developer contributions for Discovery Point to be in accordance with the current Rockdale City Council Section 94 Contributions Plan 2004 ("**Section 94 Plan**") rates.
- The developer contribution rates specified in the VPA will be indexed in accordance with the Consumer Price Index ("**CPI**") or maximum 3.0% p.a.
- Any Section 94 contributions payable for the first and second applications will be in accordance with the applicable Section 94 Contributions Plan.
- Australand provide this undertaking as part of its revised Statement of Commitments in the Preferred Project Report to be submitted to the DoP.
- Both Council and Australand are to pay their respective legal costs associated with the preparation of the VPA.

We trust this meets with your satisfaction. Should you wish to discuss this proposal, we would be happy to meet with you at a time convenient for both parties.

Yours faithfully,



per
Nigel Edgar
General Manager
Australand Residential NSW

TERMS OF VOLUNTARY PLANNING AGREEMENT OFFER

Australand Holdings Ltd ("Australand") offers to enter into a Voluntary Planning Agreement ("VPA") for the development known as Discovery Point, Wolli Creek ("Discovery Point").

The VPA is to be entered into prior to the determination of the third Project Application or Development Application.

The basis of the VPA is to cap developer contributions for Discovery Point to be in accordance with the following rates sourced from the Rockdale Council Section 94 Contributions Plan 2004:

Discovery Point Developer Contributions

The total contributions payable are:

- Studios/1 bedroom dwellings - \$7,563.50
- 2 bedroom dwellings - \$12,032.80
- 3+ bedroom dwellings - \$14,782.90
- Supermarkets - \$344.98/m² gross floor area
- Bulky goods retail - \$172.49/m² gross floor area
- Other retail - \$246.41/m² gross floor area
- Offices and other commercial - \$259.18/m² gross floor

The rates specified in the VPA will be indexed in accordance with the Consumer Price Index ("CPI") or maximum 3.0% p.a.

The VPA will exclude the application of Sections 94 and 94A to development contemplated in the Concept Plan (except for the first two project applications which will be subject to the applicable Section 94 Plan).