

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

Your ref: LEG/1/9  
Our ref: ALH/GAM 36913

**By post and email**

17 July 2020

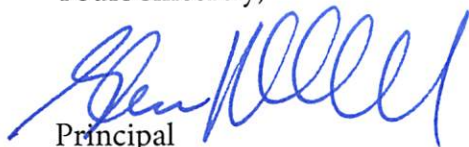
Dear Mr Killigrew,

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

1. We refer to our letters dated 1 July 2020 and 13 July 2020 and your response of today's date in relation to the development proposal for 1022 - 1032 Albany Highway, East Victoria Park (**Proposed Development**) and the dedication and closure of Right of Way 54 (**ROW 54**).
2. Our client has a legitimate interest in the Proposed Development and ROW 54.
3. We are not required to identify our client and our correspondence has been supplied in the public interest. To create an issue over the identity of our client is a detraction from the main issues raised in our letters. As a public authority acting under a statute, the Town of Victoria Park (**Town**) has a responsibility to address the legitimate issues which are raised in our letters.
4. Specifically, in relation to the questions raised in paragraph 4(b) - (c) in our letter dated 1 July 2020, the contract for sale is a public document which was made available as an attachment to the Agenda of the Ordinary Council Meeting on 19 November 2019. By failing to address whether the contract has been executed or how the matters raised in our letter to the Western Australian Planning Commission affect the contract (if at all) reinforces our concern that the Town is exercising its powers for the benefit of a private entity rather than in the public interest.
5. We reiterate our request that the Town address the issues raised in our letters dated 1 July 2020 and 13 July 2020. Further, consideration of Item 13.1 in the Agenda for the Ordinary Council Meeting on 21 July 2020 (and the corresponding recommendation) should be deferred until these matters have been addressed.
6. As foreshadowed in our email this morning, we have provided our letter of 13 July 2020 to the Councillors directly, to draw their attention to these matters ahead of the Ordinary Council Meeting on 21 July 2020.

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

Yours sincerely,



Principal  
Glen McLeod  
**Glen McLeod Legal**