

ADAM WATSON

Consultant

[REDACTED – ADDRESS] • [REDACTED – EMAIL] • [REDACTED – PHONE] • [REDACTED – ABN]

18 July 2026

Mr Russell Proutt

Chief Executive Officer & Managing Director

The GPT Group

[REDACTED – EMAIL]

Mr Shaine Beveridge

Centre General Manager

Pacific Fair Shopping Centre

Hooker Boulevard, Broadbeach Waters QLD 4218

[REDACTED – EMAIL]

By email

Dear Mr Proutt and Mr Beveridge,

RE: FAILURE OF DUTY OF CARE – VIOLENT INCIDENT AT PACIFIC FAIR, 17 JULY 2026 – NOTICE OF INTENDED PROCEEDINGS

I write in my capacity as a consultant assisting Mr Konstantin (“Kosta”) Kondratenko, and in my own right, concerning a serious safety incident that occurred at Pacific Fair on 17 July 2026 and the centre's failure to discharge its duty of care to the public on that day. This matter is documented in Sunlight.Quest's Episode 3 report and accompanying video, which brought it to my attention and is available at <https://sunlight.quest/episode-3>.

The incident of 17 July 2026

While lawfully present at Pacific Fair, Mr Kondratenko was approached by a male person previously unknown to him. Mr Kondratenko did not approach, speak to, or engage that person. When the man became aggressive, Mr Kondratenko took out a camera and recorded the interaction for his own safety. Rather than de-escalating, the man became more heated and more threatening, and a second male joined him in directing abuse at Mr Kondratenko. Mr Kondratenko did not raise a hand, retaliate, or make any threat. On the account provided to me, a single security officer was on the scene, and members of the public present were left to step in and support Mr Kondratenko as the situation escalated. Queensland Police attended. The footage has already been provided to your security and management staff.

The centre's response was inadequate

This is the crux of my concern, and it is a matter for the centre, not for the individuals involved. Pacific Fair is one of the largest shopping centres in Australia, hosting many thousands of patrons and staff every day. A violent, escalating confrontation of this kind demanded an immediate and coordinated response: detection through the centre's control room, the rapid dispatch of multiple security personnel to the location, and the prompt attendance of police. On the account and footage available to me, that

did not occur – a single officer was left at the scene while members of the public stepped in.

A centre of this scale that does not have, or does not activate, policies and procedures to (i) identify a violent disturbance in real time through its control room, (ii) immediately dispatch additional security to the affected area, and (iii) secure rapid police attendance, has not taken reasonable steps for the safety of the people on its premises. This incident could readily have resulted in a serious stabbing or a death. That it did not is a matter of good fortune, not of adequate system design. As the persons responsible for the management and operation of the centre, you bear responsibility for that failure.

A known and tolerated risk

This did not occur in a vacuum. As I have raised with your staff on previous occasions, groups of juveniles are routinely permitted to congregate in the food court, to run across the tables, and to vape – notwithstanding that vaping is prohibited throughout the centre's indoor public areas. This is a known and tolerated pattern of anti-social conduct that foreseeably escalates into exactly the kind of confrontation that occurred on 17 July 2026. A duty of care requires that known risks be managed, not tolerated.

A known aggressor, still not excluded

The individual concerned is not an unknown quantity. On an earlier occasion he behaved aggressively towards a Pacific Fair security guard who had asked his companion to stop vaping and to leave, squaring up to the guard and using words to the effect of “do you want to have a crack?” Despite having already threatened a member of your own security staff, I am instructed that he remains permitted to enter Pacific Fair and that no exclusion has been issued against him. When the need for a ban was raised with a guard, the response was, in effect, that a person must physically assault someone before an exclusion can be actioned. That threshold protects the aggressor and exposes everyone else.

I ask that the centre's CCTV for the relevant times and locations – both the incident of 17 July 2026 and the earlier incident involving the security guard – be preserved immediately and not overwritten.

Duty of care and notice of intended proceedings

As the occupier and manager of Pacific Fair, the centre owes a duty of care to take reasonable steps for the safety of persons lawfully on its premises. The scrutiny of that duty as it applies to major shopping-centre operators has sharpened considerably following the attack at Westfield Bondi Junction on 13 April 2024 – the subject of a coronial inquest and of compensation claims – which has focused close legal attention on what centre operators know, or ought to know, about foreseeable risks to patrons and staff, and on the reasonableness of the steps they take in response. On 17 July 2026 the centre's response fell well short of that standard.

Please treat this letter as formal notice of an intended claim. Should the matters raised here not be adequately addressed, I reserve the right, on Mr Kondratenko's behalf and my own, to commence legal proceedings – in the Federal Circuit Court or other court of competent jurisdiction – against the owners of the centre and The GPT Group as its manager. This letter, and your response or failure to respond to it, may be tendered in those proceedings. This letter is addressed to the Chief Executive Officer of The GPT Group so that the centre's conduct is on notice at the most senior level of its management.

Notification of your insurer

You are on notice that a potential claim exists against the centre under its public liability arrangements. The centre is obliged to notify its public liability insurer of this potential claim. I ask that you do so and confirm that it has been done.

Action requested

- 1 issue an exclusion / ban against the individual concerned, preventing his entry to Pacific Fair;

- 2 preserve and provide the CCTV footage of the incident of 17 July 2026 and of the earlier incident involving the security guard;
- 3 provide a copy of, or a summary of, the centre's incident-response and control-room escalation procedures for violent disturbances;
- 4 confirm what steps the centre will take to protect its staff and patrons from this individual and from the pattern of conduct described above;
- 5 notify the centre's public liability insurer of this potential claim, and confirm that this has been done; and
- 6 respond in writing within fourteen (14) days of the date of this letter.

Further steps in the absence of a response

For the avoidance of doubt, in the absence of a satisfactory response within fourteen (14) days, I intend to:

- notify the owners of the centre – the Australian Core Retail Trust, and its majority investors, UniSuper and Cbus Property – of the centre's failure to protect the public;
- raise the matter with the Queensland Attorney-General, the Hon. Deb Frecklington, and with the Commissioner of the Queensland Police Service; and
- commence the legal proceedings described above against the owners of the centre and The GPT Group.

Prior conduct of former centre management

I raise the following as relevant context. I am instructed that a previous centre manager associated with the network of Mr Grason Kira (of Kira & Kira) assisted Mr Kira in a campaign of intimidation directed at me, including by threatening to terminate the lease of the Priceline Pharmacy tenancy unless personal information was handed over to Mr Kira. I am further instructed that this person's engagement has since been terminated. I place on record that this history informs the seriousness with which I regard the centre's present failure to act. Further detail is a matter of record.

Public-interest documentation

For completeness, the incident of 17 July 2026 is the subject of public-interest reporting and has been documented and published by Sunlight.Quest (Episode 3, linked above). Nothing in this letter is intended to prevent the centre from taking the very protective steps that would resolve the underlying safety concern.

I look forward to your written response within fourteen (14) days.

Yours faithfully,

Adam Watson

Consultant

[REDACTED – EMAIL] • [REDACTED – PHONE]