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**From:** Marcus Fossey <M.Fossey@veris.com.au>  
**Sent:** Monday, 2 August 2021 9:43 AM  
**To:** cairnsSARA@dsdmip.qld.gov.au  
**Cc:** Jenny Elphinstone; Celia Lay; Rachel Burdett  
**Subject:** 1909-13260 SRA RFI Extension - 12 Months  
**Attachments:** 210713 - To SARA - Information Request Extension 12 months.pdf; CA-2019\_3238-Letter-to-SDSMIP-Request-to-Extend-7-August-2020\_ca-2019\_32....pdf

**Attn: DSDMIP (Belinda Jones)**

Hi Belinda,

**RE: MATERIAL CHANGE OF USE – MULTIPLE DWELLINGS, SHORT TERM ACCOMMODATION UNITS, FOOD AND DRINK OUTLET, AND A FUNCTION CENTRE – LOT 906 PORT DOUGLAS ROAD / BALE DRIVE, PORT DOUGLAS – LOT 906 ON SP277141 – CA 3238/2019 (DSC REF).**

Please see **attached** RFI extension request for 12 months.

Thank you

**Marcus Fossey**  
Senior Town Planner

  
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Our Ref: 401304  
DSC Ref: CA 3238/2019  
SARA Ref: 1909-13260 SRA

Monday, 2 August 2021

Attn: Belinda Jones  
Department of State Development, manufacturing, Infrastructure and Planning  
PO Box 2358  
**Cairns Q4870**

Via Email: [cairnsSARA@dsdmip.qld.gov.au](mailto:cairnsSARA@dsdmip.qld.gov.au)

Dear Belinda,

**RE: INFORMATION REQUEST EXTENSION (12 MONTHS) – MATERIAL CHANGE OF USE – MULTIPLE DWELLINGS, SHORT TERM ACCOMMODATION UNITS, FOOD AND DRINK OUTLET, AND A FUNCTION CENTRE – LOT 906 PORT DOUGLAS ROAD / BALE DRIVE, PORT DOUGLAS – LOT 906 ON SP277141 – CA 3238/2019**

We act on behalf of Niramaya Developments Pty Ltd (Receivers and Managers Appointed) ACN 621 516 863. On the 15 February 2021, Cor Cordis advised the Assessment Manager (Douglas Shire Council) of the engagement of Veris Australia Pty Ltd to manage the development application.

Under s13.1<sup>1</sup> of the *Development Assessment Rules 2017*, we request an extension of time to respond to the Information Request. We respectfully request a twelve month (**12 month**) extension to address matters in the information request. This is to be considered the further period agreed between the applicant and the assessing authority.

The new due date for a response be **11 August 2022**.

Due to ongoing matters relating to COVID-19, the project team has experienced delays in progressing the response to the RFI.

We endeavour to meet with DTMR/SARA with respect to the Information Request.

A meeting request will be issued in due course.

Should you require any additional information, please contact the undersigned on (07) 4957 9700.

Kind Regards,



**Marcus Fossey**  
**Senior Planner**

<sup>1</sup> 13.1 The period for the applicant to respond to an information request is 3 months from the date the information request was made or a further period agreed between the applicant and the assessing authority that made the information request.

**Victor G Feros Town Planning Consultants**

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corner Gladstone Road  
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07 August 2020

Our Reference: VGF – C1114  
(WP: 23382)

Department of State Development, Manufacturing, Infrastructure and Planning  
PO Box 2358  
CAIRNS Q4870

Attention: Belinda Jones

Dear Belinda,

**Re: EXTENSION TO APPLICANT RESPONSE PERIOD FOR INFORMATION REQUEST FOR APPLICATION FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING, SHORT-TERM ACCOMMODATION, FOOD AND DRINK OUTLET AND FUNCTION FACILITY ON LAND LOCATED AT LOT 906 PORT DOUGLAS ROAD, PORT DOUGLAS AND DESCRIBED AS LOT 906 ON SP277141  
COUNCIL REFERENCE: CA 3238/2019  
DSDMIP SARA REFERENCE: 1909-13260-SRA**

We advise that we continue to act as Town Planning Consultants and Agent for an on behalf of the Registered Liquidators Mathew Leslie Joiner and Rachel Elizabeth Burdett-Baker, of “*Cor Cordis Waterfront Place*”, appointed to Niramaya Developments Pty Ltd (Receivers and Managers Appointed) ACN 621 516 863 and advise further that we proceed in accordance with necessary authorisation to so act (see **attached**).

With reference to the above-described Application to Douglas Shire Council for Development Permit, and in particular to the Information Request of the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) dated 11 November 2019, and also to the Department’s letter dated 6 February 2020 extending the due date for response to 11 August 2020, we advise that the Applicant remains actively committed to the proposed development of the subject land for the advised purposes.

However, further time is required to provide the necessary response to the Department, and also Douglas Shire Council’s Information Request, given the continuing land and associated administrative complexities requiring further assessments and resolution.

IN CONTINUOUS PRACTICE SINCE 1976

Principal  
**Victor G Feros**  
BA MUS LFPIA CMILT LGTP(Q)

Adjunct Professor  
School of Geography, Planning  
and Environmental Management  
University of Queensland

US Bicentennial Fellowship Award 1976

Administrative Director  
**Marion C Feros**  
B Pharm MBA MPS ASA AFACP

Associate & Office Manager, Cairns  
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**Victor G Feros**  
**Town Planning**  
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The resolution sought to allow the necessary technical response to the Department's Information Request, has not at all been assisted by the unforeseen circumstances beyond the control of the Application, extenuated and exacerbated by the onset of the Covid-19 Pandemic and the extremely adverse impacts visited upon the economy locally, nationally and internationally – all factors necessitating this request to extend.

Accordingly, having regard to the above facts, considerations and circumstances relied upon in these submissions, the Department is respectfully formally requested to extend the due date for the finalising of a Response to its Information Request by a further 12 months, to 11 August 2021.

Please be advised, in closing, that a similar Request to the Douglas Shire Council is being sought concurrently.

We commend your favourable consideration of this Request to Extend the Response period to the Department's Information Request as sought, and look forward to receipt of the Department's further advices.

Yours faithfully,



Victor G Feros OAM BA MUS MPIA (Life Fellow) CMILT LGTP (Q)  
Principal  
VICTOR G FEROS TOWN PLANNING CONSULTANTS

Medal of the Order of Australia  
*"For service to Town Planning"*

Adjunct Professor, School of Earth & Environmental Sciences  
The University of Queensland

Life Fellow, Planning Institute of Australia

Appointed Referee, Development Tribunals  
Queensland Government



**BRISBANE**

Level 19, Waterfront Place, 1 Eagle Street,  
Brisbane QLD 4000

GPO Box 98,  
Brisbane QLD 4001

ABN: 82 098 443 397

Our Ref: MJ/PH/PH/NIR950 – 9

6 August 2020

Victor G Feros Town Planning Consultants  
PO Box 1256  
CAIRNS QLD 4870

Attention: Victor Feros

By email: [brisbane@ferosplanning.com.au](mailto:brisbane@ferosplanning.com.au)

Dear Sir / Madam

**Niramaya Developments Pty Ltd (Receivers & Managers Appointed) ACN 621 516 863  
("the Company") &  
Lot 906 Bale Drive Port Douglas ("The Property")**

On 16 October 2019, Matthew Joiner and Rachel Burdett-Baker were appointed as Receivers and Managers of the Company. A copy of the Form 505 lodged with the Australian Securities and Investments Commission detailing the appointment is enclosed for your reference.

I confirm you are authorised to seek, on behalf of the Receivers and Managers, an extension of time to respond to the information requests issued by the Council and the State in respect to the development application for the Property.

If you have any queries, including if you require any instructions or further information, please contact Paul Hewett of this office on (07) 3613 3628 or alternatively at [brisbaneinsol@corcordis.com.au](mailto:brisbaneinsol@corcordis.com.au).

Yours faithfully

**MATTHEW JOINER**  
Receiver & Manager

**Form 505**

Corporations Act 2001

**415(1), 427(2), 427(4), 450A(1)(a),**

**499(2C)(a) & (b), 537(1) & (2),**

Insolvency Practice Rules (Corporations) 2016

**s70-60(2)**

## External Administration or Controllorship Appointment of an administrator or controller

### Liquidator details

Registered liquidator number

**203318**

Registered liquidator name

**MATTHEW LESLIE JOINER**

### Company details

Company name

**NIRAMAYA DEVELOPMENTS PTY LTD**

ACN

**621 516 863**

Company industry type

**Other (Business and Personal) Services**

### Add a new appointment

#### Appointee details

Liquidator No.

**203318**

Person Name

**MATTHEW LESLIE JOINER**

Address

**COR CORDIS, 'COR CORDIS  
WATERFRONT PLACE' LEVEL 19 1  
EAGLE STREET BRISBANE QLD 4000  
Australia**

Type of Appointment

**Appointed Jointly and  
Severally**

Appointee details

Liquidator No. **338594**

Person Name  
**RACHEL ELIZABETH BURDETT-BAKER**

Address  
**COR CORDIS, 'COR CORDIS' LEVEL 29  
360 COLLINS STREET MELBOURNE VIC  
3000 Australia**

Type of Appointment **Appointed Jointly and Severally**

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**Appointment Details**

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Provide the date of appointment.  
**16-10-2019**

Type of administrator  
**Receiver and Manager of the property described in the schedule of property**

Method of appointment  
**appointment by instrument**

Date of instrument: **27-05-2019**

Description of instrument  
**General Security Interest**

Instrument is registered in  
**Personal Property Securities Register**

Security Interest **201905270017459**

Schedule of Property  
**All present and after acquired property no exception.**

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**Authentication**

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This form has been authenticated by  
Name **MATTHEW LESLIE JOINER**

This form has been submitted by  
Name **Matthew Leslie JOINER**

Date **16-10-2019**

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**Payment**

You need to pay the fee (and any late fees if required) by Bpay or cheque in accordance with the instructions on your invoice

**For more help or information**

Web [www.asic.gov.au](http://www.asic.gov.au)  
Ask a question? [www.asic.gov.au/question](http://www.asic.gov.au/question)  
Telephone 1300 300 630