



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD532/2024

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION and others named in
the schedule
Plaintiff

ALAMMC DEVELOPMENTS PTY LTD and others named in the schedule
Defendant

ORDER

JUDGE: Justice O'Sullivan

DATE OF ORDER: 12 March 2025

WHERE MADE: Adelaide

FOR THE PURPOSE OF THESE ORDERS:

“*Receivers*” means Andrew Peter Fielding and Helen Newman of BDO in their capacity as joint and several receivers of the property of the defendants.

THE COURT ORDERS THAT:

Receivers’ interlocutory process dated 5 February 2025

1. The Receivers have leave to file and serve an amended interlocutory process, substantially in the form of “Annexure 1” to their written submissions dated 12 March 2025.
2. The Receivers’ amended interlocutory process be made returnable *instante*.
3. The time for service of (a) the affidavit of Andrew Peter Fielding and (b) the third confidential affidavit of Andrew Peter Fielding, each made on 11 March 2025 in support of the amended interlocutory process, be abridged to 9.30am ACDT on 12 March 2025.
4. The Receivers would be justified and acting reasonably in exercising their power of sale in respect of the following real property located at:
 - (a) 22 Koorungal Court, Tallebudgera, Queensland, 4228 (being Lot 6 on Survey Plan 149176) with title reference 50392706;
 - (b) Unit 3208, 9 Hamilton Avenue, Surfers Paradise, Queensland, 4217 (being Lot 3208 on Survey Plan 144033) with title reference 50573901;



- (c) Unit 3006, 9 Hamilton Avenue, Surfers Paradise, Queensland, 4217 (being Lot 3006 on Survey Plan 144033) with title reference 50573883;
 - (d) 29 Victoria Street, Midland, Western Australia, 6056 (being Lots 3 & 70 on Diagram 7475) with title reference 987/76;
 - (e) 16 and 18 Kwong Alley, North Fremantle, Western Australia, 6159 (being Lots 77 and 78 on Diagram 92270) with title references 2091/969 and 2091/970, which were amalgamated on 29 January 2025 in title reference 4067/255 (being Lot 7778 on Deposited Plan 420470);
 - (f) 18 Halsey Street, South Bunbury, Western Australia, 6230 (being Lot 23 on Diagram 24048) with title reference 2055/896; and
 - (g) 17 Rowers Lane, Douglas, Queensland (being Lot 215 on Diagram 107183) with title reference 50226462.
5. Pursuant to ss 37AF(1)(b) and 37AG(1)(a) of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**), on the ground that it is necessary to prevent prejudice to the proper administration of justice, and until further order, the publication or disclosure of the third confidential affidavit of Andrew Peter Fielding sworn 11 March 2025 (including its annexure APF-D) is prohibited.
6. The Receivers' costs of and incidental to their interlocutory process dated 5 February 2025 and the amended interlocutory process, including reserved costs, be payable, in the first instance, from the property of the first, fourth, seventh, eleventh and fifteenth defendants.

Receivers' interlocutory process dated 19 February 2025

7. The time for service of (a) the affidavit of Andrew Peter Fielding and (b) the affidavit of Stephanie Trajcevska, each made on 11 March 2025 in support of the Receivers' interlocutory process dated 19 February 2025, be abridged to 9.30am ACDT on 12 March 2025.
8. The Receivers would be justified and acting reasonably in not settling the contract of sale dated 18 June 2024 between the sixteenth defendant (as purchaser) and Springboard Developments Pty Ltd (as vendor) for the purchase of the "Tamworth Property" (as defined in the affidavits of Andrew Peter Fielding made on 19 February 2025).



9. The Receivers' costs of and incidental to their interlocutory process dated 19 February 2025, including reserved costs, be payable in the first instance from the property of the first, eighth and sixteenth defendants.

Receivers' interlocutory process dated 28 February 2025

10. The time in paragraph 2 of the order made on 26 February 2025 be extended until 5.00pm (ACDT) on Wednesday, 19 March 2025.
11. The Receivers' costs of and incidental to their interlocutory process dated 28 February 2025 be payable in the first instance from the property of the defendants.

General

12. There be liberty to apply.
13. Other than as provided in paragraphs 6, 9 and 10 above, costs be reserved.

Date orders authenticated: 14 March 2025


Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

No: QUD532/2024

Federal Court of Australia

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Plaintiff	AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION
Interested Person	ANDREW PETER FIELDING AND HELEN NEWMAN AS JOINT AND SEVERAL RECEIVERS AND MANAGERS OF THE FIRST TO FIFTEENTH DEFENDANTS
Second Defendant	ALAMMC DEVELOPMENTS 2 PTY LTD
Third Defendant	ALAMMC DEVELOPMENTS 3 PTY LTD
Fourth Defendant	ALAMMC DEVELOPMENTS 4 PTY LTD
Fifth Defendant	ALAMMC DEVELOPMENTS 5 PTY LTD
Sixth Defendant	ALAMMC DEVELOPMENTS 6 PTY LTD
Seventh Defendant	ALAMMC DEVELOPMENTS 7 PTY LTD
Eighth Defendant	HARVEY MADISON CAPITAL PTY LTD
Ninth Defendant	SDAMF 2 PTY LTD
Tenth Defendant	SDAMF 3 PTY LTD
Eleventh Defendant	SDAMF 4 PTY LTD
Twelfth Defendant	CORAL COAST MUTUAL PTY LTD
Thirteenth Defendant	MORTGAGE MUTUAL FUND PTY LTD
Fourteenth Defendant	DAVID GEORGE MCWILLIAMS
Fifteenth Defendant	LAURA MARY FULLARTON
Sixteenth Defendant	ALAMMC DEVELOPMENTS 8 PTY LTD (ACN 674 996 760)