

Ben Killigrew
Chief Operations Officer
Town of Victoria Park
Locked Bag 437
Victoria Park WA 6979

Your ref:
Our ref: ALH/GAM 26904

By post and email

1 July 2020

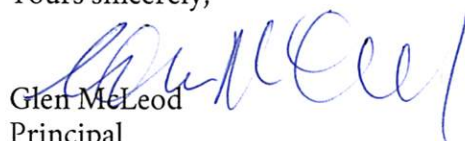
Dear Mr Killigrew,

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

1. We refer to our **enclosed** letter to the Western Australian Planning Commission (**WAPC**) of today's date and the Town of Victoria Park's (**Town**) council meeting on 19 November 2019, in particular item 12.8 of the agenda in relation to the proposed sale of 355-357 Shepperton Road, East Victoria Park (**Subject Lots**)
2. Our above letter to the WAPC relates to the Town's proposal to sell the Subject Lots to Fabcot Pty Ltd (**Fabcot**). We understand that at the Town's Council meeting on 19 November 2019 the Town unanimously resolved to enter into a contract for the sale of the Subject Lots to Fabcot (**Contract**).
3. The Council minutes included an unexecuted contract for sale, which is subject to a number of Conditions Precedent, including in relation to Right of Way 54, also known as Lot 0 on Plan 2609 (**ROW 54**).
4. Could the Town please:
 - (a) provide its comments on the matters raised in our letter to the WAPC including:
 - (i) the status of the Town's application to the Minister to close ROW 54; and
 - (ii) what steps the Town is intending to take if it is continuing to seek to close ROW 54 and amalgamate it with the Subject Lots;
 - (b) indicate whether it has executed the Contract; and
 - (c) comment on the extent to which the matters raised in our letter to the WAPC impacts the Contract (if at all).

If you have any questions or wish to discuss the above, please let us know.

Yours sincerely,


Glen McLeod
Principal
Glen McLeod Legal