

Fiona Grgich
Partner
McLeods Barristers and Solicitors
220 Stirling Highway
Claremont WA 6010

Your ref: FG:VC:44924
Our ref: ALH/GAM 36921

By post and email

26 August 2020

Dear Fiona,

Development Proposal for 1022-1032 Albany Highway and Right of Way 54, East Victoria Park

1. I have not yet received a substantive response to my letter of 17 August 2020, despite the request in that letter for an early reply. Would you please provide a substantive reply by 5:00 pm on 27 August 2020.
2. It has come to our attention that a notice has been issued for a Special Meeting of Council that has been called on 31 August 2020 "*...for the purpose of considering dedicating ROW54 as a public road*". We do not know if you are aware of this meeting. In view of our letter dated 17 August 2020, we would have expected our attention to be drawn to the notice for the Special Meeting of Council rather than find out fortuitously, as was the case.
3. As the agenda for this Special Meeting of Council will not be published until as late as 5:00pm on Friday 28 August 2020, could you please provide us with a summary of the proposed recommendations which will be considered at this meeting by 5:00pm on 27 August 2020.
4. Please also respond by 5:00pm on 27 August 2020 to the queries in paragraphs 4(b) and 4(c) of our letter to Mr Killigrew dated 1 July 2020, which relate to:
 - (a) when the contract for sale between the Town of Victoria Park and Fabcot Pty Ltd was executed; and
 - (b) whether the parties have agreed to extend the "Latest Date" by which Condition Precedent 2.1(a)(i)(C) had to be satisfied.
5. If the "Latest Date" has been extended, then please also advise of us of the adjusted "Latest Date" (as extended) and the basis upon which (we assume) the decision to extend the "Latest Date" was made under delegation rather than by resolution of the Council.
6. If you have any questions about the above, please let us know.

Yours sincerely,



Glen McLeod
Principal
Glen McLeod Legal