

21st December 2018

Mr Sam Mustaca
Planet Warriewood Pty Ltd
4 Vuko Place
Warriewood NSW 2102

Dear Sam,

RE: United Cinemas Development - Cnr Park St and Warlters Street Port Macquarie

On behalf of the MPG, the property owner of Lot 21 on DP 1220661, we confirm MPG are generally supportive of the proposed entertainment development next to the K-Mart Shopping Centre based on the following as agreed with Planet Warriewood Pty Ltd;

- Proposed development to incorporate pedestrian connectivity and K-Mart signage as agreed between K-Mart and Planet Warriewood in accordance with attached K-Mart letter dated 21st December 2018.
- Proposed development to restrict loading dock use outside the hours of 10am-5pm and limit HRV size to 12.5m length.
- Carpark use as agreed between K-Mart and Planet Warriewood.
- Proposed development to replace existing asphalt pavement from Warlters Rd upto and including the loading dock entry as a minimum with suitable concrete pavement at no cost to MPG (refer attached mark up for extent).

We trust the above is in order and await your confirmation.

Yours Sincerely



Rob Fatovic
Project Manager

Attachments:

Atelier Architects DA11 Rev A markup detailing concrete pavement extent.
K-Mart letter dated 21st December 2018
Planet Warriewood Pty Ltd letter dated 12th December 2018
K-Mart letter dated 30th November 2018



Department Stores Division



21 December 2018

Rob Fatovic
Project Manager
McMullin Property
Level 3, 2-6 Railway Parade
Camberwell VIC 3124

Dear Rob

RE: United Cinemas Development - Cnr Park St and Warlters Street Port Macquarie

Kmart is supportive of an entertainment development as presented by United Cinemas in DA drawings as submitted 20 November 2018, subject to the agreement on the pedestrian walkway and Kmart sign detailed in letter dated 12 December attached.

Regarding the right of way, the proposed car and truck access points are acceptable to Kmart and based on the attached traffic survey report and again in accordance with the agreement in letter dated 12 December, Kmart support the consent to this proposal as drawn (See attached plan)

Yours sincerely

Steven Thuaux
Regional Property Manager
Wesfarmers Department Stores



Department Stores Division



30 November 2018

Vanessa Benitez
MM Atelier Architects
PO Box 87
Mona Vale NSW 1660

Dear Vanessa

RE: Cnr Park St and Warlters Street Port Macquarie

Thank you for your recent emails about the proposed entertainment development on the site next to the Kmart shopping centre at Port Macquarie, and also regarding the right of way (ROW).

Development

Kmart is generally supportive of an entertainment development in principle, but we need more detail before we can consent to what is proposed. For example, we have concerns about the bulk and height and potential sightlines and overshadowing.

So that we can give this further consideration, please send us a complete copy of the development application, including all drawings.

We also need to agree terms for the pedestrian walkway and Kmart corner signage, as these are key components of the overall outcome from Kmart's perspective.

In the meantime, Kmart reserves its position on the redevelopment.

ROW

Regarding the right of way, the proposed car and truck access points appear acceptable on paper, but Kmart is not in a position to consent to them until the traffic management study is complete and a copy provided for Kmart's review (this will be needed in any event for the application to Council). If the traffic management study supports the proposal and does not raise any adverse issues, then I would expect that Kmart will support the right of way proposals at that stage.

Owner approval

Please be aware that Kmart leases the Kmart shopping centre but is not the owner. Kmart cannot speak for the owner of the shopping centre, so you will also need to contact them regarding the above matters.

Yours sincerely,

Steven Thuaux
Regional Property Manager
Wesfarmers Department Stores

690 Springvale Road, Mulgrave, Victoria, 3170

Kmart & KTAS ABN 73 004 700 485 ACN 004 700 485
Target & Target Country ABN 75 004 250 944 ACN 004 250 944

PLANET WARRIEWOOD PTY LIMITED

ABN 32 081 419 052

12 December 2018

To: **Steven Thuaux**
Regional Property Manager – QLD South
Wesfarmers Department Stores - Property
690 Springvale Rd
Mulgrave VIC 3170
Sent via email: Steven.Thuaux@wesds.com.au

Dear Steven,

Re: Cnr of Park Street and Warlters Street Port Macquarie

We refer to yesterday's meeting and your letter of 30 November 2018 and thank you for taking the time to discuss the Development Application at the Cnr of Park and Walters Street Port Macquarie.

In consideration of you consenting to our Development Application, we agree to the following items subject to DA/authority approval:

- ❖ **Loading Dock** – No Heavy Rigid Vehicles (HRVs) exceeding 12.5m in length are to access the Loading Dock. HRV's of 12.5m in length are to access the Loading Dock outside the hours of 10am-5pm only - unless required for urgent access with prior notice to Kmart's store manager.
- ❖ **Walkway Connection** - Zebra crossing to be implemented as per Architectural Drawing DA 11 revision A dated 12 Dec 2018 at Kmart's expense.
- ❖ **Parking** - ability for our patrons to use the Kmart car park to access our building and our patrons to access the Kmart Tenancy at no cost and with no restrictions or penalties.
- ❖ **Signage** - Kmart Signage to be supplied, installed and maintained by Kmart (at Kmart's cost) to the size and location as nominated by Planet Warriewood. Installation of signage as per Planet Warriewood's requirements. Nominated location as shown in montage on DA41 Issue A. Costs of the Signage Development Application to be paid by Planet Warriewood.
- ❖ The above agreement to be documented by way of deed subject only to any necessary amendments by virtue of any conditions imposed by the consent authority.

We look forward to receiving confirmation of your acceptance of the above as soon as possible.

Thanks again for your cooperation.

Regards,



Roy Mustaca – OAM CAV
Director