



Our ref TSRC-COM-119
Your ref
Enquiries Bruce Ollason

Department of
Transport and Main Roads

James Thewlis
Project Co Representative
Nexus Infrastructure Pty Ltd
PO Box 9326
Wilsonton Qld 4350

Dear James

Toowoomba Bypass – Letter of Amendment: Timing of Invoice for Floating Rate Component

In this letter, capitalised terms adopt the definitions used in the Project Deed between the State of Queensland and Nexus Infrastructure Pty Ltd (as trustee) dated 21 August 2015 as amended from time to time. Clause references are to clauses of the Project Deed.

We refer to clause 28.5 which sets out the process the parties must comply with in relation to the payment of the Floating Rate Component from time to time.

Relevantly:

- Project Co must provide a notice to the State setting out the amount of the Floating Rate Component for the Interest Period to which the Floating Rate Component relates within 5 Business Days of each Floating Rate Component being able to be calculated (clause 28.5(a)) (**Notice**); and
- the State or Project Co (as applicable) must provide a Floating Rate Component Invoice (**Invoice**) within 5 Business Days of receipt of the Notice (clause 28.5(b)).

From a practical perspective, it is the State's preference that the time periods referred to above are amended so as to give the parties more time to prepare the relevant documents.

Proposed amendments

Accordingly, the State proposes that the Project Deed is amended so that on and from the date of execution of this letter deed:

- in clause 28.5(a), the reference to "5 Business Days" is deleted and replaced with "10 Business Days"; and
- in clause 28.5(b), the reference to "5 Business Days" is deleted and replaced with "10 Business Days".

If Project Co agrees to this amendment, please countersign this letter deed in duplicate and return one counterpart to the State.

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Acknowledgment of amendment to Project Deed

By signing this letter deed, each party agrees to amend the Project Deed as set out in the section titled "Proposed amendments".

The parties agree that except for the amendments set out in the section titled "Proposed amendments", no other amendments are made to the Project Deed, which is ratified and confirmed.

Dated: 20 May 2021

EXECUTED as a deed.

State

Signed, sealed and delivered for and on behalf of the **State of Queensland** by:

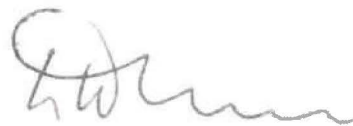
Leslie Stuart Dunn, State Representative,
Department of Transport and Main Roads in
the presence of:



Signature of witness

Fiona Lee

Full name of witness



Signature

Project Co

Executed by Nexus Infrastructure Pty Ltd
ACN 600 535 180 in its own right and as
trustee for the Nexus Infrastructure Unit
Trust in accordance with section 127 of the
Corporations Act 2001 (Cth):



Signature of director

SERGIO CALCARAO

Full name of director



Signature of company secretary/director

Belinda Bradberry

Full name of company secretary/director