

Planning Agreement

Addendum No. 1

Burwood Council
ABN 84 362 114 428

and

BRD Apartments Pty Ltd
ACN 168 722 736

2A-8 Burwood Road, Burwood

PARTIES

THIS ADDENDUM is made on 24 April 2018.

BETWEEN:

- (1) **Burwood Council** ABN 84 362 114 428 of Suite 1, Level 2, 1-17 Elsie Street, Burwood NSW (Council).
- (2) **BRD Apartments Pty Limited** ACN 168 722 736 of Unit 5, 37 Roberts Street, Strathfield NSW (Developer).

BACKGROUND

- (A) On or about 13 March 2018 the parties entered into a Voluntary Planning Agreement (Agreement).
- (B) Pursuant to clause 16.9 of the Agreement, the parties wish to amend the Agreement.

OPERATIVE PROVISIONS

1. Definitions and Interpretation

- 1.1 The definitions and interpretations relevant to this Addendum are the same as those set in Clauses 1.1 and 1.2 of the Agreement.

2. Addendum

- 2.1 Pursuant to Schedule 1, Item 2 of the Agreement, relating to Road Dedication of the Road Dedication Land, the parties agree that the reference to "12 weeks from the date upon which Council grants consent..." is replaced with "24 weeks from the date upon which Council grants consent...". For the avoidance of doubt, the Developer warrants that it will dedicate to the Council the Road Dedication Land as identified in Schedule 2 of the Agreement by 16 July 2018.

Council Initial: 


Developer Initial: 

Execution Page

Dated: 24 April 2018

Executed as an Agreement

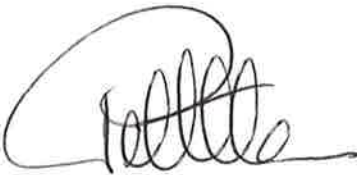
Signed by **BRD Apartments Pty Ltd (ACN 168 722 736)** under s.127(1) of the *Corporations Act 2001*



sign
SHADI EL MASRI

witness
SHADI EL MASRI

full name




sign
PIERRE SZEIMAN

office (director or secretary) **SOLE**


full name

Signed for and behalf of **Burwood Council** by its attorney, **Bruce Gordon Macdonnell**, under Power of Attorney dated 29 November 2017 registered book 4736 number 451 in the presence of



Witness
EMILY JACKLEY

full name



Signature of Attorney
Bruce Gordon MacDonnell