

## RESPONSE TO BUYER'S POST SETTLEMENT OBLIGATIONS

The Town of Victoria Park sold the land at No. 355-357 (Lots 488, 30, 131 and 132) Shepperton Road, currently used as a public car park, to Fabcot Pty Ltd – settlement occurred on 8/2/2024.

The sale of the land was subject to a sale and purchase contract, including post settlement obligations for the buyer (Fabcot Pty Ltd). The table below outlines the post-settlement obligations from clause 15.1 of the contract in the left hand column and the applicant's response in the right-hand column.

Obligation	Applicant's Response
<p><b>15.1 Plans and Specifications</b></p> <p>The Buyer acknowledges and agrees that in undertaking the Development the Seller expects the Town of Victoria Park (in its capacity as a planning authority) to require the following objectives to be achieved:</p> <ul style="list-style-type: none"> <li>(i) installation of rooftop solar photovoltaic cells;</li> <li>(ii) entry statement considerations on the corner of Albany Highway and Shepperton Road;</li> <li>(iii) consideration of more iconic design principles in accordance with the Town of Victoria Park's relevant planning policies and guidelines at the Contract Date;</li> <li>(iv) allocation of circa 15 car parking bays which are accessible by the public at all times with the remainder of any car parking bays on the Property (number to meet the Town of Victoria Park's minimum car parking ratios) being publicly accessible during business hours, with free parking limited to 90 minutes;</li> </ul>	<ul style="list-style-type: none"> <li>(i) Rooftop Solar Photovoltaic Cells will be applied both to the Supermarket and Specialty roof.</li> <li>(ii) Justification has been provided into the planning report</li> <li>(iii) Justification has been provided in the planning report</li> <li>(iv) There are 14 bays that have been provided to the area adjacent to the loading dock which will be accessible 24hours a day.</li> <li>(v) 10 trees removed:45 trees planted = 1:4.5, planted to every deep soil area possible on site, where appropriate.</li> <li>(vi) Sustainability Report confirms</li> <li>(vii) 4 EV bays will be provided in the basement</li> <li>(viii) Noted.</li> </ul>

(v) commitment to a 6 to 1 ratio of new tree planting (minimum 100 litre tree size unless otherwise agreed by the Seller acting reasonably) to existing trees in the adjacent area owned by the Buyer and on the Property where possible;

(vi) minimum 4 star Green Star rating for the Development; and

(vii) inclusion of a minimum of 4 electric car charging stations; and

(viii) the Buyer to maintain its commitments under the publicly advertised Reconciliation Action Plan (RAP) while delivering and operating its business from the Property,.