

BRI Ferrier

INITIAL REPORT TO CREDITORS

**A.C.N. 120 389 095 PTY LTD (IN LIQUIDATION)
FORMERLY KNOWN AS AXIS PLUMBING NSW PTY LTD
ACN 120 389 095
ABN 51 120 389 095**

7 June 2023

**PETER KREJCI
Liquidator**

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GLOSSARY OF COMMON ACRONYMS & ABBREVIATIONS

ABN	Australian Business Number
ACN	Australian Company Number
Act	Corporations Act 2001 (Cth)
ARITA	Australian Restructuring Insolvency and Turnaround Association
ASIC	Australian Securities and Investments Commission
ATO	Australian Taxation Office
CVL	Creditors Voluntary Liquidation
Company	A.C.N. 120 389 095 Pty Ltd (In Liquidation)
DIRRI	Declaration of Independence, Relevant Relationships & Indemnities
Director	James Mark Skelton
DCoT	Deputy Commissioner of Taxation
FEG	Fair Entitlements Guarantee
Firm	BRI Ferrier
Former Director	Clemente Morfuni
IPR	Insolvency Practice Rules (Corporations) 2016
IPS	Insolvency Practice Schedule (Corporations)
POD	Proof of Debt
PPSR	Personal Properties Securities Register
ROCAP	Report on Company Activities and Property
Shore Group	The Shore Grp (UK) LLP and The Shore Grp Limited

1 EXECUTIVE SUMMARY

I was appointed Liquidator of the Company by a special resolution passed by the Company's members at a duly convened members' meeting held on 24 May 2023 pursuant to Section 491 of the Act.

This report has been prepared pursuant to Insolvency Practice Rule 70-30 and Section 497 of the Act. You have received this report because I am aware that you may have a creditor claim and/or the books and records of the Company identified you as a creditor.

My investigations to date into the Company's affairs and the conduct of its officers are preliminary and a more detailed report will be provided to creditors within three months. My findings, including any offences identified, will also be reported to the ASIC in due course.

I provide herein a brief overview of the Company's affairs as presently known to me at this time.

The Company was incorporated on 26 June 2006 and operated a plumbing business as part of Axis Services Group. The ASIC search of the Company dated 19 April 2023 disclosed the sole director as James Mark Skelton. I note Mr Skelton's appointment date as director was 22 July 2022, with Clemente Morfuni being the sole director of the Company from incorporation date to 22 July 2022.

Based on the advice provided by the director, it appears that a judgment debt in favour of Shore Group impacted the cashflow and turnover of the business, with the business ceasing to trade circa November 2019.

On 24 February 2022, the Shore Group filed a claim form against the Company in the High Court of Justice, Business and Property Courts of England and Wales (**the High Court**). An amended claim form was subsequently filed by the Shore Group on 30 June 2022. In its claim, the Shore Group sought damages against the Company for the principal sum of GBP £778,801.54, GBP £77,810 in relation to costs of a debt collector as well as interest and legal costs. The claim sought to recover the amount of unpaid invoices in respect of employment agency services provided by the Shore Group to the Company in 2019.

On 6 September 2022, the High Court made an Order that there be judgment in default in favour of the Shore Group against the Company in the sum of GBP £856,611.54 (AUD \$1,618,824.49).

On 16 February 2023, the High Court issued a sealed certificate for enforcement in a foreign country under Section 10 of the *Foreign Judgments (Reciprocal Enforcement) Act 1933* (England and Wales).

As at that date of writing, the director and former director are yet to submit a completed ROCAP which summarises the financial position of the Company at the time of my appointment.

Any return to creditors will be subject to voidable recoveries that can be pursued and identified. It is too early to determine if any voidable recoveries can be pursued in the Liquidation and/or what recoveries may result from the same. In any event, I am required to investigate the Company's affairs and the conduct of its officers and report my findings to ASIC in due course. If any creditors have information relevant to the Liquidation, they are encouraged to contact my office without delay, such that it may assist my investigations and/or improve the prospect of recovery for creditors.

2 LEGAL PROCEEDINGS

Pursuant to Section 500 of the Act, my appointment as Liquidator automatically stays any current legal proceedings against the Company. Creditors cannot commence or continue proceedings against the Company without my written consent or leave of the Court.

Other than the Shore Group judgement as mentioned above, I am not aware of the Company being involved in any other legal proceedings.

3 EFFECT ON CREDITORS

Creditors should be aware that they are subject to certain restrictions with respect to their claims when the Company is being wound up. I provide a summary of the effect on creditors:

3.1 TRADE SUPPLIERS

All claims against the Company in respect of goods and/or services provided to the Company prior to my appointment are effectively frozen as at the date of my appointment.

As mentioned above, I note that the Company ceased trading prior to my appointment, and I will not accept responsibility or any liability in respect of any goods or services provided after the date of my appointment unless express written authorisation has been provided.

3.2 LANDLORDS/LESSORS

Whilst the Company is in Liquidation, a moratorium is imposed on all debts outstanding as at the date of my appointment. This extends to amounts outstanding to equipment lessors and landlords of any premises leased by the Company.

I am not aware of any outstanding rent for business premises.

3.3 EMPLOYEES

The Director has not advised of any employee entitlements owed by the Company.

To the extent there are any amounts owed to former employees of the Company, there is a statutory priority of payment in respect of outstanding entitlements such as wages, superannuation, annual leave, long service leave, payment in lieu of notice and redundancy.

In the event that there are insufficient funds to pay a dividend to priority (employee) creditors in a winding up, employees (excluding the Directors and related parties) may lodge a claim under the Fair Entitlements Guarantee (“FEG”) scheme with the Department of Employment and Workplace Relations in respect of certain entitlements that they are owed, subject to them meeting the eligibility requirements of the FEG scheme. FEG does not pay outstanding superannuation.

Any person claiming to be a creditor of the Company in respect of outstanding employee entitlements should notify Mr Joshua Coorey of this office without delay.

3.4 SECURED CREDITORS AND SECURITY INTERESTS

A search of the Personal Property Securities Register indicates the following registrations over Company assets:

Registration Number	Secured Party	Start Date	Collateral Class
201210110013455	PLUMBERS SUPPLIES CO-OPERATIVE LIMITED ARBN 053 236 436	11/10/2012	Other Goods
201312100027953	ROYAL PLYWOOD PTY LIMITED ACN 057 029 893	10/12/2013	Other Goods
201401270086613	The Trustee for THE A G FIRTH FAMILY TRUST ABN 75 968 009 951; RIVERINA WORKWEAR PTY LTD ACN 113 896 503	27/01/2014	Other Goods
201401280281491	ACTION ACCESS HIRE PTY LTD ACN 151 664 774; AUSTRALIAN ACCESS HIRE PTY LIMITED ACN 120 792 323	28/01/2014	Other Goods
201401280284888	ACTION ACCESS HIRE PTY LTD ACN 151 664 774; AUSTRALIAN ACCESS HIRE PTY LIMITED ACN 120 792 323	28/01/2014	Motor Vehicle
201401310299670	REECE AUSTRALIA PTY LTD ACN 004 097 090; ACTROL PARTS PTY LTD ACN 142 654 564; A. C. COMPONENTS PTY. LTD. ACN 134 588 935; VIADUX PTY LTD ACN 087 415 745	31/01/2014	Other Goods
201401310330102	REECE AUSTRALIA PTY LTD ACN 004 097 090; ACTROL PARTS PTY LTD ACN 142 654 564; A. C. COMPONENTS PTY. LTD. ACN 134 588 935; VIADUX PTY LTD ACN 087 415 745	31/01/2014	Other Goods
201411270069129	VAN LEEUWEN PIPE & TUBE AUSTRALIA PTY LTD ACN 003 698 066	27/11/2014	Other Goods
201412050031524	PROMINENT FLUID CONTROLS PTY LIMITED ACN 080 688 795	05/12/2014	Other Goods
201501210054708	DRUIN PTY LTD ACN 003 062 379; The Trustee for DRUIN NO 3 TRUST ABN 11 530 188 684	21/01/2015	Other Goods
201605250012671	INFRABUILD TRADING PTY LTD ACN 007 519 646; INFRABUILD CONSTRUCTION SOLUTIONS PTY LTD ACN 004 148 289; ONESTEEL RECYCLING PTY LIMITED ACN 002 707 262; THE AUSTRALIAN STEEL COMPANY	25/05/2016	Other Goods

	(OPERATIONS) PTY LTD ACN 069 426 955; INFRABUILD WIRE PTY LIMITED ACN 000 010 873; INFRABUILD NSW PTY LTD ACN 003 312 892; AUSTUBE MILLS PTY LTD ACN 123 666 679; XMS HOLDINGS PTY LIMITED ACN 008 742 014; P & T TUBE MILLS PTY LTD ACN 010 469 977; INFRABUILD (MANUFACTURING) PTY LTD ACN 623 194 070; INFRABUILD (NEWCASTLE) PTY LTD ACN 623 285 718; InfraBuild NZ Limited; LIBERTY INFRABUILD LTD ACN 631 112 108; INFRABUILD AUSTRALIA PTY LTD ACN 631 112 457; OneSteel Recycling Hong Kong Limited; SSX SERVICES PTY LIMITED ACN 083 090 831; STEELFORCE HOLDINGS PTY LTD ACN 120 736 638; STEELFORCE AUSTRALIA PTY LIMITED ACN 093 284 078; STEELFORCE SYDNEY PTY LIMITED ACN 110 268 829; AUSTEEL TRADING PTY LTD ACN 110 146 515; STEELFORCE CHINA PTY LTD ACN 114 786 337; Dalian Steelforce Hi-Tech Co Ltd; Dalian Austeel Trading Pty Ltd		
201607150002573	ROCLA PTY LIMITED ACN 000 032 191	15/07/2016	Other Goods
201608150040099	AUTOMATIC HEATING GLOBAL PTY LTD ACN 611 897 600	15/08/2016	Other Goods
201610110032184	CAPS AUSTRALIA PTY LTD ACN 008 877 790	11/10/2016	Other Goods
201610110061285	GALVIN ENGINEERING PTY LTD ACN 008 719 382	11/10/2016	Other Goods
201611040014717	REDOX LIMITED ACN 000 762 345	04/11/2016	Other Goods
201612120056500	UNITED RENTALS AUSTRALIA PTY LTD ACN 069 244 417	12/12/2016	Other Goods
201703070017192	ATCO STRUCTURES & LOGISTICS PTY LTD ACN 083 902 309	07/03/2017	Other Goods
201704080002617	KINGSPAN WATER & ENERGY PTY LIMITED ACN 108 491 881	08/04/2017	Other Goods
201705290014571	COVENTRY GROUP LIMITED ACN 008 670 102	29/05/2017	Other Goods

201706260006242	ALTRO HOLDINGS PTY LTD ACN 133 373 154	26/06/2017	Motor Vehicle
201706270070366	RAPID INDUSTRIAL GROUP PTY LTD ACN 134 204 372; The Trustee for C & L FAMILY TRUST ABN 48 472 361 342	27/06/2017	Other Goods
201708080030938	THERMOTEC (AUSTRALIA) PTY LTD ACN 003 205 605	08/08/2017	Other Goods
201709050016528	MALMET (AUSTRALIA) PTY LTD ACN 001 717 791	05/09/2017	Other Goods
201801240005383	GEORGE FISCHER PTY LTD ACN 001 686 399	24/01/2018	Other Goods
201802120024446	WACO KWIKFORM LIMITED ACN 002 835 396	12/02/2018	Other Goods
201811060055059	COATES HIRE OPERATIONS PTY LIMITED ACN 074 126 971	06/11/2018	Motor Vehicle
201811060055305	COATES HIRE OPERATIONS PTY LIMITED ACN 074 126 971	06/11/2018	Other Goods
201812070002704	Hygrade Water Australia Limited Partnership ABN 13 713 124 364	07/12/2018	Other Goods
201903180028553	SHARP CORPORATION OF AUSTRALIA PTY LTD ACN 00 003 039 405	18/03/2019	Other Goods
201904050056536	GEORGE FISCHER PTY LTD ACN 001 686 399	05/04/2019	Other Goods
201906190053924	DE LAGE LANDEN PTY LIMITED ACN 101 692 040	19/06/2019	Other Goods
201906190053930	DE LAGE LANDEN PTY LIMITED ACN 101 692 040	19/06/2019	Other Goods
201906190053948	DE LAGE LANDEN PTY LIMITED ACN 101 692 040	19/06/2019	Other Goods
201906190053953	DE LAGE LANDEN PTY LIMITED ACN 101 692 040	19/06/2019	Other Goods
201907290022308	EJ AUSTRALIA PTY LTD ACN 010 591 956	29/07/2019	Other Goods
201910170039344	HYDROTEC HVAC & MECHANICAL PTY LTD ACN 635 434 810	17/10/2019	Other Goods
201912170059692	BOC LIMITED ACN 000 029 729	17/12/2019	Other Goods
202002130051214	ANTEC GROUP PTY LIMITED ACN 116 380 226	13/02/2020	Other Goods
202002170014419	STIRLINGS PERFORMANCE STEELS PTY LTD ACN 625 765 200	17/02/2020	Other Goods
202007230043200	THERMOTEC (AUSTRALIA) PTY LTD ACN 003 205 605	23/07/2020	Other Goods

202008040021743	<p>RURALCO HOLDINGS LIMITED ACN 009 660 879; MOORA RURAL SUPPLIES PTY LTD ACN 614 774 284; RELYON (AUSTRALIA) PTY LTD ACN 607 057 232; TOTAL EDEN MCCRACKENS GROUP PTY LTD ACN 116 714 802; QNT AGENCIES PTY LTD ACN 607 773 704; TERRITORY RURAL MCPHERSON PTY LTD ACN 131 986 420; TERRITORY RURAL PTY LIMITED ACN 123 192 398; STEVENS EGAN JOHNSTON PTY LTD ACN 108 324 465; TOTAL EDEN PTY LIMITED ACN 010 118 895; THE FARM SHOP (WA) 1999 PTY LTD ACN 147 298 173; TOTAL EDEN HOLDINGS PTY LIMITED ACN 148 941 226; RAWLINSON & BROWN PTY LTD ACN 002 179 740; ROBERTS LIMITED ACN 009 475 647; QUEENSLAND RURAL PTY LTD ACN 154 531 807; PLATINUM OPERATIONS PTY LTD ACN 140 741 153; PRIMARIES OF WA PTY LTD ACN 108 324 456; SAVAGE BARKER & BACKHOUSE PTY LTD ACN 123 137 815; SOUTHERN AUSTRALIAN LIVESTOCK PTY. LTD. ACN 008 070 577; SAFFIN KERR BOWEN WILSON PTY LTD ACN 050 199 945; RODWELLS & CO PTY LTD ACN 009 481 752; SAFFIN KERR BOWEN PTY LTD ACN 083 882 651; DAVIDSON CAMERON CLYDSDALE TAYLOR PTY LTD ACN 127 567 695; DAVIDSON CAMERON & CO. NARRABRI PTY. LTD. ACN 117 488 767; DAVIDSON CAMERON PTY LIMITED ACN 003 464 757; DAVIDSON CAMERON MCCULLOCH & CO. PTY LTD ACN 118 609 537; DAVIDSON CAMERON & CO DUBBO PTY LTD ACN 128 553 186; COMBINED RURAL TRADERS PTY LIMITED ACN 000 838 899; BR&C AGENTS PTY LTD ACN 006</p>	4/08/2020	Other Goods
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	<p>807 629; DAIRY LIVESTOCK SERVICES PTY LTD ACN 132 806 609; CQ AG SERVICES PTY LTD ACN 147 904 630; MERREDIN RURAL SUPPLIES PTY LIMITED ACN 096 206 343; KIMBERLEY RURAL PTY LTD ACN 123 392 861; NT RURAL PTY LIMITED ACN 097 339 403; NORTHERN RURAL GROUP PTY LTD ACN 161 370 074; INGHAM FARM CENTRE PTY LTD ACN 097 693 224; FRONTIER INTERNATIONAL AGRI PTY LTD ACN 166 496 064; FARMWORKS RURAL PTY LTD ACN 155 698 516; GRANT, DANIEL & LONG PTY. LTD. ACN 077 478 801; FRONTIER INTERNATIONAL NORTHERN PTY LTD ACN 166 757 517; AGRIWEST RURAL PTY LTD ACN 076 454 192; AGRITECH RURAL PTY. LTD. ACN 107 217 934; ARCHARDS IRRIGATION PTY LTD ACN 117 472 867; NORTHERN AGRISERVICES PTY LTD ACN 011 057 079; B.J. UNDERWOOD PTY. LTD. ACN 107 351 379; GREAT NORTHERN RURAL SERVICES UNIT TRUST ABN 78 820 677 449; NORTHERN LIVESTOCK & PROPERTY PTY LTD ACN 169 489 169; PRIMARIES ESPERANCE PTY LTD ACN 619 920 615; QFH MULTIPARTS PTY LTD ACN 619 185 152; FLUID TECHNOLOGIES (NSW) PTY LTD ACN 610 308 695; TP JONES & CO PTY LTD ACN 103 517 522; ROBERTS IRRIGATION PTY LTD ACN 618 926 971; IRRIGATION TASMANIA PTY LTD ACN 009 503 191; PLATINUM LIVESTOCK & REAL ESTATE PTY LTD ACN 622 982 094</p>		
202012150030239	EJ AUSTRALIA PTY LTD ACN 010 591 956	15/12/2020	Other Goods
202105210055656	SUPAGAS PTY LIMITED ACN 074 008 496	21/05/2021	Other Goods
202105310045320	KENKAR WATER AUSTRALIA PTY LTD ACN 648 436 097	31/05/2021	Other Goods

202108240041269	RAPID INDUSTRIAL GROUP PTY LTD ACN 134 204 372; The Trustee for C & L FAMILY TRUST ABN 48 472 361 342	24/08/2021	Other Goods
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3.5 CONTRACTS AND AGREEMENTS

I am not aware of any other contracts or agreements at the date of my appointment and unless otherwise indicated, I do not accept adoption of existing contracts. Customers, suppliers and any other parties with such contracts should contact Mr Joshua Coorey this office immediately so that they may be considered.

4 YOUR RIGHTS AS A CREDITOR

Information regarding your rights as a creditor is provided in the information sheet enclosed. This includes your right to:

- Make reasonable requests for a meeting;
- Make reasonable requests for information;
- Give directions to me;
- Appoint a reviewing liquidator; and
- To replace me as Liquidator.

5 PROPOSALS WITHOUT MEETINGS

I advise that considering the size of the matter, I am not convening a creditors' meeting at this time. Instead, I enclose Proposals without Meeting Forms for creditors' consideration in lieu of convening a Meeting of Creditors, in accordance with Insolvency Practice Schedule 75-40 and Insolvency Practice Rule 75-130.

If I receive a request for a meeting that complies with the guidelines set out in the creditor rights information sheet, I will hold a meeting of creditors.

6 INFORMATION FOR CREDITORS

I have included the following initial notices and documents in connection with my appointment for your information.

Annexure	Document	Description	Further Action Required by you
A	Formal Proof of Debt (“POD”) with Request to Receive Electronic Communications	You must also provide information about what the Company owes you and evidence to support your claim. Please complete and return POD form via email to Mr Joshua Coorey of this office to jcoorey@brifnsw.com.au with your supporting documents.	Yes Include Supporting Documentation
B	A Declaration of Independence, Relevant Relationships and Indemnities (“DIRRI”)	The DIRRI assists you to understand any relevant relationships that I have, and any indemnities or upfront payments that have been provided to me. None of the relationships mentioned in this document affect my independence.	No
C	List of Creditors	A detailed list of creditors and an estimate of their claims were provided by the Director. It should be noted that the amounts reported are based on the Company’s records and is subject to change upon receipt of further information. Any Creditors related to the Company are indicated on this list.	No
D	Information Sheet – Creditors Rights in Liquidation	As a creditor, you have certain rights, although you no longer have the right to seek payment by the Company of your outstanding debt. This information sheet provides a detailed list of your rights.	No
E	Information Sheet – Proposals without a Meeting	This is an information sheet to assist you in understanding what a “Proposal without a meeting” is. I am seeking approval of my remuneration, internal disbursements and destruction of the Company’s books and records after the Liquidation is finalised.	No
F	Initial Remuneration Notice	This document provides an estimate of the costs to perform the Liquidation, the method of calculating remuneration and my Firm’s hourly rates.	No
G	Remuneration Approval Report	This document details the anticipated remuneration sought in the Liquidation. I am seeking approval of my remuneration in this matter, as detailed in the attached proposal forms.	No

Annexure	Document	Description	Further Action Required by you
H	Proposal Without Meeting Forms	These documents set out the resolutions sought from creditors, by way of proposal, rather than meeting of creditors.	Yes

7 WHAT HAPPENS NEXT?

I will proceed with the Liquidation, including:

- Collect and receive books and record of the Company.
- Conduct investigations into the Company's affairs, subject to available records.
- Issue a further more detailed report to Creditors.
- Reporting to the corporate regulator, ASIC.
- Pursue any recoveries available in the form of voidable transactions and insolvent trading claims, if any, subject to funding being available.
- Pay a dividend to the creditors, if available.

I will also write to you within three (3) months of our appointment advising whether a dividend is likely and update you on the progress of my investigations. I may write to you again after that with further information on the progress of the Liquidation, if necessary.

8 QUERIES

If creditors have any information which may assist me in my investigations, please contact my office as a matter of urgency.

Please note that Liquidator is not required to publish notices in the print media. ASIC maintains an online notices page for external administrators to publish notices in respect of companies. Creditors are encouraged to visit <http://insolvencynotices.asic.gov.au> throughout the liquidation to view any notices which may be published in respect of the Company.

ARITA provides information to assist creditors with understanding liquidations and insolvency. This information is available from ARITA's website at <https://www.arita.com.au/creditors>.

ASIC also provides information sheets on a range of insolvency topics. These information sheets can be accessed on ASIC's website at asic.gov.au (search for "insolvency information sheets").

The BRI Ferrier staff member responsible for this matter is as follows:

- BRI Contacts: Joshua Coorey
- Phone: (02) 8263 2300

- ▶ Email: jcoorey@brifnsw.com.au
- ▶ Mailing: GPO Box 7079, Sydney NSW 2001
- ▶ Facsimile: (02) 8263 2399

Yours faithfully

A.C.N. 120 389 095 PTY LTD (IN LIQUIDATION)



Peter Krejci
Liquidator

The logo for BRI Ferrier, featuring the text "BRI Ferrier" in white on a dark grey background, with a green triangle pointing upwards and to the right.

BRI Ferrier

**A.C.N. 120 389 095 Pty Ltd
(In Liquidation)
Formerly
'AXIS Plumbing NSW Pty Ltd'
ACN 120 389 095
ABN 51 120 389 095**

**Annexure "A"
Proof of Debt Form**

FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Liquidator of A.C.N. 120 389 095 Pty Ltd (In Liquidation) ACN 120 389 095

1. This is to state that the company was, on 24 May 2023, ⁽¹⁾ and still is, justly and truly indebted to⁽²⁾ (full name):

.....
(‘Creditor’)

.....
of (full address)

for \$ dollars and cents.

Particulars of the debt are (please attach documents to support your claim e.g. purchase orders, invoices, interest schedules):

Date	Consideration ⁽³⁾ state how the debt arose	Amount \$ (Incl. GST)	Remarks ⁽⁴⁾ include details of voucher substantiating payment

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any manner of satisfaction or security for the sum or any part of it except for the following:

Insert particulars of all securities held. Where the securities are on the property of the company, assess the value of those securities. If any bills or other negotiable securities are held, specify them in a schedule in the following form:

Date	Drawer	Acceptor	Amount \$ c	Due Date

I am **not** a related creditor of the Company ⁽⁵⁾

I am a related creditor of the Company ⁽⁵⁾
relationship:

3A.^{(6)*} I am employed by the creditor and authorised in writing by the creditor to make this statement. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

3B.^{(6)*} I am the creditor's agent authorised to make this statement in writing. I know that the debt was incurred and for the consideration stated and that the debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

The External Administrators' (whether as Voluntary Administrators/Deed Administrators/Liquidators) will send and give electronic notification of documents in accordance with Section 600G and 105A of Corporations Act 2001. Please provide your email address below:

Contact Name:

Email Address:

DATED this day of 2023

NAME IN BLOCK LETTERS

Occupation

Address

Signature of Signatory

OFFICE USE ONLY

POD No:		ADMIT (Voting / Dividend) - Ordinary	\$
Date Received:		ADMIT (Voting / Dividend) – Preferential	\$
Entered into CORE IPS:		Reject (Voting / Dividend)	\$
Amount per CRA/RATA	\$	Object or H/Over for Consideration	\$
Reason for Admitting / Rejection			
PREP BY/AUTHORISED		TOTAL PROOF	\$
DATE AUTHORISED / /			

Proof of Debt Form Directions

- * Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- (3) Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of", "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- (6) If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

Annexures

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
 - (a) have an identifying mark;
 - (b) and be endorsed with the words:
 - i) "This is the annexure of *(insert number of pages)* pages marked *(insert an identifying mark)* referred to in the *(insert description of form)* signed by me/us and dated *(insert date of signing)*; and
 - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
 - (a) the identifying mark; and
 - (b) the number of pages.
- E. A reference to an annexure includes a document that is with a form.

The logo for BRI Ferrier, featuring the text "BRI Ferrier" in white on a dark grey rectangular background. A green triangle is positioned at the bottom right corner of the grey rectangle.

A.C.N. 120 389 095 Pty Ltd
(In Liquidation)
Formerly
'AXIS Plumbing NSW Pty Ltd'
ACN 120 389 095
ABN 51 120 389 095

Annexure "B"
A Declaration of Independence, Relevant
Relationships and Indemnities ("DIRRI")

Declaration of Independence, Relevant Relationships and Indemnities

**A.C.N. 120 389 095 Pty Ltd
(In Liquidation)
Formerly Axis Plumbing NSW Pty Ltd
ACN 120 389 095
ABN 51 120 389 095**

7 June 2023

PETER KREJCI
Joint and Several Liquidator

Novabrif Pty Ltd ABN 61 643 013 610
Level 30, Australia Square, 264 George Street, Sydney NSW 2000
GPO Box 7079, Sydney NSW 2001
Phone (02) 8263 2300
Facsimile (02) 8263 2399
Email: info@brifnsw.com.au
Website: www.briferrier.com.au

BRI Ferrier

The purpose of this document is to assist creditors with understanding any relevant relationships that I, the Liquidator, have with parties who are closely connected to A.C.N. 120 389 095 Pty Ltd (In Liquidation) and any indemnities or upfront payments that have been provided to me. None of the relationships disclosed in this document are such that my independence is affected.

This information is provided so you have trust and confidence in my independence and, if not, you can ask for further explanation or information and can act to remove and replace me if you wish.

This declaration is made in respect of myself, my partners and BRI Ferrier.

I am a Professional Member of ARITA – Australian Restructuring Insolvency and Turnaround Association. I acknowledge that I am bound by the ARITA Code of Professional Practice.

A. INDEPENDENCE

I, Peter Krejci, of BRI Ferrier have assessed my independence prior to accepting the appointment as Liquidator of A.C.N. 120 389 095 Pty Ltd (In Liquidation) (“Company”) in accordance with the law and applicable professional standards and I am not aware of any reasons that would prevent me from accepting this. There are no other known relevant relationships, including personal, business and professional relationships that should be disclosed beyond those I have disclosed in this document.

B. CIRCUMSTANCES OF APPOINTMENT

I. HOW WE WERE REFERRED THIS APPOINTMENT

This appointment was referred to me by Project Lawyers (**PL**) who act as lawyers for the Company.

I believe that this referral does not result in a conflict of interest or duty because:

- This is the first matter I have been referred from PL;
- Referrals from solicitors, business advisors and accountants are commonplace and do not impact on my independence in carrying out my duties as a liquidator; and
- I have not received or paid any benefit to PL with respect of this referral.

There is no expectation, agreement or understanding between me and PL regarding the conduct of the Liquidator and I am free to act independently and in accordance with the law and applicable professional standards.

II. DID I MEET WITH THE COMPANY, THE DIRECTORS OR THEIR ADVISER BEFORE I WAS APPOINTED?

Yes No

My staff and I have engaged in various discussions regarding the potential appointment, as detailed below:

- *On 18 April 2023, I was contacted by PL, via telephone regarding the Company. A short background on the Company’s affairs was provided by PL. Further on 19 April 2023, Mr Perkins contacted me via email confirming the Director’s intentions to place the Company in liquidation.*

- *Between 19 April 2023 and 23 May 2023, Mr David Cocker, a principle of BRI Ferrier, maintained infrequent correspondence with PL. During these discussions, Mr Cocker issued the relevant documents to place the Company into Creditors Voluntary Liquidation (CVL) and obtained further information regarding the Company from PL.*
- *On 24 May 2023, PL subsequently provided the completed CVL documents to my office to commence the CVL.*

Neither I, nor my firm have received any remuneration for the abovementioned correspondence and advice.

In my opinion, the above does not affect my independence for the following reasons:

- *The Courts and the ARITA COPP specifically recognise the need for practitioners to provide advice on the insolvency process and the options available and do not consider that such advice is a conflict or is an impediment to accepting the appointment;*
- *The nature of the advice provided to the Company is such that it would not be subject to review and challenge during the course of the Liquidation; and*
- *The pre-appointment advice will not influence my ability to be able to fully comply with the statutory and fiduciary obligations associated with the liquidation of the company in an objective or impartial manner.*

I have provided no other information or advice to the Company, its Director or advisors prior to my appointment beyond that outlined in this DIRRI.

C. DECLARATION OF RELATIONSHIPS

Within the previous two years, neither I, nor my firm, have had a relationship with:

Name	Nature of relationship
The Company	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The director	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Any associates of the Company?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Do I have any other relationships that I consider are relevant to creditors assessing my independence?

Yes No

Australian Taxation Office

The records identify that the ATO is a creditor of the Company.

The ATO is a sophisticated statutory creditor and is administratively bound to act as a Model Litigant. In our experience the ATO does not seek to exert improper pressure on insolvency practitioners in connection with the discharge of their duties to creditors generally.

Principals and Directors of BRI Ferrier around Australia, were, until its expiration at the end of 2014, members of a panel of Official Liquidators established by the ATO and accepted appointments by Australian Courts initiated by the Federal Commissioner. These Official Liquidators had undertaken to the ATO to accept appointments as Liquidator appointed by a Court under the Corporations Act where the ATO is the applicant creditor, whether the company has assets or not. BRI Ferrier is likely to seek inclusion in any comparable panel should one be established in future. Membership of the panel was not conditional upon any preference or benefit being conferred upon the ATO.

Project Lawyers

This is the first matter I have been referred matters from PL This referral represent an immaterial proportion of matters that I, my partners, and BRI Ferrier are referred on a yearly basis. I, my partners and BRI Ferrier have no other relationship or association with PL that would impede me acting independently regarding all decisions required to be made during the liquidation.

In addition to the above, I also note that Principals of BRI Ferrier routinely accept nominations and appointment as insolvency practitioners by the major trading banks, in addition to creditors such as the ATO (as discussed above). The nature of these relationships varies over time depending on the nature of the engagements. Such relationships do not impede my independence or give rise to a conflict of duties because I accept such engagements only on the basis that my independence will be maintained and the relationships are maintained on professional commercial terms.

III. NO OTHER RELEVANT RELATIONSHIPS TO DISCLOSE

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially whole of the Company's property that should be disclosed.

D. INDEMNITIES AND UP-FRONT PAYMENTS

I have not been indemnified in relation to this administration, other than any indemnities that I may be entitled to under statute and I have not received any up-front payments in respect of my remuneration or disbursements.

This does not include any indemnities I may be entitled to under the law. I have not received any other indemnities or upfront payments.

Dated: 7 June 2023


.....

Peter Krejci
Liquidator

NOTE:

- 1. The assessment of independence has been made based on an evaluation of the significance of any threats to independence and in accordance with the requirements of the relevant legislation and professional Standards.*
- 2. If circumstances change, or new information is identified, I am required under the Corporations Act 2001 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors. For creditors' voluntary liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.*

The logo for BRI Ferrier, featuring the text "BRI Ferrier" in white on a dark grey background, with a green triangle pointing upwards and to the right.

BRI Ferrier

**A.C.N. 120 389 095 Pty Ltd
(In Liquidation)
Formerly
'AXIS Plumbing NSW Pty Ltd'
ACN 120 389 095
ABN 51 120 389 095**

**Annexure "C"
List of Creditors**

Novabrif Pty Limited
A.C.N. 120 389 095 Pty Ltd (In Liquidation)
Company Creditors

	Name	*R/C	Address	
CS00	The Shore Grp Limited		First Floor, South Haversham House , 18-22 Boundary Road, Hove, East Sussex, England BN3 4EF	856,611.54
RS00	Mr James Mark Skelton		<i>Withheld</i>	0.00
2 Entries Totalling				0.00

* Related Creditor

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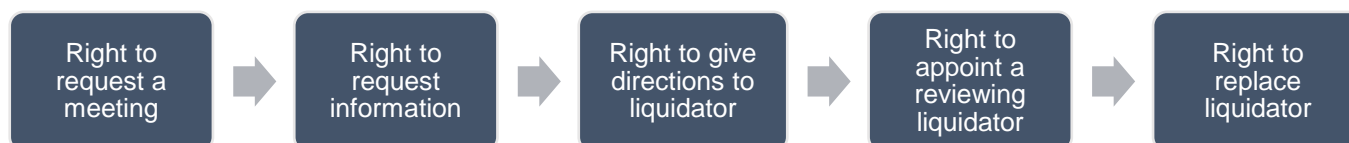
BRI Ferrier

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**Annexure "D"
ARITA Information sheet
Creditor Rights in Liquidation**

Creditor Rights in Liquidations

As a creditor, you have rights to request meetings and information or take certain actions:



Right to request a meeting

In liquidations, no meetings of creditors are held automatically. However, creditors with claims of a certain value can request in writing that the liquidator hold a meeting of creditors.

A meeting may be requested in the first 20 business days in a creditors' voluntary liquidation by $\geq 5\%$ of the value of the debts held by known creditors who are not a related entity of the company.

Otherwise, meetings can be requested at any other time or in a court liquidation by:

- $> 10\%$ but $< 25\%$ of the known value of creditors on the condition that those creditors provide security for the cost of holding the meeting
- $\geq 25\%$ of the known value of creditors
- creditors by resolution, or
- a Committee of Inspection (this is a smaller group of creditors elected by, and to represent, all the creditors).

If a request complies with these requirements and is 'reasonable', the liquidator must hold a meeting of creditors as soon as reasonably practicable.

Right to request information

Liquidators will communicate important information with creditors as required in a liquidation. In addition to the initial notice, you should receive, at a minimum, a report within the first three months on the likelihood of a dividend being paid.

Additionally, creditors have the right to request information at any time. A liquidator must provide a creditor with the requested information if their request is 'reasonable', the information is relevant to the liquidation, and the provision of the information would not cause the liquidator to breach their duties.

A liquidator must provide this information to a creditor within 5 business days of receiving the request, unless a longer period is agreed. If, due to the nature of the information requested, the liquidator requires more time to comply with the request, they can extend the period by notifying the creditor in writing.

Requests must be reasonable.

They are not reasonable if:

Both meetings and information:

- (a) complying with the request would prejudice the interests of one or more creditors or a third party
- (b) there is not sufficient available property to comply with the request
- (c) the request is vexatious

Meeting requests only:

- (d) a meeting of creditors dealing with the same matters has been held, or will be held within 15 business days

Information requests only:

- (e) the information requested would be privileged from production in legal proceedings
- (f) disclosure would found an action for breach of confidence
- (g) the information has already been provided
- (h) the information is required to be provided under law within 20 business days of the request

If a request is not reasonable due to (b), (d), (g) or (h) above, the liquidator must comply with the request if the creditor meets the cost of complying with the request.

Otherwise, a liquidator must inform a creditor if their meeting or information request is not reasonable and the reason why.

Specific queries about the liquidation should be directed to the liquidator's office.

Right to give directions to liquidator

Creditors, by resolution, may give a liquidator directions in relation to a liquidation. A liquidator must have regard to these directions, but is not required to comply with the directions.

If a liquidator chooses not to comply with a direction given by a resolution of the creditors, they must document their reasons.

An individual creditor cannot provide a direction to a liquidator.

Right to appoint a reviewing liquidator

Creditors, by resolution, may appoint a reviewing liquidator to review a liquidator's remuneration or a cost or expense incurred in a liquidation. The review is limited to:

- remuneration approved within the six months prior to the appointment of the reviewing liquidator, and
- expenses incurred in the 12 months prior to the appointment of the reviewing liquidator.

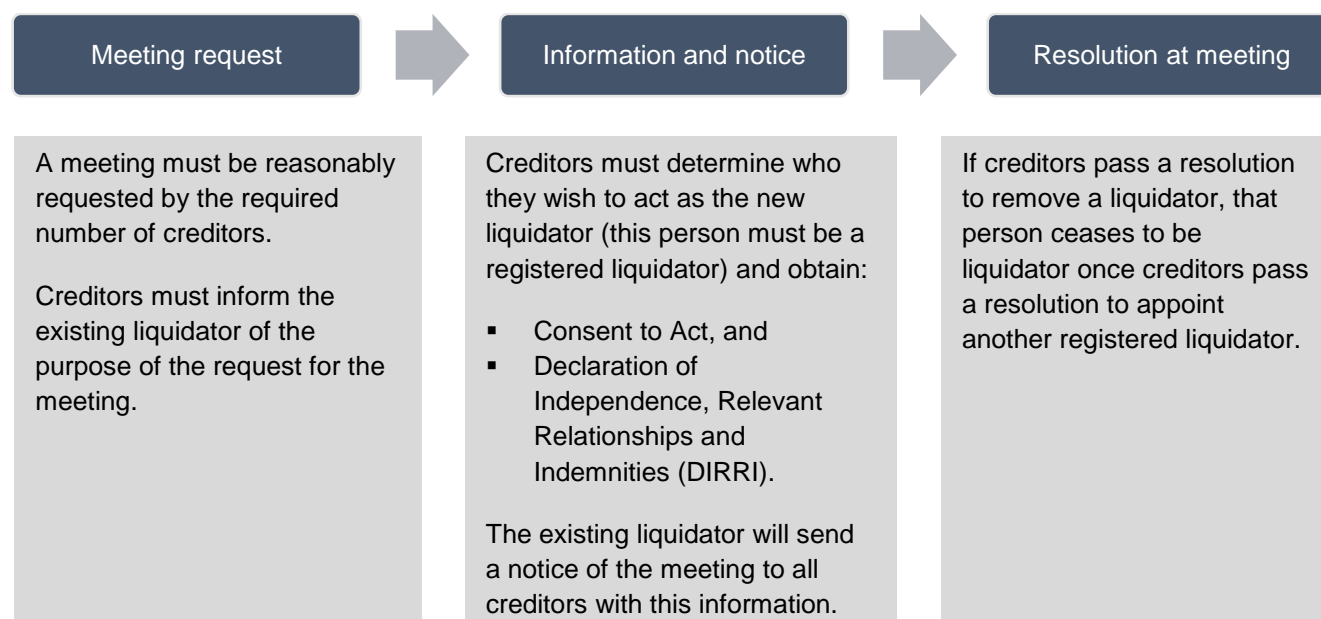
The cost of the reviewing liquidator is paid from the assets of the liquidation, in priority to creditor claims.

An individual creditor can appoint a reviewing liquidator with the liquidator's consent, however the cost of this reviewing liquidator must be met personally by the creditor making the appointment.

Right to replace liquidator

Creditors, by resolution, have the right to remove a liquidator and appoint another registered liquidator.

For this to happen, there are certain requirements that must be complied with:



**For more information, go to www.arita.com.au/creditors.
Specific queries about the liquidation should be directed to the liquidator's office.**

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BRI Ferrier

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**Annexure "E"
ARITA Information sheet
Proposals without a Meeting**

Information sheet: Proposals without meetings

You may be a creditor in a liquidation, voluntary administration or deed of company arrangement (collectively referred to as an external administration).

You have been asked by the liquidator, voluntary administrator or deed administrator (collectively referred to as an external administrator) to consider passing a proposal without a meeting.

This information sheet is to assist you with understanding what a proposal without a meeting is and what your rights as a creditor are.

What is a proposal without a meeting?

Meetings of creditors were previously the only way that external administrators could obtain the views of the body of creditors. However, meetings can be very expensive to hold.

A proposal without a meeting is a cost effective way for the external administrator to obtain the consent of creditors to a particular course of action.

What types of proposals can be put to creditors?

The external administrator is able to put a range of proposals to creditors by giving notice in writing to the creditors. There is a restriction under the law that each notice can only contain a single proposal. However, the external administrator can send more than one notice at any single time.

What information must the notice contain?

The notice must:

- include a statement of the reasons for the proposal and the likely impact it will have on creditors if it is passed
- invite the creditor to either:
 - vote yes or no to the proposal, or
 - object to the proposal being resolved without a meeting, and
- specify a period of at least 15 business days for replies to be received by the external administrator.

If you wish to vote or object, you will also need to lodge a Proof of Debt (POD) to substantiate your claim in the external administration. The external administrator will provide you with a POD to complete. You should ensure that you also provide documentation to support your claim.

If you have already lodged a POD in this external administration, you do not need to lodge another one.

The external administrator must also provide you with enough information for you to be able to make an informed decision on how to cast your vote on the proposal. With some types of proposals, the law or ARITA's Code of Professional Practice sets requirements for the information that you must be provided.

For example, if the external administrator is asking you to approve remuneration, you will be provided with a Remuneration Approval Report, which will provide you with detailed information about how the external administrator's remuneration for undertaking the external administration has been calculated.

What are your options if you are asked to vote on a proposal without a meeting?

You can choose to vote yes, no or object to the proposal being resolved without a meeting.

How is a resolution passed?

A resolution will be passed if more than 50% in number and 50% in value (of those creditors who did vote) voted in favour of the proposal, but only so long as not more than 25% in value objected to the proposal being resolved without a meeting.

What happens if the proposal doesn't pass?

If the proposal doesn't pass and an objection is not received, the external administrator can choose to amend the proposal and ask creditors to consider it again or the external administrator can choose to hold a meeting of creditors to consider the proposal.

The external administrator may also be able to go to Court to seek approval.

What happens if I object to the proposal being resolved without a meeting?

If more than 25% in value of creditors responding to the proposal object to the proposal being resolved without a meeting, the proposal will not pass even if the required majority vote yes. The external administrator will also be unable to put the proposal to creditors again without a meeting.

You should be aware that if you choose to object, there will be additional costs associated with convening a meeting of creditors or the external administrator seeking the approval of the Court. This cost will normally be paid from the available assets in the external administration.

This is an important power and you should ensure that it is used appropriately.

Where can I get more information?

The Australian Restructuring Insolvency and Turnaround Association (ARITA) provides information to assist creditors with understanding external administrations and insolvency.

This information is available from ARITA's website at artia.com.au/creditors.

ASIC also provides information sheets on a range of insolvency topics. These information sheets can be accessed on ASIC's website at asic.gov.au (search for "insolvency information sheets").

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**Annexure "F"
Initial Remuneration Notice**

INITIAL REMUNERATION NOTICE

Insolvency Practice Schedule (Corporations) 70-50
Insolvency Practice Rules (Corporations) 70-35

Dated: 7 June 2023

A.C.N. 120 389 095 Pty Ltd (In Liquidation)
ACN 120 389 095 ("the Company")

The purpose of the Initial Remuneration Notice is to provide you with information about how my remuneration for undertaking the Liquidation will be set.

A REMUNERATION METHOD

There are four methods for calculation of remuneration that can be used to calculate the remuneration of an Insolvency Practitioner. They are:

▲ Time based / hourly rates or "Time Cost"

This is the most common method. It provides for remuneration to be charged at an hourly rate for each person working on the matter. The hourly rate charged will reflect the level of experience each person has.

▲ Fixed Fee

The total remuneration for the administration is quoted at commencement of the appointment and is the total charge for the administration. Sometimes a practitioner will finalise an administration for a fixed fee.

▲ Percentage

The remuneration for the appointment is based on a percentage of a particular variable, such as the gross proceeds of asset realisations.

▲ Contingency

The total remuneration for the matter is structured to be contingent on a particular outcome being achieved.

B METHOD CHOSEN

Given the nature of this external administration, I propose that my remuneration be calculated on the time based / hourly rates method. In my opinion, this is the fairest method for the following reasons:

- ▲ I will only be paid for work done, subject to sufficient realisations of the Company assets.
- ▲ It ensures creditors are only charged for work that is performed. My time is recorded and charged in six-minute increments and staff are allocated to duties according to their relevant experience and qualifications.
- ▲ I am required to perform a number of tasks which do not relate to the realisation of assets, including responding to creditor enquiries, reporting to the ASIC, distributing funds in accordance with the provisions of the Corporations Act 2001.

I am unable to advise with certainty the total amount of fees necessary to complete all tasks required in this administration. BRI Ferrier reviews its hourly rates every twelve months. The hourly rates quoted below remain current until further notice. At this time BRI Ferrier may increase the hourly rates charged for work performed past that date. If hourly rates are increased, I will seek approval from creditors.

C EXPLANATION OF HOURLY RATES

The rates applicable are set out in the table on the following page together with a general guide to the qualifications and experience of staff engaged in administration and the role they undertake in the administration. The hourly rates charged encompass the total cost of providing professional services and are not comparable to an hourly wage rate.

Title	Description	Hourly Rates (ex GST)
Principal/Appointee	A Liquidator and/or Registered Trustee. A senior accountant with over 10years' experience who brings specialist skills and experience to the appointment. Leads the team carrying out the appointment.	\$680
Director	An accountant with more than 10 years' experience. May be a Registered Liquidator. Fully qualified and able to control all aspects of an appointment. May have specialist industry knowledge or skills. Assists with all facets of appointment.	\$590
Senior Manager	An accountant with more than 7 years' experience. Qualified and answerable to the Team Leader. Self-sufficient in completing and planning all aspects of large appointments.	\$545
Manager	An accountant with at least 6 years' experience. Typically qualified with well-developed technical and commercial skills. Controls and plans all aspects of medium to larger appointments, reporting to the Team Leader.	\$505
Assistant Manager	An accountant with more than 5 years' experience. Typically qualified with sound technical and commercial skills. Plans and controls smaller matters independently. Assists with management of staff and medium to large appointments.	\$470
Supervisor	An accountant with more than 4 years' experience. Typically qualified with sound knowledge of insolvency principles and developing commercial skill. Assists to plan and control specific tasks on medium to larger appointments. Often undertaking post qualification study specialising in Insolvency and Reconstruction.	\$435
Senior 1	An accountant with more than 2 years' experience. Typically a graduate undertaking study leading to professional qualification as a Chartered Accountant or CPA. Able to complete work on appointments with limited supervision.	\$370
Senior 2	An accountant with less than 2 years' experience. Typically a graduate who has commenced study leading to professional qualifications. Able to complete many tasks on medium to large appointments under supervision.	\$310
Intermediate 1	An accountant with less than 2 years' experience. Typically a graduate and commencing study for qualifications. Able to complete multiple tasks on smaller to medium appointments under supervision.	\$270
Intermediate 2	An accountant with less than 1 year's experience. A trainee undertaking degree with an accountancy major. Assists in the appointment under supervision.	\$245
Senior Administration	Appropriately skilled and undertakes support activities including but not limited to treasury, word processing and other administrative, clerical and secretarial tasks.	\$220
Junior Administration	Appropriately skilled and undertakes support activities including but not limited to treasury, word processing and other administrative, clerical and secretarial tasks.	\$150

D ESTIMATE OF COST

I estimate that this administration may cost up to \$50,144.50 (excl. GST) to complete.

The above cost is subject to the following variables which may have a significant effect on this estimate and that I am unable to determine until I have progressed further in the administration:

- Information provided to me before appointment about the Company’s assets, its liabilities and its trading performance is substantially accurate;
- The records of the Company are made available in a form permitting examination and investigation;
- All property of the Company is surrendered to me upon appointment;
- All relevant officers comply with their statutory duties to provide information about the Company’s affairs;
- The legal matters currently on foot are settled in a short period of time or are stayed permanently;
- No appointment is made by a secured creditor; and
- There is no dispute in respect of any priority and/or secured creditor claims.

This estimate is based on the information available to date. Should any of the above circumstances change, I believe that costs will likely increase from our estimate above.

E DISBURSEMENTS

Disbursements are divided into three types:

- Externally provided professional services - these are recovered at cost. An example of an externally provided service disbursement is legal fees.
- Externally provided non-professional costs such as travel, accommodation and search fees. These are recovered at cost.
- Internal disbursements such as photocopying, printing and postage. These disbursements, if charged to the Administration, would generally charged at cost; though some expenses such as telephone calls, photocopying and printing may be charged at a rate which recoups both variable and fixed costs. The recovery of these costs must be on a reasonable commercial basis.

I am not required to seek creditor approval for disbursements paid to third parties but must account to creditors. However, I must be satisfied that these disbursements are appropriate, justified and reasonable.

I am required to obtain creditor’s consent for the payment of internal disbursements. Creditors will be asked to approve our internal disbursements prior to these disbursements being paid from the administration.

Details of the basis of recovering disbursements in this administration are provided below.

Disbursement Type	Rate (excl GST)
Externally provided professional services	At cost
Externally provided non-professional costs	At cost
Internal disbursements	
Faxes and Photocopying	\$0.25 per page
Postage	At cost
Staff vehicle use	In accordance with ATO mileage allowances

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BRI Ferrier

**A.C.N. 120 389 095 Pty Ltd
(In Liquidation)
Formerly
'AXIS Plumbing NSW Pty Ltd'
ACN 120 389 095
ABN 51 120 389 095**

**Annexure "G"
Remuneration Approval Report**

Remuneration Approval Report

**A.C.N. 120 389 095 Pty Ltd
(In Liquidation)**

Formerly trading as
"AXIS Plumbing NSW Pty Ltd"

ACN 120 389 095
ABN 51 120 389 095

7 June 2023

Peter Krejci

Novabrif Pty Ltd ABN 61 643 013 610
Level 30, Australia Square, 264 George Street, Sydney NSW 2000
GPO Box 7079, Sydney NSW 2001
Phone (02) 8263 2300
Facsimile (02) 8263 2399
Email: info@brifnsw.com.au
Website: www.briferrier.com.au

BRI Ferrier

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1. EXECUTIVE SUMMARY

I am asking creditors to approve my remuneration of \$49,144.50 (excl. GST) and internal disbursements of \$1,000.00 (excl. GST).

Details of remuneration and disbursements can be found in section 3 and 4 of this report.

I am asking creditors to approve my remuneration via a proposal without a meeting.

If further significant work is required in relation to the recovery of claims, a dividend to creditors and/or adjudication of proofs of debt over and above what has been outlined in this report (additional work), then I will report to creditors and seek additional remuneration approval.

2. DECLARATION

I, Peter Krejci of BRI Ferrier, have undertaken an assessment of this remuneration and disbursement claim in accordance with the law and applicable professional standards. I am satisfied that the remuneration and disbursements claimed are necessary and proper.

I have reviewed the work in progress report for the Liquidation to ensure that remuneration is only being claimed for necessary and proper work performed and no adjustment was necessary.

3. REMUNERATION SOUGHT

The remuneration I am asking creditors to approve is as follows:

For	Period	Amount (excl. GST) \$	Rates	When it will be drawn
Completed Work	24 May 2023 to 4 June 2023	\$4,144.50	Provided in our Initial Remuneration Notice dated 7 June 2023	When funds are available
Future Work	5 June 2023 to conclusion	\$45,000.00	Provided in our Initial Remuneration Notice dated 7 June 2023	It will be drawn when incurred and when funds are available
TOTAL		\$49,144.50 (excl. GST)		

Details of the work already completed for the period 24 May 2023 to 4 June 2023 and future work that I intend to complete are included at Schedule A.

Schedule B includes a breakdown of time spent by staff members on each major task for completed work.

Actual resolutions to be put to creditors by way of a proposal are included at Schedule C and D for your information. These resolutions also appear in the proposal without a meeting form provided to you.

4. DISBURSEMENT SOUGHT

I am not required to seek creditor approval for costs paid to third parties or where I am recovering a cost incurred on behalf of the administration, but I must provide details to creditors. I have not paid any such costs to date.

I am required to obtain creditor's consent for the payment of a disbursement where I, or a related entity of myself, may directly or indirectly obtain a profit.

For more information about disbursements, please refer to the Initial Remuneration Notice dated 6 June 2023.

The disbursements I would like creditors to approve is as follows:

For	Period	Amount \$ (excl. GST)
Disbursements to a capped amount	24 May 2023 to conclusion	\$1,000.00
	TOTAL	\$1,000.00

Details of the disbursements incurred, and future disbursements are included at Schedule D. Actual resolutions to be put to the meeting are also included at Schedule D. These resolutions also appear in the proposal without a meeting form provided to you.

5. LIKELY IMPACT ON DIVIDENDS

The Corporations Act sets the order of payment of claims against the Company, and it provides for remuneration of the Liquidator to be paid in priority to other claims. This ensures that when there are sufficient funds, the Liquidator receives payment for the work done to recover assets, investigate the Company's affairs, report to creditors and ASIC and distribute any available funds. Even if creditors approve my remuneration, this does not guarantee that I will be paid, as I am only paid if sufficient assets are recovered.

Any dividend to creditors will also be impacted by the amount of assets that I am able to recover, and the amount of creditor claims that are admitted to participate in any dividend, including any claims by priority creditors such as employees.

I am unable to provide a dividend estimate of any certainty at this stage of the Liquidation. If I do declare a dividend, any creditor whose claim has not yet been admitted will be contacted and asked to submit a proof of debt.

6. SUMMARY OF RECEIPTS AND PAYMENTS

To date, no receipts and payments have been incurred for the Liquidation.

7. QUERIES & INFORMATION SHEET

If you have any queries in relation to the information in this report, please contact my office.

You can also access information which may assist you on the following websites:

- ▶ ARITA at www.arita.com.au/creditors
- ▶ ASIC at <http://www.asic.gov.au> (search for INFO 85).

Further supporting documentation for my remuneration claim can be provided to creditors on request.

8. ATTACHMENTS

Schedule A – Details of work

Schedule B – Time spent by staff on each major task

Schedule C – Resolutions

Schedule D – Disbursements

SCHEDULE A – DETAILS OF WORK

Company	A.C.N. 120 389 095 Pty Ltd (In Liquidation)	Period From	24 May 2023	To	Conclusion
Practitioner	Peter Krejci	Firm	BRI Ferrier		
Administration Type	Court Liquidation				

		Tasks	
		Work already completed (excl. GST)	Future work (excl. GST)
Period		24 May 2023 to 4 June 2023	5 June 2023 to Conclusion
Amount (excl. GST)		\$4,144.50	\$45,000.00
Task Area	General Description		
Assets			\$4,500.00
	Assets subject to specific charges		All tasks associated with realising a charged asset
	Other Assets		Tasks associated with realising other assets (if any are identified)
Creditors		0.9 hours \$486.00	\$13,500.00
	Creditor Reports		Preparing Initial Report to Creditors Preparation of necessary annexures for Initial Report to Creditors Prepare Statutory Report to Creditors Preparation of necessary annexures
	Secured creditor reporting		Notifying PPSR registered creditors of appointment Preparing reports to secured creditor Responding to secured creditor's queries
	Dealing with proofs of debt		Receipting and filing POD when not related to a dividend Corresponding with OSR and ATO regarding POD when not related to a dividend

Task Area	General Description		
	Proposal to Creditors		<p>Preparing proposal notices and voting forms</p> <p>Reviewing votes and determining outcome of proposal</p> <p>Preparation and lodgement of proposal outcome with ASIC</p>
	Creditor Enquiries	Receive and respond to creditor enquiries	<p>Receive and respond to creditor enquiries</p> <p>Maintaining creditor request log</p> <p>Review and prepare initial correspondence to creditors and their representatives</p> <p>Documenting</p> <p>Considering reasonableness of creditor requests</p> <p>Obtaining legal advice on requests</p> <p>Documenting reasons for complying or not complying with requests or directions</p> <p>Compiling information requested by creditors</p>
Investigation		1.8 hours \$873.00	\$13,500.00
	Conducting Investigation	<p>Preparing and reviewing responses to day one correspondences</p> <p>Correspondence with insurance broker regarding initial and ongoing insurance requirements</p> <p>Conducting initial investigations in relation to the Company's business and affairs</p> <p>Conducting and summarising statutory searches</p> <p>Investigating the director's and related party's property holdings</p>	<p>Collection of Company books and records</p> <p>Review of the Company's books and records to conduct investigations</p> <p>Review and preparation of narrative of business nature and history</p> <p>Preparation of comparative financial statements</p> <p>Preparation of deficiency statement</p> <p>Conducting investigations to identify potential voidable transactions (if any) and consider potential recovery actions to be taken</p> <p>Conducting investigations with respect to solvency position of the Company and considering whether any potential insolvent trading claim</p>

Task Area	General Description		
			<p>Liaising with Director regarding certain transactions</p> <p>Preparation of investigation file</p> <p>Lodgement of investigation with the ASIC</p> <p>Preparation and lodgement of supplementary report if required</p>
	Litigation/Recoveries		<p>Internal meetings to discuss status of litigation</p> <p>Preparing brief to solicitors</p> <p>Liaising with solicitors regarding recovery actions</p> <p>Attending to negotiations</p> <p>Attending to settlement matters</p>
	ASIC reporting		<p>Preparing statutory investigation reports</p> <p>Liaising with ASIC</p>
Dividend			\$4,500.00
	Processing proofs of debt (POD)		<p>Preparation of correspondence to potential creditors inviting lodgement of POD</p> <p>Receipt of POD</p> <p>Maintain POD register</p> <p>Adjudicating POD</p> <p>Request further information from claimants regarding POD</p> <p>Preparation of correspondence to claimant advising outcome of adjudication</p>
	Dividend procedures		<p>Preparation of correspondence to creditors advising of intention to declare dividend</p> <p>Advertisement of intention to declare dividend</p> <p>Obtain clearance from ATO to allow distribution of Company's assets</p>

Task Area	General Description		
			Preparation of dividend calculation Preparation of correspondence to creditors announcing declaration of dividend Advertise announcement of dividend Preparation of distribution Preparation of dividend file Preparation of payment vouchers to pay dividend Preparation of correspondence to creditors enclosing payment of dividend
Administration		8 hours \$2,785.50	\$9,000.00
	ASIC Forms and lodgements	Preparing and lodging ASIC forms including 505 Preparing and lodging ASIC advert regarding notice of appointment	Preparing and lodging ASIC forms including 5602 and 5603 Correspondence with ASIC regarding statutory forms
	Books and records/storage		Dealing with books and records
	Correspondence		General correspondence with stakeholders
	Document maintenance/file review/checklist	Filing of documents File review Updating checklists	Filing of documents File review Updating checklists
	Bank account administration	Preparing correspondence opening accounts	Preparing correspondence closing accounts Bank account reconciliations Prepare receipts and payment vouchers
	Insurance	Initial correspondence with insurer regarding insurance requirements	Correspondence with Insurance broker regarding ongoing insurance requirements (if required)
	ATO and other statutory reporting	Notification of appointment	Preparing BAS Requesting taxation documents
	Planning / Review	Discussion regarding status of administration	Discussion regarding status of administration

Task Area	General Description		
	Finalisation	N/A	Notifying ATO of finalisation Cancelling ABN/GST/PAYG registration Completing checklists Finalising WIP

SCHEDULE B – TIME SPENT BY STAFF ON MAJOR TASKS (COMPLETED WORK)

A.C.N. 120 389 095 Pty Ltd (In Liquidation)
 ACN 120 389 095 ("The Company")
 For the Period 24 May 2023 to 4 June 2023

Staff Classification	Name	Hourly Rate \$	Administration		Creditors		Investigation		Total Hrs	Sum of Net_WIP	
			Hrs	\$	Hrs	\$	Hrs	\$		Hrs	\$
Director	David Cocker	680.00	0.8	544.00	0.3	204.00	0.7	476.00	1.8		1,224.0
Senior Manager	Pauline Yeow	545.00	0.1	54.50	-	-	-	-	0.1		54.5
Assistant Manager	Jack Li	470.00	1.6	752.00	0.6	282.00	0.5	235.00	2.7		1,269.0
Intermediate 1	Joshua Coorey	270.00	4.5	1,215.00	-	-	0.6	162.00	5.1		1,377.0
Senior Administration	Sarita Gurung	220.00	1.0	220.00	-	-	-	-	1.0		220.0
Grand Total			8.0	2,785.50	0.9	486.00	1.8	873.00	10.7		4,144.50
										GST	414.45
										Total (incl. GST)	4,558.95
Average rate per hour				348.19		540.00		485.00			387.34

SCHEDULE C – RESOLUTIONS

I will be seeking approval of the following resolutions to approve my remuneration and disbursements. Details to support these resolutions are included in section 3 and 4 and in the attached Schedules.

Resolution 1: Liquidator’s Remuneration for the period 24 May 2023 to 4 June 2023

“That the remuneration of the Liquidator, his partners and staff for the period 24 May 2023 to 4 June 2023, be calculated on a time basis in accordance with the rates of charge annexed to the Liquidator’s Initial Report to Creditors dated 7 June 2023, be fixed and approved at \$4,114.50 (excl. GST), and that the Liquidator be authorised to draw that amount as required.”

Resolution 2: Liquidator’s Remuneration for the period 5 June 2023 to Conclusion

“That the remuneration of the Liquidator, his partners and staff for the period 5 June 2023 to the conclusion of the Liquidation, be calculated on a time basis in accordance with the rates of charge annexed to the Liquidator’s Initial Report to Creditors dated 7 June 2023 and approved to an interim cap of \$45,000.00 (excl. GST) and that the Liquidator be authorised to draw that amount as and when incurred.”

Resolution 3: Liquidator’s Internal Disbursements for the period 24 May 2023 to Conclusion

“That the Liquidator be allowed internal disbursements for the period 24 May 2023 to the conclusion of the Liquidation at the rates of charge annexed to the Liquidator’s Initial Report to Creditors dated 7 June 2023, up to an amount of \$1,000.00 (excl. GST) and that the Liquidator be authorised to draw that amount as accrued.”

Resolution 4: Early Destruction of Books and Records

“That subject to the consent of the Australian Securities & Investment Commission, the Liquidator be approved to destroy the books and records of the Company at any time after the dissolution of the Company.”

SCHEDULE D – DISBURSEMENTS

Disbursements are divided into three types:

- Externally provided professional services - these are recovered at cost. An example of an externally provided service disbursement is legal fees.
- Externally provided non-professional costs such as travel, accommodation, and search fees. These are recovered at cost.
- Internal disbursements such as photocopying, printing and postage. These disbursements, if charged to the Administration, would generally charge at cost; though some expenses such as telephone calls, photocopying and printing may be charged at a rate which recoups both variable and fixed costs. The recovery of these costs must be on a reasonable commercial basis.

I advise that to date, I have not paid any disbursements incurred during this Liquidation by my Firm.

I am not obliged to seek creditor approval for disbursements paid to third parties, but must account to creditors, this includes providing details of the basis of charging for these types of disbursements to creditors as part of the Remuneration Approval Report.

I am required to seek creditor approval for internal disbursements where there could be a profit or advantage. Accordingly, I will be seeking approval from creditors for **Resolution 3**, of which details are provided in **Schedule C** of this Remuneration Approval Report.

Future disbursements provided by my Firm will be charged to the administration on the following basis:

Disbursement Type	Rate (excl GST)
Externally provided professional services	At cost
Externally provided non-professional costs	At cost
Internal disbursements	
Faxes and Photocopying	\$0.25 per page
Postage	At cost
Staff vehicle use	In accordance with ATO mileage allowances

The logo for BRI Ferrier, featuring the text "BRI Ferrier" in white on a dark grey background with a green triangle on the right side.

BRI Ferrier

**A.C.N. 120 389 095 Pty Ltd
(In Liquidation)
Formerly
'AXIS Plumbing NSW Pty Ltd'
ACN 120 389 095
ABN 51 120 389 095**

**Annexure "H"
Proposal Without Meeting Forms**

NOTICE OF PROPOSAL TO CREDITORS

Dated: 7 June 2023

Voting Poll Closes: 28 June 2023

A.C.N. 120 389 095 PTY LTD (IN LIQUIDATION)
ACN 120 389 095
ABN 51 120 389 095
("the Company")

Proposal No. 1 for creditor approval

"That the remuneration of the Liquidator, his partners and staff for the period 24 May 2023 to 4 June 2023, be calculated on a time basis in accordance with the rates of charge annexed to the Liquidator's Initial Report to Creditors dated 7 June 2023, be fixed and approved at \$4,144.50 (plus GST), and that the Liquidator be authorised to draw that amount."

Reasons for the proposal and the likely impact it will have on creditors if it is passed

- A Liquidator is entitled to be fairly remunerated for undertaking statutory and other duties, including reporting obligations in acting as a liquidator.
- I am unable to pay my remuneration without the approval of the Committee of Inspection (if one has been appointed), Creditors, or the Court.
- Approval by Creditors is efficient and timely and is less costly than an application to the Court.
- Approval of my remuneration will allow me to progress further investigations in a timely manner to ensure the prospect of any dividends can be maximised.

Vote on the Proposal No. 1

Please select the appropriate Yes, No or Object box referred to below with a to indicate your preferred position.

- Yes I approve the proposal
- No I do not approve the proposal
- Object I object to the proposal being resolved without a meeting of creditors

For your vote to count, your claim against the Company must have been admitted for the purposes of voting by the Liquidator. Please select the option that applies:

- I have previously submitted a proof of debt form and supporting documents
- I have **enclosed** a proof of debt form and supporting documents with this proposal form

Creditor details

Name of creditor

Address

ABN (if applicable)

Contact number

Email address

I am **not** a related creditor of the Company

I am a related creditor of the Company*

relationship: _____

*eg Director, relative of Director, related company, beneficiary of a related trust.

**Name of creditor
/authorised person:** _____

Signature: _____

Date: _____

For your vote to count, you **must complete** this document and return it together with any **supporting documents** by no later than close of business on **28 June 2023**, by email to Sushma Mandira at smandira@brifnsw.com.au. Should you have any queries in relation to this matter, please contact Sushma Mandira on (02) 8263 2322.

BRI FERRIER
Level 30
Australia Square
264 George Street
Sydney NSW 2000

NOTICE OF PROPOSAL TO CREDITORS

Dated: 7 June 2023

Voting Poll Closes: 28 June 2023

A.C.N. 120 389 095 PTY LTD (IN LIQUIDATION)
ACN 120 389 095
ABN 51 120 389 095
("the Company")

Proposal No. 2 for creditor approval

"That the remuneration of the Liquidator, his partners and staff for the period 5 June 2023 to conclusion of the Liquidation, be calculated on a time basis in accordance with the rates of charge annexed to the Liquidator's Initial Report to Creditors dated 7 June 2023, be fixed and approved at \$45,000 (plus GST), and that the Liquidator be authorised to draw that amount."

Reasons for the proposal and the likely impact it will have on creditors if it is passed

- A Liquidator is entitled to be fairly remunerated for undertaking statutory and other duties, including reporting obligations in acting as a liquidator.
- I am unable to pay my remuneration without the approval of the Committee of Inspection (if one has been appointed), Creditors, or the Court.
- Approval by Creditors is efficient and timely and is less costly than an application to the Court.
- Approval of my remuneration will allow me to progress further investigations in a timely manner to ensure the prospect of any dividends can be maximised.

Vote on the Proposal No. 2

Please select the appropriate Yes, No or Object box referred to below with a to indicate your preferred position.

- Yes I approve the proposal
- No I do not approve the proposal
- Object I object to the proposal being resolved without a meeting of creditors

For your vote to count, your claim against the Company must have been admitted for the purposes of voting by the Liquidator. Please select the option that applies:

- I have previously submitted a proof of debt form and supporting documents
- I have **enclosed** a proof of debt form and supporting documents with this proposal form

Creditor details

Name of creditor

Address

ABN (if applicable)

Contact number

Email address

I am **not** a related creditor of the Company

I am a related creditor of the Company*

relationship: _____

*eg Director, relative of Director, related company, beneficiary of a related trust.

**Name of creditor
/authorised person:** _____

Signature: _____

Date: _____

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Sydney NSW 2000

NOTICE OF PROPOSAL TO CREDITORS

Dated: 7 June 2023

Voting Poll Closes: 28 June 2023

A.C.N. 120 389 095 PTY LTD (IN LIQUIDATION)
ACN 120 389 095
ABN 51 120 389 095
("the Company")

Proposal No. 3 for creditor approval

"That the Liquidator be allowed internal disbursements for the period 24 May 2023 to the conclusion of the Liquidation at the rates of chare annexed to the Liquidator's Initial Report to Creditors dated 7 June 2023, up to an amount of \$1,000.00 (excl. GST) and that the Liquidator be authorised to draw that amount as accrued."

Reasons for the proposal and the likely impact it will have on creditors if it is passed

- A Liquidator is entitled to be fairly remunerated for undertaking statutory and other duties, including reporting obligations in acting as a liquidator.
- I am unable to pay my remuneration without the approval of the Committee of Inspection (if one has been appointed), Creditors, or the Court.
- Approval by Creditors is efficient and timely and is less costly than an application to the Court.
- Approval of my remuneration will allow me to progress further investigations in a timely manner to ensure the prospect of any dividends can be maximised.

Vote on the Proposal No. 3

Please select the appropriate Yes, No or Object box referred to below with a to indicate your preferred position.

- Yes I approve the proposal
- No I do not approve the proposal
- Object I object to the proposal being resolved without a meeting of creditors

For your vote to count, your claim against the Company must have been admitted for the purposes of voting by the Liquidator. Please select the option that applies:

- I have previously submitted a proof of debt form and supporting documents
- I have **enclosed** a proof of debt form and supporting documents with this proposal form

Creditor details

Name of creditor

Address

ABN (if applicable)

Contact number

Email address

I am **not** a related creditor of the Company

I am a related creditor of the Company*

relationship: _____

*eg Director, relative of Director, related company, beneficiary of a related trust.

**Name of creditor
/authorised person:** _____

Signature: _____

Date: _____

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NOTICE OF PROPOSAL TO CREDITORS

Dated: 7 June 2023

Voting Poll Closes: 28 June 2023

A.C.N. 120 389 095 PTY LTD (IN LIQUIDATION)
ACN 120 389 095
ABN 51 120 389 095
("the Company")

Proposal No. 4 for creditor approval

"That subject to the consent of the Australian Securities & Investment Commission, the Liquidator be approved to destroy the books and records of the Company at any time after the dissolution of the Company."

Reasons for the proposal and the likely impact it will have on creditors if it is passed

- A Liquidator is entitled to be fairly remunerated for undertaking statutory and other duties, including reporting obligations in acting as a liquidator.
- I am unable to pay my remuneration without the approval of the Committee of Inspection (if one has been appointed), Creditors, or the Court.
- Approval by Creditors is efficient and timely and is less costly than an application to the Court.
- Approval of my remuneration will allow me to progress further investigations in a timely manner to ensure the prospect of any dividends can be maximised.

Vote on the Proposal No. 4

Please select the appropriate Yes, No or Object box referred to below with a to indicate your preferred position.

- Yes I approve the proposal
- No I do not approve the proposal
- Object I object to the proposal being resolved without a meeting of creditors

For your vote to count, your claim against the Company must have been admitted for the purposes of voting by the Liquidator. Please select the option that applies:

- I have previously submitted a proof of debt form and supporting documents
- I have **enclosed** a proof of debt form and supporting documents with this proposal form

Creditor details

Name of creditor

Address

ABN (if applicable)

Contact number

Email address

I am **not** a related creditor of the Company

I am a related creditor of the Company*

relationship: _____

*eg Director, relative of Director, related company, beneficiary of a related trust.

**Name of creditor
/authorised person:** _____

Signature: _____

Date: _____

For your vote to count, you **must complete** this document and return it together with any **supporting documents** by no later than close of business on **28 June 2023**, by email to Sushma Mandira at smandira@brifnsw.com.au. Should you have any queries in relation to this matter, please contact Sushma Mandira on (02) 8263 2322.

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