

**Duplicate**

**SUPREME COURT OF QUEENSLAND**

REGISTRY: BRISBANE

NUMBER: 4023/23

**IN THE MATTER OF: PCA (QLD) PTY LTD (SUBJECT TO A DEED OF COMPANY ARRANGEMENT)**

**ACN: 141 148 245**

Applicants: **Destination Brisbane Consortium Integrated Resort Operations Pty Ltd as trustee for The Destination Brisbane Consortium Integrated Resort Operating Trust and another according to the attached schedule**

**AND**

Respondents: **PCA (Qld) Pty Ltd (subject to Deed of Company Arrangement) ACN 141 148 245 and others according to the attached schedule**

**ORDER**

Before: Hindman J

Date: 19 December 2023

Initiating document: Commercial List review

**BY CONSENT, THE COURT ORDERS THAT:**

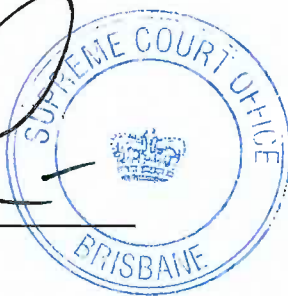
1. Order 2 of the orders of the Honourable Justice Hindman made on 23 November 2023 be varied so as to replace "15 December 2023" with "26 February 2024".
2. By no later than 19 February 2024, the parties are to participate in a further settlement conference for the purposes of resolving the proceeding or otherwise narrowing the issues in dispute.
3. By no later than 11 March 2024:
  - (a) the second respondents are to file and serve their submissions in support of their interlocutory application filed on 19 December 2023; and
  - (b) any person who has filed an originating application is to file and serve its submissions in support of same.
4. By no later than 25 March 2024:
  - (a) any party which wishes to oppose the granting of the relief sought by the second respondents in the interlocutory application filed on 19 December 2023 is to file and serve its submissions and any evidence on which they wish to rely; and



- (b) any non-party which has been served with that interlocutory application which wishes to oppose the granting of the relief sought by the second respondents in that interlocutory application is to file and serve a notice of appearance and its submissions.
5. The interlocutory application filed by the second respondents on 19 December 2023 and any other originating application filed in this matter are set down for hearing before Hindman J for one day on 26 April 2024.
6. With respect to the costs of paragraph 7 of the applicant's amended originating application (being the application for leave to proceed with the claim in Proceeding BS13749/23, which was heard in this proceeding on 21 November 2023, and the costs of which were reserved for determination to today):
- (a) as to the applicants and the first respondent, their costs be costs in Proceeding BS13749/23; and
- (b) as to the second respondents, their costs be costs in the administration of the first respondent pursuant to the Deed of Company Arrangement.
7. Cbus Property Brisbane Pty Ltd (ACN 169 683 292) as trustee for the Brisbane Unit Trust be added to Proceeding BS 4023 of 2023 as the sixth respondent.
8. Costs otherwise be reserved.

Signed: \_\_\_\_\_

Deputy Registrar



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**IN THE MATTER OF PCA (QLD) PTY LTD (SUBJECT TO A DEED OF COMPANY ARRANGEMENT) ACN 141 148 245**

**SCHEDULE OF PARTIES**

First First Applicant: **Destination Brisbane Consortium Integrated Resort Operations Pty Ltd as trustee for The Destination Brisbane Consortium Integrated Resort Operating Trust**

Second First Applicant: **QWB Residential Precinct Operations Pty Ltd as trustee for the QWB Residential Precinct Operations Trust**

AND

First Respondent: **PCA (Qld) Pty Ltd (subject to Deed of Company Arrangement) ACN 141 148 245**

AND

Second Respondent: **Salvatore Algeri, Jason Tracy, David Orr and Matt Donnelly in their capacities as joint and several administrators of the Deed Companies**

AND

Third Respondent: **Dexus Funds Limited as trustee of the Dexus Martin Place Trust**

AND

First Fourth Respondent: **Wadren Pty Ltd in its capacity as trustee for the Hoppers Crossing Unit Trust**

Second Fourth Respondent: **QIC Werribee Pty Ltd as trustee for the QIC Werribee Trust**

AND

Fifth Respondent: **WBHO Construction (Pty) Limited**

AND

Sixth Respondent **Cbus Property Brisbane Pty Ltd (ACN 169 683 292) as trustee for the Brisbane Unit Trust**