## SUPREME COURT OF QUEENSLAND

REGISTRY: BRISBANE NUMBER: BS13638/21

## Applicant:

Respondent:

## VOYAGER RESORT LTD ACN 010 547 618

## AND

## **ALAN SKELTON & ORS**

#### AFFIDAVIT

I, Benjamin Leigh Sandford of Level 18, 167 Eagle Street, Brisbane in the State of Queensland, Solicitor, state on oath:

- 1. I am the solicitor for the Applicant (Company).
- 2. Exhibited hereto and marked BLS-3 is a paginated bundle of documents to which I refer in this affidavit. A reference to [] is a reference to a page of the exhibit.

## Alteration to share capital of the company

- 3. On 25 January 2022 I was informed by Geoff Heaton, and believe, that:
  - (a) the Company had filed a notification of resolution regarding shares with ASIC on 3 December 2021; and
  - (b) the purpose of the resolution was to reduce the share capital of the Company to account for those interests in the Company which had been surrendered by owners such that the only remaining issued shares would be those still owned by members.
- 4. A copy of the form appears at [1]
- 5. On 25 January 2022 I performed a search of the records of ASIC in respect of the Company. A copy of the company extract appears at [4].

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AFFIDAVIT Filed on behalf of the Applicant Form 46, Version 1 Uniform Sivil Brocedure Rules 1999 Rule 431	Mahoneys Level 18, 167 Eagle Street Brisbane Qld 4000 Tel: 07 3007 3777 Fax: 07 3007 3778 Ref: 25203

## Service by email

- 6. On or about 20 December 2021:
  - (a) I was provided with the log-in credentials for the Company's Mail Chimp account by Geoffrey Heaton; and
  - (b) I caused copies of documents 1 to 16 (Court Documents) of the court file to be uploaded to iManage Share (a cloud-based document management program maintained by Mahoneys that allows members of the firm to upload documents and generate secure links to those documents in order that they can be downloaded).
- 7. On 20 December 2021 at 4:32 pm I caused an email (**Email**) to be sent to 957 members of the Company who had provided an email address to the Company.
- 8. Those members had had their email addresses uploaded to Mail Chimp by the Company. On 25 January 2021 I exported a copy of the recipient data from Mail Chimp. An extract of that data appears at [11].
- 9. Appearing at [29] is a copy of the text of the Email. The Email included:
  - (a) a link to the Court Documents on iManage Share;
  - (b) a link to the electronic court file for the matter on the Queensland Courts website; and
  - (c) a link to the "blog" section of the Company's website.
- 10. On 21 December 2021 I performed a report through Mail Chimp on the Email. A copy of the report appears at [31].
- 11. The report indicated that the Email had been delivered to all but 2 recipients. The two recipients who did not receive the Email were:
  - (a) Graeme Cohen; and
  - (b) Michael J & Joy P Ellis.
- 12. Upon becoming aware that the emails above were not delivered, I informed the Company, and was provided with physical mail addresses for the members

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mentioned in the preceding paragraph.

13. I subsequently caused copies of the Originating Application to be sent to the above recipients in the manner described below under the heading "Service by Post".

## Service by post

- 14. On 20 December 2021 I was provided by Geoff Heaton with a list of members of the Company for whom the Company did not have an email address on file, extracted from the books of the Company.
- 15. On 20 December 2021 I and a law clerk in the employee of Mahoneys under my supervision caused letters to be prepared to each owner for whom the Company did not have an email address on file (including each of the respondents mentioned in paragraph 10 above. The letters each enclosed:
  - (a) the originating application; and
  - (b) the order of Justice Ryan made on 9 December 2021.
- 16. On 21 December 2021 the law clerk and I inserted the letters and attachments into windowed envelopes which had franking marks placed on them based on the address of the recipient, and carried them to the post box located at 145 Eagle Street, Brisbane.
- 17. On 23 December 2021 I was informed by Mr Heaton and believe that he had performed another review of the records of the Company and discovered that the email address recorded for one owner, Carmela Orsini, was incorrectly recorded as the email address of the Company.
- 18. On 23 December I caused a further letter to be prepared, addressed to Ms Orsini at the mail address held by the Company for her, the same as those mentioned in paragraph 14. The same day I caused the letter to be posted to her.
- 19. Copies of each of the covering letters (but not the court documents) appear at [37] to [194].
- 20. Copies of each of the envelopes appear at [195] to [347].

## Court Documents available at the Resort

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## Noticeboard

- 21. I am informed about the matters in this section by Geoffrey Heaton and believe that they are true and correct.
- 22. On 20 December 2021 Mr Heaton caused a copy of the originating application and order of Justice Ryan dated 9 December 2021 to be placed on the noticeboard in the lobby of the Resort, along with a copy of the email sent to owners labelled "not to be removed" which listed each of the documents filed by the Company in the proceeding.
- 23. Photographs of the noticeboard, taken on 21 December 2021 and sent to me the same day appear at [348] to [354].
- 24. I am informed that the documents in those photographs have remained on the noticeboard since they were initially posted there on 20 December 2021.

## Upload to the Company's website

- 25. On 21 December 2021, Mr Heaton uploaded an article to the "blog" section of the resort website titled "Important Information for owners/members of Voyager Resort Ltd regarding Supreme Court of Queensland Proceeding BS13638/21".
- 26. Appearing at [355] is a screen capture of the voyagerresort.com.au/blog as it appeared on 21 December 2021.
- 27. The blog article included links to:
  - (a) the Court Documents;
  - (b) the electronic court file for the matter; and
  - (c) the email sent to members on 20 December 2021, referred to under the heading "Service by Email" of this affidavit.
- 28. Appearing at [356] is the content of the blog article as it appeared on 21 December 2021.
- 29. Additionally, I am informed by the board of the Company that Voyager Resort maintains an owners' portal for giving owners information about the Company, including general meeting and budgetary information. The information is only accessible after entering a member username and password. On 20 December 2021

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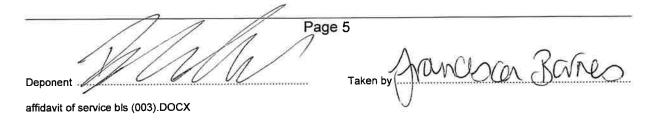
the Company posted an article materially identical to the blog article in the owners portal. A screen capture of the members portal taken on 21 December 2021 appears at [362].

- 30. I have periodically checked voyagerresort.com.au/blog between 21 December 2021 and the date of swearing this affidavit, including on 13 January 2022 and 25 January 2022 and the blog article remained accessible each time I checked it.
- 31. I believe that the blog article was available at all times since first being posted.

## Service on non-member Respondents

## Service on ASIC

- 32. On 21 December 2021 at 3:30pm I sent an email to the Australian Securities and Investment Commission (**ASIC**) at property.law@asic.gov.au.
- 33. Appearing at [366] to [368] is a copy of my email to ASIC.
- 34. On 22 December 2021:
  - I received an email from ASIC wherein ASIC confirmed that they would accept service of the Court Documents by email. Appearing at [369] is a copy of the email;
  - (b) I received a second email from ASIC wherein ASIC requested that I provide title searches for each company share. Appearing at [371] is a copy of the email;
  - I sent 5 separate emails to ASIC attaching the Court Documents. Appearing at
     [372] to [376] are copies of the emails; and
  - (d) I received a further two emails from ASIC confirming receipt of my emails. Appearing at [377] and [381] are copies of those emails.
- On 5 January 2022 I received an email from ASIC, seeking clarification about certain entities. I corresponded with ASIC by back-and-forth emails until 25 January 2022.
   Appearing at [387] to [392] are those emails.
- 36. On 25 January 2022 I received correspondence from ASIC confirming that it accepted service on behalf of the deregistered corporate members, subject to the officeholders



of those entities at the time of deregistration being informed. A copy of that correspondence appears at [393].

- 37. On 27 January 2022 I prepared and caused to be sent to the former directors of each of the deregistered companies enclosing copies of the originating application and orders of Justice Ryan dated 9 December 2022.
- 38. Appearing at [396] to [407] are copies of the covering letters to each of the officers of the deregistered corporate members at the address notified by them to ASIC in respect of the deregistered corporate members.
- 39. Appearing at [408] to [419] are copies of the envelopes to each of the officers of the deregistered corporate members.
- 40. Appearing at [420] to [445] are historical company searches of each of the deregistered corporate members, showing the addresses of the officers.

## Service on the New Zealand Treasury

- 41. Through the course of my email correspondence with ASIC I became aware that two corporate members of the Company, namely Video Unlimited N.Z. Limited and Best and West Limited (collectively, **New Zealand Companies**), which had been believed to be Australian deregistered companies were in fact deregistered companies previously registered in New Zealand.
- 42. Appearing at [446] and [447] are company extracts from the New Zealand Register of Companies in respect of each of the New Zealand Companies.
- 43. On 11 January 2022 I sent an email to the Treasury of New Zealand at legal@treasury.govt.nz in respect of the New Zealand Companies.
- 44. Appearing at [449] to [451] is a copy of my email to the Treasury.
- 45. On 17 January 2022 I received a response from the Treasury. A copy of that email appears at [452] to [453].

## Service on ANZ Bank

46. On 21 December 2021 Pack & Send, a courier business operating in Brisbane, collected an archive box containing the Court Documents from Mahoneys for delivery to the Australia and New Zealand Banking Group Ltd (**ANZ**) at their address

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registered with ASIC.

- 47. A copy of the covering letter to ANZ appears at [454].
- 48. On 25 January 2022 I entered the tracking number provided by Pack & Send into their online tracking portal. The tracking data indicates that the Court Documents and covering letter had been delivered on 4 January 2022. I believe that the report from the courier is true and correct.
- 49. A copy of the tracking report appears at [455]. The first page of a company search for ANZ, showing their registered address appears at [456]

## **Returned correspondence**

- 50. As at the date of this affidavit I have received returned correspondence from the members set out in column 2 of the table at paragraph 54 (**Table**), for the reasons indicated (according to notes made on the returned envelopes) in column 3 of the Table.
- 51. In respect of each piece of returned correspondence I sought instructions from the Company (via Mr Heaton) about:
  - (a) whether the Company had any alternative contact details for those people; and
  - (b) whether the members owed any money to the Company in respect of contributions.
- 52. The company did not have any alternative contact details for any recipient.
- 53. The answers from Mr Heaton in respect of the matters in paragraph and 51(b) are set out in columns 4 of the Table. I honestly and sincerely believe Mr Heaton's answers in respect of those matters.
- 54. I have received the following returned correspondence:

1	2	3	4
#	Recipient	Return reason	Outstanding contributions
1	Campbell NJ & CA	No longer at this address	\$20,208.25

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1	2	3	4	
#	Recipient	Return reason	Outstanding contributions	
2	Davis BJ	Left address/unknown	\$17,552.25	
3	Douglas J & MK	Not at this address	\$11,537.26	
4	Hook RW	Return to sender	\$20,209.23	
5	Kingston BP & JE	Not 1122	\$9,761.25	
6	Lipinski KP	\$20,145.93		
7	Mitchell & Jaidhauser BJ, JH & LH	Not PO Box 139	\$23,381.19	
8	Muspratt DI	Not at this address	\$57,338.02	
9	Myers A & G	Has not been at this address for >10 years	\$45,659.56	
10	Saunders C & S	Left address	\$22,772.42	
11	Smith HB	Return to sender	\$22,849.74	
12	Truman J & C.A.	Not at this address	\$19,354.20	

55. All the facts and circumstances herein deposed to are within my own knowledge, save such as are deposed to from information only, and my means of knowledge and sources of information appear in this my affidavit.

Sworn by the Deponent on 28 January 2022 at Brisbane in the presence of:

...... Benjamin Leigh Sandford Deponent

JAINES ne:Francesca Ro Lawver

### SUPREME COURT OF QUEENSLAND

**REGISTRY: BRISBANE** BS13638/21 NUMBER:

Applicant:

Respondent:

## VOYAGER RESORT LTD ACN 010 547 618

AND

**ALAN SKELTON & ORS** 

### **CERTIFICATE OF EXHIBIT**

Exhibit "BLS-3" to the affidavit of Benjamin Leigh Sandford sworn on 28 January 2022.

. C.K. .....

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Benjamin Leigh Sandford Deponent

Nar Lawyer

CERTIFICATE OF EXHIBIT Filed on behalf of the Applicant Form 47, Version 2 **Uniform Civil Procedure Rules 1999 Rule 435** 

Mahoneys Level 18, 167 Eagle Street Brisbane Qld 4000 Tel: 07 3007 3777 Fax: 07 3007 3778 Ref: 25203

Australian Securities &	
Investments Commission	

TRARALGON

Mrz



Form 2205 Corporations Act 2001

ASIC internal

# Notification of resolutions regarding shares

Use this form to notify ASIC of resolutions regarding shares

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

Company details	Company name					
• • • • • • • • • • • • • • • • • • •	VOYAGER RESORT LIMITED					
	ACN/ABN					
	010-547-618					
Lodgement details	Who should ASIC contact if there is a query about this form?					
-	ASIC registered agent number (if applicable)					
In image of this form will be available as						
part of the public register.	Firm/organisation					
	VOYAGER RESORT LIM	ITED				
	Contact name/position description	Telephone number (dur				
	GEOFFREY GRAEME HEATON	(07) 5538	7833			
	Email address (optional) DIRECTOR					
	Info@Voyagerresort.com.au					
	Postal address					
	P.O. BOX 7/	State/Territory	Postcode			
	Suburb/City	State/Territory	4218			
	BROADBEACH	CR CD				

## 1 Subject(s) of the resolution

Tick one or more boxes.

	200 - 10	for	n code
7	Alteration to rights of issues or unissued shares (public companies only)	A	246F(3) & (4
	Convert shares into larger or smaller number (consolidation/subdivision). Complete details of consolidation/subdivision at Attachment 1	В	254H(4)
	Calls may be limited to when company is externally administered	C	254N(2)
7	Reduction in share capital	E	256C
	Financial assistance by a company for acquiring shares in the company or holding company – approval by the company's own shareholders	F	260B(7)
	Financial assistance by a company for acquiring shares in the company or holding company – approval by shareholders of listed holding company	G	260B(7)
	Financial assistance by a company for acquiring shares in the company or holding company – approval by shareholders of the ultimate Australian holding company	н	260B(7)
П	Other Section number	M	

#### Brief description

SHARES HELD BY VOYAGER RECORT LIMITED ( the COMPANY) CANCELLED FOR NO CONSIDERATION



## ASIC

Australian Securities & Investments Commission

ABN 86 768 265 615

14-22 Grey Street, Traralgon PO Box 4000 Gippsland Mail Centre VIC 3841 Customer enquiries: 1300 300 630 Facsimile: (03) 5177 3999 ASIC Homepage: www.asic.gov.au

## Receipt Number: 42093038

## **Payment Details:**

Date:	02/01/2022
Amount:	\$42.00
Payment type:	Credit Card
Type of card:	Visa

Description	Amount
ACN 010 547 618	
2205	42.0
2205E Notification of Resolution Relating to Shares Reduction Of	
Share Capital - Schedule 5	
	42.0
	<ul> <li>ACN 010 547 618</li> <li>2205</li> <li>2205E Notification of Resolution Relating to Shares Reduction Of</li> </ul>

Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
ORD ORDINARY SHARES	3116	\$3,116.00	\$0.00	01054761B (AR 1991)

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### **Pre-ASIC** Documents

State	Received Date	Form Code	Status
QLD	17/12/1986	CAAKA3C	NOFE
QLD	17/12/1986	CCF066	FP
QLD	07/01/1988	CAAKA32C	NOFE
QLD	07/01/1988	CCF066	FPSU
QLD	29/01/1988	PCCF066	FPSU
QLD	23/12/1988	CCF066	FP
QLD	23/12/1988	CCF061	NOFE
QLD	19/01/1989	PCCF061	FPSU
QLD	10/02/1989	CCF015D	NOFE
QLD	24/05/1989	CCF061	FPSU
QLD	05/06/1989	PCCF061	FPSU
QLD	30/08/1989	CCF015C	NOFE
QLD	10/10/1989	CCAP282	FPSU
QLD	02/11/1989	PCCAP282	FPSU
QLD	29/11/1989	CCF061	NOFE
QLD	13/12/1989	CCTDEE	FP
QLD	18/12/1989	CCF066	FPSU
QLD	22/12/1989	PCCF066	FPSU
QLD	27/12/1989	CCF070	FPSU
QLD	25/01/1990	PCCF070	FPSU
QLD	23/02/1990	CCF015D	NOFE
QLD	01/08/1990	CCF061	NOFE
QLD	10/10/1990	CCF024B	FPSU
QLD	31/10/1990	PCCF024B	FPSU
QLD	23/11/1990	CCF024B	FPSU
QLD	23/11/1990	CCLTR	NOFE
QLD	28/11/1990	CCF066	FP
QLD	20/12/1990	PCCF024B	FPSU

#### **Financial Report**

Balance Date	Report Due Date	AGM Due Date	Extended AGM Due Date	AGM Held Date	Outstanding	Doc Number
30/06/2001	30/09/2001				No	017656868
30/06/2002	30/09/2002				No	018410857
30/06/2003	30/09/2003				No	019908430
30/06/2004	30/09/2004				No	020972230
30/06/2005	30/09/2005				No	022377844
30/06/2006	31/10/2006				No	023631425
30/06/2007	30/09/2007				No	024606399
30/06/2008	30/09/2008				No	024828898
30/06/2009	30/09/2009				No	026247763
30/06/2010	30/09/2010				No	027044613
30/06/2011	30/09/2011				No	027896949
30/06/2012	30/09/2012				No	028263404
30/06/2013	30/09/2013				No	028749204
30/06/2014	30/09/2014				No	7E6539811
30/06/2015	30/09/2015				No	029415330
30/06/2016	30/09/2016				No	7E9046539
30/06/2017	30/09/2017				No	7EAI05655
30/06/2018	30/09/2018				No	7EA105627
30/06/2019	30/09/2019				No	7EAQ31028
30/06/2020	30/09/2020				No	7EBB59590
30/06/2021	30/09/2021				No	031471027

orm Code	Description	# of pages	Received	Processed		Doc Number
88	388A Financial Report Financial Report - Public Company Or Disclosing Entity	21				7E9046539 (FR 2016)
84	484E Change to Company Details Appointment or Cessation of A Company Officeholder	2			25/11/2016	
205	9205 Pre 1991 Regd Office/place of Business, Agent, Officeholders Shares- Allotment, Prospectus, Report of Affairs, Trust Deed	48			20/04/2016	
208	9208 Pre 1991 Documents Over 50 Pages Rel to Company Address,Off Allotment of Shares,Prospectus Trust Deeds, Official Manager	11			20/04/2016	
204	9204 Pre 1991 Memorandum And Articles	60			20/04/2016	
204	9204 Pre 1991 Memorandum And Articles	1			20/04/2016	
205	9205 Pre 1991 Regd Office/place of Business, Agent,Officeholders Shares- Allotment, Prospectus, Report of Affairs, Trust Deed	50			20/04/2016	
205	9205 Pre 1991 Regd Office/place of Business, Agent,Officeholders Shares- Allotment, Prospectus, Report of Affairs, Trust Deed	48			20/04/2016	
38	388A Financial Report Financial Report - Public Company Or Disclosing Entity	23				029415330 (FR 2015)
34	484E Change to Company Details Appointment or Cessation of A Company Officeholder	2			23/04/2015	
8	388A Financial Report Financial Report - Public Company Or Disclosing Entity	25	21/11/2014	21/11/2014	30/06/2014	7E6539811 (FR 2014)
34	484E CHANGE TO COMPANY DETAILS APPOINTMENT OR CESSATION OF A COMPANY OFFICEHOLDER	2			18/11/2014	
34	484A1 CHANGE TO COMPANY DETAILS CHANGE OFFICEHOLDER NAME OR ADDRESS	2			13/12/2013	
38	388A FINANCIAL REPORT FINANCIAL REPORT - PUBLIC COMPANY OR DISCLOSING ENTITY	25				028749204 (FR 2013)
38	388A FINANCIAL REPORT FINANCIAL REPORT - PUBLIC COMPANY OR DISCLOSING ENTITY	26				028263404 (FR 2012)
38	388A FINANCIAL REPORT FINANCIAL REPORT - PUBLIC COMPANY OR DISCLOSING ENTITY	30	30/11/2011	03/02/2012	30/06/2011	027896949 (FR 2011)
38	388A FINANCIAL REPORT FINANCIAL REPORT - PUBLIC COMPANY OR DISCLOSING ENTITY	27	18/01/2011	19/01/2011	30/06/2010	027044613 (FR 2010)
84	484E CHANGE TO COMPANY DETAILS APPOINTMENT OR CESSATION OF A COMPANY OFFICEHOLDER	2				7E3329432
88	388A FINANCIAL REPORT FINANCIAL REPORT - PUBLIC COMPANY OR DISCLOSING ENTITY	16				026247763 (FR 2009)
34	484A1 CHANGE TO COMPANY DETAILS CHANGE OFFICEHOLDER NAME OR ADDRESS	2				7E2467985
S02	FS02 COPY OF AFS LICENCE	20			19/05/2009	
84	484A1 CHANGE TO COMPANY DETAILS CHANGE OFFICEHOLDER NAME OR ADDRESS	3	23/03/2009	23/03/2009	23/03/2009	1F0169521
88	388A FINANCIAL REPORT FINANCIAL REPORT - PUBLIC COMPANY OR DISCLOSING ENTITY	29	20/10/2008	28/10/2008	30/06/2008	024828898 (FR 2008

Form Code	Description	# of pages	Received	Processed		Doc Number
316	316 ANNUAL RETURN 316C CHANGE TO OFFICEHOLDERS 316H ANNUAL RETURN - LISTED PUBLIC COMPANY Altered by 013 372 121	5	27/11/1997	23/12/1997	08/11/1997	01054761H (AR 1997)
7072	7072 PROFORMA NOTICE IN RELATION TO UNQUOTED SECURITIES	9		18/03/1997		
316	316 ANNUAL RETURN 316C CHANGE TO OFFICEHOLDERS 316G ANNUAL RETURN - UNLISTED PUBLIC COMPANY Altered by 013 372 122		26/11/1996	23/12/1997	14/11/1996	01054761G (AR 1996)
7051	7051 HALF YEARLY ACCOUNTS	22		27/02/1996		
764	764B COPY OF APPLICATION FORM AND PROSPECTUS			26/02/1996		
316	316 ANNUAL RETURN 316P CHANGE OF NAME OR ADDRESS OF OFFICEHOLDER 316G ANNUAL RETURN - UNLISTED PUBLIC COMPANY	28	10/01/1996	09/02/1996	18/12/1995	01054761F (AR 1995)
7018	7018 DECLARATION UNDER SUB- SECTION 1084(6) CORP LAW (OFFERING SECURITIES FOR SUBSCRIPTION OR PURCHASE)	1	04/12/1995	04/12/1995	04/12/1995	008683205
7072	7072 PROFORMA NOTICE IN RELATION TO UNQUOTED SECURITIES	7	21/11/1995	21/11/1995	21/11/1995	008685646
723	723A RETURN BY MANAGEMENT COMPANY - DISCLOSING ENTITY	23		25/09/1995		
7051	7051 HALF YEARLY ACCOUNTS	21		28/07/1995		
315	315 NOTICE OF RESIGNATION OR REMOVAL OF AUDITOR	3		30/11/1994 29/11/1994		008681046 008681025
764	764B COPY OF APPLICATION FORM AND PROSPECTUS 343 SPECIAL NOTICE OF A	2		25/10/1994		
343 316	RESOLUTION TO REMOVE AUDITOR 316G ANNUAL RETURN - UNLISTED	l				01054761E (AR 1994)
723	PUBLIC COMPANY 723 RETURN BY MANAGEMENT	16		31/08/1994		
764	COMPANY 764B COPY OF APPLICATION FORM	53	21/03/1994	24/03/1994	21/03/1994	003428602
764	AND PROSPECTUS 764B COPY OF APPLICATION FORM	63	02/03/1994	09/03/1994	02/03/1994	003428469
304	AND PROSPECTUS 304A NOTIFICATION OF CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY	94	23/02/1994	24/02/1994	11/02/1994	005564127
7025	7025 INSTRUMENT OF APPROVAL OF TRUSTEE OR REPRESENTATIVE		16/02/1994	18/02/1994	16/02/1994	003428373
7021	7021A EXECUTED PRINCIPAL DEED			21/02/1994		
7019	7019 DECLARATION THAT COVENANTS NOT REQUIRED FOR DEED	3	10/01/1994	13/01/1994	10/01/1994	003427918
852	852A COPY OF OCCUPATIONAL LICENCE OF SECURITIES DEALER	3		20/12/1993		
316	316 ANNUAL RETURN 316C CHANGE TO OFFICEHOLDERS 316G ANNUAL RETURN - UNLISTED PUBLIC COMPANY	29 ;				01054761D (AR 1993)
304	304 NOTIFICATION OF 304A CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY 304C CHANGE OF NAME OR ADDRESS OF OFFICEHOLDER	5				004608718
304	304A NOTIFICATION OF CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY	)4	07/06/1993	07/06/1993	28/05/1993	004322726

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Gilbert Pilgrim Sutcliffe Gibson Tang & Teo Neve Crockett Cotton Andrews Digby Breen Davis Zanin Clark & Barry Rice Wilson Armstrong Morrison & Spry Lynam Crawford Francis Gerber Sharman Joncevski Foster Dalli Marshall Schellein Dobby Henderson Mills Kennedy Smith Carter Mathers Johl Vought Crofts Sheppard Seibel Hodge Taylor Brown Gray-Spencer Jones Babich Heaton Dalglish C/- K Johnson Collingwood Scott

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Antonelli O'Reilly Lovell Dance

#### Bryce

Kaye

Nurtured Goodness Pty Ltd Doherty Grimson Stocker Dakin Stickland Holland Stolz SWD Legal Perry Gorse Duff McKeough Cavuoto

Jacqueline

## Voyager Resort Ltd -v- Skelton & Ors -Supreme Court of Queensland Proceeding BS13638/21

Dear Voyager Resort Member,

You are receiving this email because you are a member of Voyager Resort Ltd (**Company**).

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland (**Court**) for the appointment of a statutory trustee for that purpose.

On 16 November 2021 proceedings were commenced by filing an Originating Application in the Court.

On 9 December 2021, orders were made by the Court setting out the manner in which the Company could inform its members of the proceedings, and the timeframes for responding to them.

Please find, available <u>here</u>, the following documents which have been filed by the Company in the proceeding:

- the Originating Application filed in the Court on 16 November 2021;
- a copy of the order of the Court made on 9 December 2021, which contains important information about steps you must take if you wish to be involved in the proceeding;
- the affidavit of Angela Julian-Armitage filed 19 November 2021;
- the affidavit of Geoffrey Graeme Heaton filed 19 November 2021 (in 5 volumes);
- the affidavit of Bradley Vincent Hellen filed 24 November 2021;
- an application for substituted service filed 8 December 2021;
- the affidavit of Benjamin Leigh Sandford filed 8 December 2021;
- the affidavit of Benjamin Leigh Sandford filed 9 December 2021;
- the applicant's outline of submissions (in respect of the substituted service application) filed 9 December 2021; and
- the applicant's list of material (relied upon in support of the substituted service application) filed 9 December 2021.

Throughout the course of the proceeding, documents will appear on the eFiles section of the Queensland Courts website. The electronic court file can be accessed <u>here</u>.

Overview

Voyager Resort Ltd v Skelton & Ors

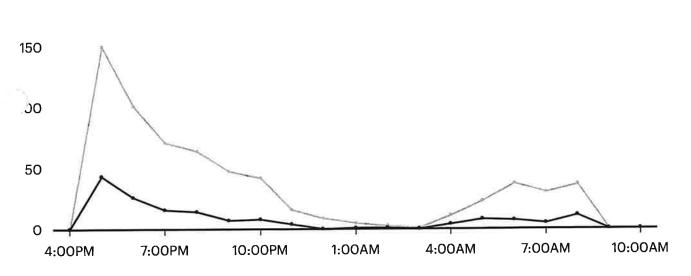
Sent 12/20/21 4:32PM

			957 Recipients		
), 2021 4:32 pm	Delivered: Mon, Dec 20,	Audience: Voyager Resort Owners			
			Subject: Voyager Resort of Queensland Proceeding		
0 Unsubscribed	2 Bounced	188 Clicked	625 Opened		
is <b>30.1%</b>	Clicks per unique opens	<b>955</b> 99.8%	Successful deliveries		
350	Total clicks	1,437	Total opens		
12/21/21 10:55AM	Last clicked	12/21/21 10:55AM	Last opened		
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\$0.00	00	¢۵			
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## Voyager Resort Ltd v Skelton & Ors Subscriber activity

# 24-hour performance

200



# Subscribers with most opens

raandpjperkins@gmail.com	14
asjmproduction@gmail.com	46
jennifur@iprimus.com.au	12
denesr11@gmail.com	18
robin_manly@bigpond.com	15

Opens Clicks

## Voyager Resort Ltd v Skelton & Ors Social stats

Sent 12/20/21 4:32PM

## No geographic clicks have been registered yet

No campaign URL activity to report yet.



Our reference 25203 • 2394610\_1.DOCX

20 December 2021

Beverly Yvonne Kelly 5206 / 398 Cavandish Road Coorparoo Qld 4151

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you are a member of the Company.

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Yours faithfully Mahoneys

Contact Direct phone Email

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

Level 18, 167 Eagle Street Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 Liability limited by a scheme approved under Professional Standards Legislation



Our reference 25203 • 2

25203 • 2394663\_1.DOCX

20 December 2021

Mervyn Graham Little 28 Liverpool Street Ipswich Qld 4305

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Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au

Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Our reference 25203 • 2394630\_1.DOCX

20 December 2021

Suren & Helen Akpinar 718 Warringah Road Forestville NSW 2087

## Voyager Resort Ltd -v- Skelton & Ors

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Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Our reference 25203 • 2394624\_1.DOCX

20 December 2021

Keith G. & Ann Lebsanft 8 Ironbark Court Highfields Qld 4352

#### Voyager Resort Ltd -v- Skelton & Ors

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Our reference 25203 • 2394614\_1.DOCX

20 December 2021

Mark S. & Margaret J. Kelly 77 Hebbard Street Broken Hill NSW 2880

### Voyager Resort Ltd -v- Skelton & Ors

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Our reference 25203 • 2369856\_1.docx

20 December 2021

Colin Patrick & Norma Joan Hyland 35 Latham Street East Beenleigh VIC 3165

### Voyager Resort Ltd -v- Skelton & Ors

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Our reference 25203 • 2394784\_1,DOCX

20 December 2021

William & Elizabeth Morrow P.O.Box 4089 Burwood East Vic 3151

### Voyager Resort Ltd -v- Skelton & Ors

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andards Legislation ABN 9

T 07 3007 3777 F 07 3007 3778 www.mahoneys.com.au ABN 99 349 703 654

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25203 · 2394772\_1.DOCX Our reference

20 December 2021

Noel W. & Jean K. Bainbridge 40 Hawthorne Street Woody Point QLD 4019

#### Voyager Resort Ltd -v- Skelton & Ors

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Manoneys

Ben Sandford Contact Direct phone 07 3007 3722 Email bsandford@mahoneys.com.au

Partner Direct phone Email

Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Our reference 25203 •

25203 • 2394766\_1.DOCX

20 December 2021

B. J., J. H. & L. H. Mitchell & Jaidhauser P.O. Box 139 Glenelg SA 5045

#### Voyager Resort Ltd -v- Skelton & Ors

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25203 · 2395701 1 DOCX

20 January 2022

Petmar Investments Pty Ltd 16 Martin Road Centennial Park NSW 2021

# Voyager Resort Ltd -v- Skelton & Ors

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Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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21 December 2021

Michael & Joy Ellis p.o. Box 281009, Maraetai Beach Manukay 2148 New Zealand

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Yours

MahoneysContactBeDirect phone07Emailbs

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au

Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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25203 • 2395701\_1.DOCX

23 December 2021

Carmela Orsini 4 Wenlock Avenue Altona Meadows VIC 3028

#### Voyager Resort Ltd -v- Skelton & Ors

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Our reference 25203 • 2394765\_1.DOCX

20 December 2021

Desmond B./ Hugh Bailie 1/50 Oakland Street Mornington VIC 3931

### Voyager Resort Ltd -v- Skelton & Ors

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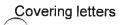
Yours faithfull

Mahoneys Contact Direct phone Email

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Our reference 25203 · 2394740 1.DOCX

20 December 2021

Michael James & Ramza Melvin 362 Burwood Road Belmore NSW 2192

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Yours faithfully Mahoney

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20 December 2021

Margaret & Catherine McMahon 1/52 Market Street Randwich NSW 2031

### Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Gerald & Catharina McInnes P.O. Box 619 Narrabri NSW 2390

# Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Ronald Keith & Jennifer Robyn McGready 5 Freda Court Mulgrave Vic 3150

## Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Fay I. Ashe 14 Glendale Avenue Beverley Hills, NSW 2209

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Our reference 25203 • 23

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20 December 2021

Elizabeth McClure 40 Edgecombe Street Kyneton Vic 3444

## Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Donald John McCann 373 Main Street Bairnsdale Vic 3875

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20 December 2021

ANZ Banking Group Ltd Level 9, 833 Collins street Docklands VIC 3008

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20 December 2021

Adrian James & Julie Ann Maher 3 Reaker Avenue Dubbo NSW 2830

### Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Desmond R Egan 17 Oceanside Drive Caves Beach NSW 2281

# Voyager Resort Ltd -v- Skelton & Ors

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Ian R. & Bronwyn A. Fisher 23 Cornelian Crescent Bucklands Beach 2012 Auckland New Zealand

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20 December 2021

Jack Breekveldt 113B Tiverton Road Blockhouse Bay Auckland 0600 New Zealand

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Our reference 25203 •

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20 December 2021

John Feldon 17 Marybeth Place Rosehill Papakura 2113 New Zealand

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20 December 2021

D. E & G.M Brazier 100 Taylor Terrace Wellington Tawa 5028 New Zealand

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20 December 2021

Arthur C. Auton Villa 22/53 Condell Avenue Village Papanui Christchurch 8053 New Zealand

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Our reference 25203 •

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20 December 2021

Timothy Joseph & Judith Helen Hogan P.O. BOX 5059 Rotorua West NZ

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20 December 2021

Colin Edwin 14 Princess Street Waitara 4320 New Zealand

## Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

James & Margaret Douglas 7 Solent Court Daisy Hill QLD 4305

## Voyager Resort Ltd -v- Skelton & Ors

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Bryan J. Davies P.O. BOX 243 North Sydney NSW 2059

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20 December 2021

William & Bernadette Cuthers 7 Rimm Street Waikeria Te Awa New Zealand

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20 December 2021

Joy Smith The State Trustees 168 Exhibition Street Melbourne Vic 3000

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20 December 2021

Agnes Lilian May Cridland 1/14 Bromelton Street Beaudesert QLD 4285

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Yours faithfully

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20 December 2021

Maureen Foldi 24 Jenner Avenue Cowes Vic 3922

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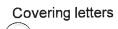
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20 December 2021

Mark P. & Jennifer L. Coombes Mograni Creek Road Gloucester NSW 2422

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John L. Cole 67 Kennington Avenue Quakers Hills NSW 2763

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Sandra Gai East P.O. Box 5209 Hallidays Point NSW 2430

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Chasetop NZ Private Bag 92061Victoria Street West Auckland 1142 New Zealand

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Michele A. Eyes 519/736 Beams Road Carseldine Qld 4034

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20 December 2021

Carmel & Agnus Fenech 4 Firmin Road Churchill Vic 3842

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20 December 2021

Allen T. & Toni Flounders 10 Penrhyn Street Hartlepool Cleveland TS26-9AF United Kingdom

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20 December 2021

Norman J. & Catherine M. Campbell P.O Box 126 Rutherford NSW 2320

### Voyager Resort Ltd -v- Skelton & Ors

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Yours faithfully

Contact Ben San Direct phone 07 3007 Email bsandfo

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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20 December 2021

Dennis Freeman 18 Grosvenor Place London SWX United Kingdom England

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20 December 2021

Frank & Annette Cammaroto 11 Fitzgerald Court Taylors Lake VIC 3038

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bsandford@mahoneys.com.au

Partner Direct phone Email

Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Geoffrey John & Shirley Pamela Funnell 28 Court Street West Wyalong NSW 2671

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20 December 2021

Major J.M. Aidan/ Callinan-Cardinal 61/25 Love Street Bulimba QLD 4171

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20 December 2021

George Quaid Holdings Pty Ltd (formerly Atir Pty Ltd) c/- Nexia Brisbane Pty Ltd Level 28, 10 Eagle Street Brisbane Qld 4000

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Dean W. & Christine F. Burns & Babolka 47 Lovelock Road Parafield Gardens SA 5107

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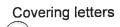
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David & J. Gryngras 5 Tennis Grove Caulfield Vic 3162

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Robert D. & Julie Boyd 41 George Street Wynyard TAS 7325

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Roger Vincent & Denise Ann Hogan 9 Kaleo Court Mt Gambier SA 5290

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R Hohaia & J Eynon 3/34 Trafalgar Street Annadale NSW 2038

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Hiroshi Hotta P.O. BOX 766 Surfers Paradise Qld 4217

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20 December 2021

XYZ Timeshare Corporation Pty Ltd 5 Dorsal Drive Birkdale Qld 4159

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20 December 2021

Dianne Elizabeth Wright PO Box 263 Blackbutt Qld 4306

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20 December 2021

Melissa Therese Windsor 63 Nyleta Street Coopers Plains Qld 4108

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au



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20 December 2021

Robert & Hilda Williams 318 Koornang Road Carnegie Vic 3163

#### Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

James & Cheryl Ann Truman 4 Calder Court Crestmead Qld 4132

## Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Lola Joy Tibbles 8 Homestead Drive Keilor Downs Vic 3038

#### Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Tanigami Co Ltd Suite 4A, Level 1 3240-3280 Surfers Paradise Boulevard Surfers Paradise Qld 4217

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20 December 2021

Carolyn Susan Spencer 1/5 Ward Street Gosford NSW 2550

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20 December 2021

Henri Brian Smith P.O. Box 21 Latrobe Tas 7307

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20 December 2021

Linda Frances Segall c/- LF Kelly 46 Armstrong Way Nerang Qld 4211

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20 December 2021

Ian & Laurel Russell 62 Broughton Street Concord NSW 2137

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Our reference 25203 • 2394944\_1.DOCX

20 December 2021

David John & Denise Natalie Rixon 89 Rebecca Parade Winston Hills NSW 2153

# Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

William & Margaret Joyce Richards 8/43 Doubleview Drive Elanora Qld 4221

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20 December 2021

Colin Reid 43A Parr Parade Narraweena NSW 2099

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20 December 2021

John F. & Olive N. Bohner 3800 West Wilson Street California 92220 United States of America

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20 December 2021

Verne & Coral Powell P.O. Box 1252 Caloundra Qld 4551

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20 December 2021

Tibor & Eva Pinter 9/80 Rhodes Street Hillsdale NSW 2036

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20 December 2021

Lester Pasley 80 Chestnut Crescent Bidwill NSW 2770

# Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you are a member of the Company.

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If you have difficulty accessing any of the above links, please let us know so we can arrange for the documents to be provided to you.

Yours faithfully Manoney

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20 December 2021

Fay Palmer Ardmillan Retirement Village Apartment 309 11/45 Derby Street Moone Ponds Vic 3039

# Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Janice O'Brien 39 George Evans Road Killarney Vale NSW 2261

#### Voyager Resort Ltd -v- Skelton & Ors

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20 December 2021

Alpha & Gerald Myers 5 Antares Avenue Sale Vic 3850

# Voyager Resort Ltd -v- Skelton & Ors

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#### Voyager Resort Ltd -v- Skelton & Ors

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Petmar Investments Pty Ltd
 16 Martin Road
 Centennial Park NSW 2021

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We act for Voyager Resort Ltd (Company).

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#### Voyager Resort Ltd -v- Skelton & Ors

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Kwok Onn Tham Block 164, Bukit Merah Central #03-3641/3643 Singapore 315

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Juay K. & Bee L. Gan 100 Holland Grove View Singapore 276257

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Tanigami Co Ltd Suite 4A, Level 1 3240-3280 Surfers Paradise Boulevard Surfers Paradise Qld 4217

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Lester Pasley 80 Chestnut Crescent Bidwill NSW 2770

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William & Elizabeth Morrow P.O.Box 4089 Burwood East Vic 3151

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Desmond R Egan 17 Oceanside Drive Caves Beach NSW 2281

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Fay I. Ashe 14 Glendale Avenue Beverley Hills, NSW 2209

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Michael James & Ramza Melvin 362 Burwood Road Belmore NSW 2192

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Suren & Helen Akpinar 718 Warringah Road Forestville NSW 2087

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Desmond B./ Hugh Bailie 1/50 Oakland Street Mornington VIC 3931

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Elly Rapkay Elston Lodge 212/74 Wardoo Street Ashmore Qld 4214

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Colin McDonald 1 Ruby Street Forster NSW 2428

## Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Brian Patrick & Jan Elizabeth Kingston P.O. BOX 1122 Stanthorpe Qld 4380

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We act for Voyager Resort Ltd (Company).

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## Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Kevin, Ash & Jackie Steele 7 Ocean Court Shelley Beach Caloundra Qld 4551

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# Voyager Resort Ltd -v- Skelton & Ors

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James William Edwin 40 Carrington Street New Plymouth 4310 New Zealand

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## Voyager Resort Ltd -v- Skelton & Ors

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Peter Vernon & Lilian Margaret Young 6 Magnolia Road Gardenvale Vic 3185

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Roger Vincent & Denise Ann Hogan 9 Kaleo Court Mt Gambier SA 5290

### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Anne Margaret Foldi 660 South Road Mooorabbin Vic 3189

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Roger, J & Marion C. Cleeland 83 Currie Naracoopa King Island TAS 7256

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Carolyn J. Conlon 54 Kalimna Drive Baulkham Hills NSW 2153

## Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Envelope Scans

07051 003.270

GPO Box 3311, Brisbane QLD 4001



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Cressida Holdings Pty Ltd 6 Boswell Court Greenvale VIC 3059

### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Donald John McCann 373 Main Street Bairnsdale Vic 3875

### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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GPO Box 3311, Brisbane QLD 4001

8N20501371

David Wayne & Raelene Ann McCrae 5 Harfield Court Keysborough Vic 3173

## Voyager Resort Ltd -v- Skelton & Ors

Page 327 of 456



GPO Box 3311 Brisbane QLD 4001

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Maureen Foldi 24 Jenner Avenue Cowes Vic 3922

### Voyager Resort Ltd -v- Skelton & Ors

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GPO Box 3311, Brisbane QLD 4001



8N20501371

Patricia Ann Livermore 48 Hassans Walls Road Lithgow NSW 2790

## Voyager Resort Ltd -v- Skelton & Ors

Page 331 of 456

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GPO Box 3311, Brisbane QLD 4001

8N20501371

Eleanor F. Martin c/-Peter Kellaway GPO Box 5426 Sydney NSW 2001

Voyager Resort Ltd -v- Skelton & Ors



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GPO Box 3311, Brisbane QLD 4001



8N20501371

Trevor Noel Wenzel 2841-2887 Ipswich-boonah Road Milbong Qld 4310

### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

Page 333 of 456



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GPO Box 3311, Brisbane QLD 4001

8N20501371

James & Cheryl Ann Truman 4 Calder Court Crestmead Qld 4132

## Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

Page 335 of 456

0F05F 003.270

GPO Box 3311, Brisbane QLD 4001

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8N20501371

James & Margaret Douglas 7 Solent Court Daisy Hill QLD 4305

## Voyager Resort Ltd -v- Skelton & Ors

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Page 339 of 456

mahoneys 2012 00001622

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Agnes Lilian May Cridland 1/14 Bromelton Street Beaudesert QLD 4285

## Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

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Linda Leigh Gamlin c/- 3 Andrew Street Southport Qld 4215

# Voyager Resort Ltd -v- Skelton & Ors

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GPO Box 3311, Brisbane QLD 4001

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Margaret Gibson 101/25 The Corso North Lakes Qld 4509

Voyager Resort Ltd -v- Skelton & Ors

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We act for Voyager Resort Ltd (Company).



Air Mail



GPO Box 3311, Brisbane QLD 4001

mahoneys

8N20601371

Wayne Ross & Marie Patricia Hobbs 36 Wades Avenue St Martins Christchurch New Zealand 8022

Voyager Resort Ltd -v- Skelton & Ors

Page 347 of 456



2012 00001721

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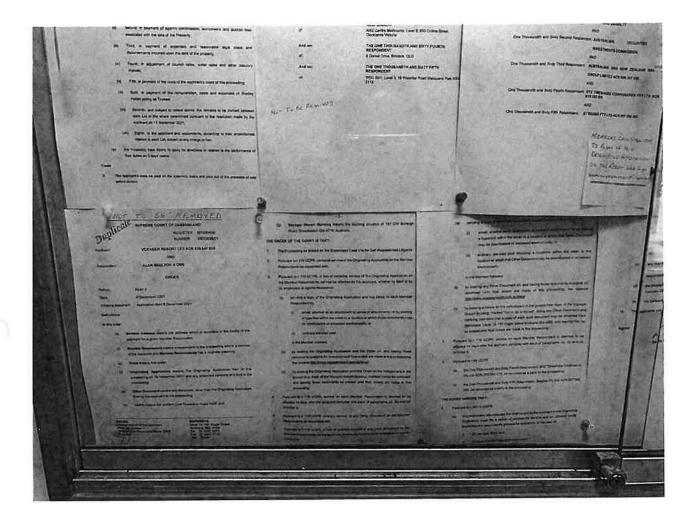
GPO Box 3311, Brisbane QLD 4001

Air Mail

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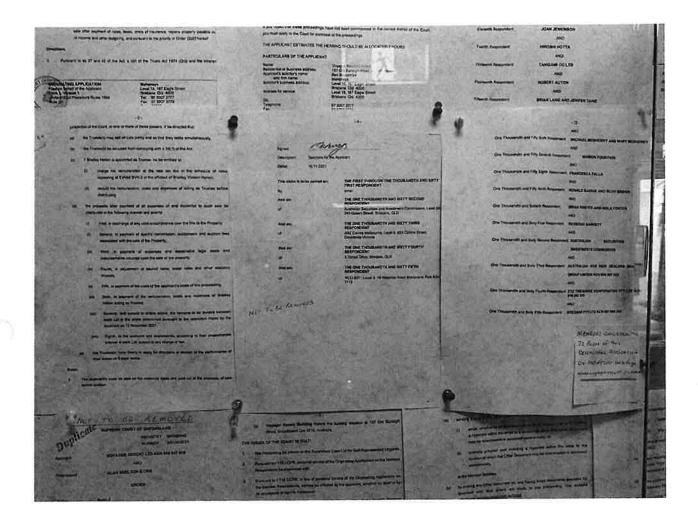
Colin Edwin 14 Princess Street Waitara 4320 New Zealand

Voyager Resort Ltd -v- Skelton & Ors



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# Documents at the Resort

News - Voyager Resort Broadbeach



BOOK ONLINE

PH: (07) 5538 7833





Important Information for owners/members of Voyager Resort Ltd regarding Supreme Court of Queensland Proceeding BS13638/21

Posted: 21st December 2021 | Posted in: Uncategorised

Read More

# BLEACH\* Festival - 12 to 22 August 2021

Posted: 3rd June 2021 | Posted in: <u>Art, Food, Free events, Gold Coast Events</u>, <u>Music</u>

Read More



# Gold Coast Marathon - 3 to 4 July 2021

Posted: 3rd June 2021 | Posted in: Gold Coast Events, Sport

Read More



# Voyager Resort remains open for business

Posted: 29th March 2020 | Posted in: Uncategorised

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News - Voyager Resort Broadbeach

# OLDER

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Important Information for owners/members of Voyager Resort Ltd regarding Supreme Court of Queensland Proceeding BS13638/21

BLEACH\* Festival - 12 to 22 August 2021

Gold Coast Marathon - 3 to 4 July 2021

Voyager Resort remains open for business

Groundwater Country Music Festival - 24 to 26 July 2020

# CATEGORIES

Art

Broadbeach Dining

**Broadbeach Events** 

Broadbeach News

Coolangatta

Food

Free events

**Gold Coast Events** 

Movies

Music

News

21/12/2021, 14:00

Important Information for owners/members of Voyager Resort Ltd regarding Supreme Court of Queensland Proceeding BS1...



BOOK ONLINE

PH: (07) 5538 7833



Important Information for owners/members of Voyager Resort Ltd regarding Supreme Court of Queensland Proceeding BS13638/21

On 13 November 2021 the Voyager Resort Ltd (**Company**) resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland (**Court**) for the appointment of a statutory trustee for that purpose.

On 16 November 2021 proceedings were commenced by filing an Originating Application in the Court.

On 9 December 2021, orders were made by the Court setting out the manner in which the Company could inform its members of the proceedings, and the timeframes for responding to them. In accordance with that order, any documents filed by the Company in the proceeding will be made available here.

You can check which documents have been filed in the proceeding by going to the Supreme Court of Queensland eFiles website, located <u>here</u>.

To date, the following documents (which can be downloaded by clicking on them) have been filed in the proceeding:

- Originating Application filed 16 November 2021.
- Affidavit of Angela Julian-Armitage filed 19 November 2021.
- Affidavit of Geoffrey Graeme Heaton filed 19 November 2021 (in five volumes).
- Affidavit of Bradley Vincent Hellen filed 24 November 2021.
- Interlocutory Application filed 8 December 2021.
- Affidavit of Benjamin Leigh Sandford filed 8 December 2021.
- Affidavit of Benjamin Leigh Sandford filed 9 December 2021.
- <u>Applicant's Outline of Submissions filed 9 December 2021</u>.
- Applicants List of Material filed 9 December 2021.
- Order of Justice Ryan dated 9 December 2021.

# Documents at the Resort

Page 361 of 456

Uncategorised

21/12/2021, 14:00

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Home Rates Owner Login Contact

# Pocuments at the Resort

### 21/12/2021, 14:04







Page 363 of 456

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Article Archive - Voyager Resort Broadbeach

Posted: 1st November 2021 | Posted in: Committee, Important Noti

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Pocuments at the Resort

Prvice on ASIC



Our reference 25203 • 2368027\_1.DOCX

21 December 2021

Australian Securities and Investment Commission Level 20, 240 Queen Street Brisbane Qld 4000

# Voyager Resort Ltd -v- Skelton & Ors

Please find **attached**, by way of service, the following:

- the Originating Application filed 16 November 2021;
- the affidavit of Angela Julian-Armitage filed 19 November 2021;
- the affidavit of Geoffrey Graeme Heaton filed 19 November 2021 (in 5 volumes);
- the affidavit of Bradley Vincent Hellen filed 24 November 2021;
- the interlocutory application filed 8 December 2021;
- the affidavit of Benjamin Leigh Sandford filed 8 December 2021;
- the affidavit of Benjamin Leigh Sandford filed 9 December 2021;
- the applicant's outline of submissions filed 9 December 2021;
- the applicant's list of material filed 9 December 2021; and
- the order of Justice Ryan dated 9 December 2021.

Voyager Resort is a timeshare scheme. Voyager Resorts Ltd has applied to the Court for the appointment of a statutory trustee for sale of the land comprising the scheme (**Proceeding**).

ASIC is a proper party to the Proceeding in that the interests of certain now-deregistered corporate members of Voyager Resorts Ltd have vested in ASIC pursuant to s 601AD(2) of the *Corporations Act* 2001. Each member holds a share in the Voyager Resorts Ltd which is stapled to a particular lot within the scheme, and has an individual title issued to it.

The deregistered members are:

	Company Name	ACN	Title Reference
1	AVCO FINANCIAL SERVICES PTY LTD	149 460 631	16862061

# Service on ASIC

From:Property LawSent:Wednesday, 22 December 2021 7:29:00 AMTo:Ben Sandford | MahoneysSubject:RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232][SEC=OFFICIAL:Sensitive]High

## Good morning

We will accept service by email. Please can you email the documents to this email address in PDF format? The link you sent cannot be opened due to ASIC IT Security protocols.

Once we receive the documents, a case officer will be assigned to provide you with a response.

Thank you.

Kind regards

Property Law Group

## Australian Securities and Investments Commission

GPO Box 9827 Brisbane QLD 4001 Property.Law@asic.gov.au



ASIC acknowledges the Traditional Owners of the lands and waters on which we live and work. We pay respect to Elders past and present as the custodians of the world's oldest continuing cultures.



From: Ben Sandford | Mahoneys <bsandford@mahoneys.com.au>
Sent: Tuesday, 21 December 2021 3:31 PM
To: Property Law <property.law@asic.gov.au>
Cc: Ben Seccombe | Mahoneys <bseccombe@mahoneys.com.au>
Subject: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232]

# EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Please find **attached** correspondence in respect of the above proceeding, and available at the below link, the documents referred to in it.

# Service on ASIC

From:Property LawSent:Wednesday, 22 December 2021 7:48:49 AMTo:Ben Sandford | MahoneysSubject:Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232][SEC=OFFICIAL:Sensitive]

### Dear Ben

Further to my earlier email, when you send through the documents please ensure title searches for each company share are included.

Many thanks.

Kind regards

Property Law Group

### Australian Securities and Investments Commission

GPO Box 9827 Brisbane QLD 4001 Property.Law@asic.gov.au



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This e-mail and any attachments are intended for the addressee(s) only and may be confidential. They may contain legally privileged, copyright material or personal and /or confidential information. You should not read, copy, use or disclose the content without authorisation. If you have received this email in error, please notify the sender as soon as possible, delete the email and destroy any copies. This notice should not be removed.

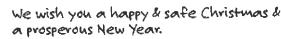
# Ben Sandford · Associate

# mahoneys

Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722



This office will be closed from 1.00pm on Friday, 24 December 2021 and will re-open 8.30am on Monday, 10 January 2022.



#### IMPORTANT MESSAGE

Because hacking events are occurring more frequently please do not act on any communication (from us or otherwise) that asks you to transfer or deposit money above \$10,000 without telephoning (on a known or separately verified number) the apparent sender of that communication to confirm the authenticity. You may wish to also consider checking for amounts less than this on a case by case basis.

Confidential communication Liability limited by a scheme approved under Professional Standards Legislation

From: Ben Sandford | Mahoneys Sent: Wednesday, 22 December 2021 10:12 AM To: 'Property Law' <<u>property.law@asic.gov.au</u>> Subject: RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232]

Please find attached to this and the following emails, the documents filed in proceeding BS13638/21.

This is the third email.

Regards

Ben Sandford · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722



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We wish you a happy & safe Christmas & a prosperous New Year.

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From: Ben Sandford | Mahoneys Sent: Wednesday, 22 December 2021 10:10 AM To: 'Property Law' <<u>property.law@asic.gov.au</u>>

# Service on ASIC

Confidential communication Liability limited by a scheme approved under Professional Standards Legislation

From: Property Law [mailto:property.law@asic.gov.au] Sent: Wednesday, 22 December 2021 7:29 AM To: Ben Sandford | Mahoneys <<u>bsandford@mahoneys.com.au</u>> Subject: RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232] [SEC=OFFICIAL:Sensitive] Importance: High

Good morning

We will accept service by email. Please can you email the documents to this email address in PDF format? The link you sent cannot be opened due to ASIC IT Security protocols.

Once we receive the documents, a case officer will be assigned to provide you with a response.

Thank you.

Kind regards

Property Law Group

## Australian Securities and Investments Commission

GPO Box 9827 Brisbane QLD 4001 Property.Law@asic.gov.au



ASIC acknowledges the Traditional Owners of the lands and waters on which we live and work. We pay respect to Elders past and present as the custodians of the world's oldest continuing cultures.



From: Ben Sandford | Mahoneys <<u>bsandford@mahoneys.com.au</u>>
Sent: Tuesday, 21 December 2021 3:31 PM
To: Property Law <<u>property.law@asic.gov.au</u>>
Cc: Ben Seccombe | Mahoneys <<u>bseccombe@mahoneys.com.au</u>>
Subject: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232]

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Please find **attached** correspondence in respect of the above proceeding, and available at the below link, the documents referred to in it.

From:Property LawSent:Wednesday, 22 December 2021 10:54:38 AMTo:Ben Sandford | MahoneysSubject:RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FlD119232][SEC=OFFICIAL:Sensitive]

### Dear Ben

Thank you for sending these through, however given the size of the affidavit please can you provide page numbers for the title searches registered to the 12 deregistered companies?

Kind regards

Property Law Group

## Australian Securities and Investments Commission

GPO Box 9827 Brisbane QLD 4001 Property.Law@asic.gov.au



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From: Ben Sandford | Mahoneys <bsandford@mahoneys.com.au> Sent: Wednesday, 22 December 2021 10:10 AM To: Property Law <property.law@asic.gov.au> Subject: FW: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232]

Please find attached to this and the following emails, the documents filed in proceeding BS13638/21.

This is the second email.

Regards

Ben Sandford · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722 Service on ASIC

Thank you.

Kind regards

Property Law Group

## Australian Securities and Investments Commission

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From: Ben Sandford | Mahoneys <<u>bsandford@mahoneys.com.au</u>>
Sent: Tuesday, 21 December 2021 3:31 PM
To: Property Law <<u>property.law@asic.gov.au</u>>
Cc: Ben Seccombe | Mahoneys <<u>bseccombe@mahoneys.com.au</u>>
Subject: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232]

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https://www.imanageshare-au.com/pd/2560NCzNPHc

An attempt was made on 21 December 2021 to serve the documents at the office of ASIC in Brisbane at Level 20, 240 Queen Street, Brisbane Qld 4000, but the office was apparently closed.

Please confirm in due course that ASIC accepts service of the documents by email, or otherwise confirm when and where the documents may be served in person.

Regards

Ben Sandford · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 From:Property LawSent:Wednesday, 22 December 2021 10:56:05 AMTo:Ben Sandford | MahoneysSubject:RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232][SEC=OFFICIAL:Sensitive]

Thank you - please disregard my last email.

Kind regards

Property Law Group

## Australian Securities and Investments Commission

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ASIC acknowledges the Traditional Owners of the lands and waters on which we live and work. We pay respect to Elders past and present as the custodians of the world's oldest continuing cultures.

GENERALS P	
	10

From: Ben Sandford | Mahoneys <bsandford@mahoneys.com.au>
Sent: Wednesday, 22 December 2021 10:45 AM
To: Property Law <property.law@asic.gov.au>
Subject: RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232]

Please find attached to this email title searches in respect of the interests which have vested in ASIC.

Regards

Ben Sandford · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722



This office will be closed from 1.00pm on Friday, 24 December 2021 and will re-open 8.30am on Monday, 10 January 2022.

We wish you a happy & safe Christmas & a prosperous New Year.

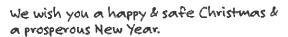
# Service on ASIC

# Smahoneys

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#### IMPORTANT MESSAGE

Because hacking events are occurring more frequently please do not act on any communication (from us or otherwise) that asks you to transfer or deposit money above \$10,000 without telephoning (on a known or separately verified number) the apparent sender of that communication to confirm the authenticity. You may wish to also consider checking for amounts less than this on a case by case basis.

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From: Ben Sandford | Mahoneys Sent: Wednesday, 22 December 2021 10:10 AM To: 'Property Law' <<u>property.law@asic.gov.au</u>> Subject: FW: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232]

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This is the second email.

Regards

Ben Sandford · Associate



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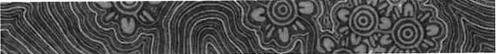
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From: Ben Sandford | Mahoneys Sent: Wednesday, 22 December 2021 10:08 AM To: 'Property Law' <<u>property.law@asic.gov.au</u>> Subject: RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232] ASIC acknowledges the Traditional Owners of the lands and waters on which we live and work. We pay respect to Elders past and present as the custodians of the world's oldest continuing cultures.



From: Ben Sandford | Mahoneys <<u>bsandford@mahoneys.com.au</u>> Sent: Tuesday, 21 December 2021 3:31 PM To: Property Law <<u>property.law@asic.gov.au</u>> Cc: Ben Seccombe | Mahoneys <<u>bseccombe@mahoneys.com.au</u>> Subject: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232]

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# https://www.imanageshare-au.com/pd/2560NCzNPHc

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Regards

Ben Sandford · Associate

# mahoneys

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Confidential communication Liability limited by a scheme approved under Professional Standards Legislation Service on ASIC

From:Hanh NgoSent:Tuesday, 25 January 2022 5:16:31 PMTo:Ben Sandford | MahoneysCc:Ben Seccombe | MahoneysSubject:RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FID119232][SEC=OFFICIAL:Sensitive]20220125 - ASIC Ltr to Mahoneys .pdf

Dear Ben,

Thank you for your email this afternoon.

Please see attached letter on behalf of ASIC.

Kind regards

Hanh Ngo

Lawyer, Property Law Group

#### Australian Securities and Investments Commission

GPO Box 9827 Brisbane QLD 4001

Hanh.Ngo@asic.gov.au | Property.Law@asic.gov.au



From: Ben Sandford | Mahoneys <bsandford@mahoneys.com.au> Sent: Tuesday, 25 January 2022 12:10 PM To: Hanh Ngo <Hanh.Ngo@asic.gov.au> Cc: Ben Seccombe | Mahoneys <bseccombe@mahoneys.com.au> Subject: RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232]

Dear Hanh,

In respect of your below email:

- a. The proper respondent is apparently Petmar Investments Pty Ltd 000 308 412 (the still-registered company), per a transfer document lodged in 1991 (a copy of which is **attached**). We have taken steps to serve the company personally;
- b. Our client's records indicate that the proper Castlebrook Pty Ltd is the one with ACN 005 542 423 (i.e., the one indicated by us originally). We **attach** correspondence received by Voyager Resort on 17 January 1997 from David J Maddocks for Castlebrook. An historical company search indicates that David James Maddocks was director of Castlebrook Pty Ltd from 1985-1889.

Regards

I look forward to hearing from you and thank you in anticipation.

Kind regards

Hanh Ngo

Lawyer, Property Law Group

Australian Securities and Investments Commission

GPO Box 9827 Brisbane QLD 4001

Hanh.Ngo@asic.gov.au | Property.Law@asic.gov.au



From: Ben Sandford | Mahoneys <<u>bsandford@mahoneys.com.au</u>> Sent: Tuesday, 11 January 2022 11:31 AM To: Hanh Ngo <<u>Hanh.Ngo@asic.gov.au</u>> Cc: Ben Seccombe | Mahoneys <<u>bseccombe@mahoneys.com.au</u>> Subject: RE: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [SEC=OFFICIAL:Sensitive] [MAH-Matters.FID119232]

Dear Hanh,

Thank you for your email.

In respect of the companies you've identified below, we have made further enquiries and it appears that:

- 1. AVCO Financial Services Ltd is a company name that has been held by a number of different entities one which remains registered is Latitude Personal Finance Pty Ltd, which went by the relevant name from 1971 to 2002. We are making enquiries with them to ascertain whether they assert to hold the relevant timeshare interest;
- 2. The other two companies appear to be companies previously registered in New Zealand which are now deregistered.

As a consequence of the above, it does not appear that ASIC has any present interest in the property of the companies mentioned in your below email.

Regards

Ben Sandford · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722

#### IMPORTANT MESSAGE

Because hacking events are occurring more frequently please do not act on any communication (from us or otherwise) that asks you to transfer or deposit money above \$10,000 without telephoning (on a known or separately verified number) the apparent sender of that communication to confirm

Page 391 of 456

# Service on ASIC



From: Ben Sandford | Mahoneys <<u>bsandford@mahoneys.com.au</u>>
Sent: Tuesday, 21 December 2021 3:31 PM
To: Property Law <<u>property.law@asic.gov.au</u>>
Cc: Ben Seccombe | Mahoneys <<u>bseccombe@mahoneys.com.au</u>>
Subject: Voyager Resort Ltd -v- Skelton & Ors BS13638/21 [MAH-Matters.FiD119232]

# EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Please find **attached** correspondence in respect of the above proceeding, and available at the below link, the documents referred to in it.

### https://www.imanageshare-au.com/pd/2560NCzNPHc

An attempt was made on 21 December 2021 to serve the documents at the office of ASIC in Brisbane at Level 20, 240 Queen Street, Brisbane Qld 4000, but the office was apparently closed.

Please confirm in due course that ASIC accepts service of the documents by email, or otherwise confirm when and where the documents may be served in person.

Regards **Ben Sandford** · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722



This office will be closed from 1.00pm on Friday, 24 December 2021 and will re-open 8.30am on Monday, 10 January 2022.

We wish you a happy & safe Christmas & a prosperous New Year.

#### IMPORTANT MESSAGE

Because hacking events are occurring more frequently please do not act on any communication (from us or otherwise) that asks you to transfer or deposit money above \$10,000 without telephoning (on a known or separately verified number) the apparent sender of that communication to confirm the authenticity. You may wish to also consider checking for amounts less than this on a case by case basis.

#### Confidential communication

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Please consider the environment before printing this document.





Australian Securities and Investments Commission

Level 20, 240 Queen Street, Brisbane QLD 4000 GPO Box 9827, Brisbane QLD 4001 DX 322 Brisbane

Tel: +61 1300 935 075 Fax: +61 1300 729 000 www.asic.gov.au

Our Reference: 19738/21 Your Reference: 25203.2368027\_1

25 January 2021

Mahoneys Attn: Mr Ben Sandford / Mr Ben Seccombe Level 18, 167 Eagle Street BRISBANE QLD 4000

By Email Only: <u>bsandford@mahoneys.com.au</u>; <u>bseccombe@mahoneys.com.au</u>

Dear Mr Sandford

T.R. MCDONALD & SONS PTY. LTD. ACN 005 199 600 (Deregistered) PARAMOUNT COMPUTER SERVICES PTY. LTD. ACN 051 781 385 (Deregistered) BAXTER & BAXTER PTY. LTD. (FORMERLY P.J. ABBOTT INVESTMENTS PTY. LTD.) ACN 007 985 220 (Deregistered) GALWARY PTY LTD ACN 000 485 745 (Deregistered) DESIIN PTY LIMITED ACN 073 398 615 (Deregistered) CHASETOP PTY. LTD. ACN 010 880 181 (Deregistered) CASTLEBROOK PTY. LTD. ACN 005 542 423 (Deregistered) CARDINAL E.D.P.C. COMPANY PTY. LTD. ACN 005 732 865 (Deregistered) (collectively, the companies)

# Voyager Resort Ltd ACN 010 547 618 v Skelton & Ors | Supreme Court of Queensland Proceeding Number BS13638/21 (the proceeding)

I refer to your letter dated 21 December 2021 regarding the proceeding and on behalf of the companies acknowledge service on ASIC of the documents listed therein including the Originating Application and supporting affidavit materials filed by Voyager Resort Ltd ACN 010 547 618 (**Voyager**).

Further, I refer to your emails dated 11 January 2022 and 25 January 2022 in relation to the following entities:

- (a) the One Hundred and Fourth Respondent, Avco Financial Services Pty Ltd ACN 149 460 631 (deregistered) (**Avco**);
- (b) the Two Hundred and Ninety Seventh Respondent, One Hundred and Fourth Respondent, Commercial Pacific Australia Pty Ltd (formerly Video's Unlimited Pty Ltd) ACN 094 323 145 (deregistered) (Commercial Pacific);
- (c) the Nine Hundred and Eighth Respondent, Best West Pty Ltd ACN 621 192 443 (deregistered) (**Best West**); and

scheme have vested in ASIC pursuant to s601AD(2) of the Corporations Act 2001 (the Act);

3. Each of the companies hold a share in the scheme which is stapled to a particular lot within the scheme and has its own individual title individual issued to it, as verified by the title searches provided.

## **ASIC's position**

ASIC has no direct knowledge of the specific circumstances or background of the matter. ASIC does not intend taking any steps on behalf the companies to assert, exercise, enforce or waive any rights the companies may have in relation to the proceeding and/or their interest in the Property as defined in the Originating Application (**the Property**). If any of the companies wish to do so, then their former officeholders at the date of deregistration must firstly reinstate their respective company.

By way of procedural fairness, ASIC requires that your client also serve - by way of notification rather than legal requirement - a copy of the Originating Application and supporting materials on the former officeholders of each company at the date of deregistration, and any other affected party identified by the applicant (such as any occupiers), to allow them an opportunity to respond and reinstate the company should they choose to do so.

On the strict understanding that no orders are sought against, or directly affecting ASIC <u>and</u> that all procedural fairness steps have been carried out by the applicant (as indicated in the preceding paragraph), I confirm that ASIC does not oppose the orders sought to appoint the statutory trustee(s) to sell the Property. Further, ASIC does not wish to be heard in the proceeding going forward.

You may tender a copy of this letter to the Court, so that it is aware of ASIC's position.

Finally, should the applicant obtain the orders sought and the statutory trustee(s) sell the Property and there be any surplus monies owing to the companies after the sale – subject to any directions of the Court – those monies must be paid into ASIC's Unclaimed Monies Unit in accordance with Part 9.7 of the Act. Further information regarding this process can be found on ASIC's website searching "lodging unclaimed monies with ASIC".

Yours sincerely

Hanh Ngo Lawyer Property Law Group Tel: 07 3032 3703 Email: <u>hanh.ngo@asic.gov.au</u> / <u>property.law@asic.gov.au</u> (for all new enquiries)



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27 January 2022

Brian James & Dawn Iris Foster 10 Swallow Drive Erskine Park NSW 2759

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you were the director of Paramount Computer Services Pty Ltd (PCS) at the time that it was deregistered.

PCS held an interest in the Company at the time that PCS was deregistered. As a consequence, that interest has vested in ASIC. ASIC is aware of the matters in this letter, and has requested that we make you aware as the former director.

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland for the appointment of a statutory trustee for that purpose.

#### Please find attached:

- the originating application filed in the Supreme Court of Queensland on 16 November 2021; and
- a copy of an order of the Supreme Court made on 9 December 2021, which contains important information about steps you
  must take if you wish to be involved in the proceeding.

Throughout the course of the proceeding, documents will appear on the eFiles section of the Queensland Courts website. The electronic court file can be accessed at the following link: http://apps.courts.old.gov.au/esearching/FileDetails.aspx?Location=BRISB&Court=SUPRE&Filenumber=13638/21

Additionally, documents filed by the Company will be available at the reception of the Voyager Resort building and will be uploaded to the Voyager Resort website at <a href="http://www.voyagerresort.com.au/blog">http://www.voyagerresort.com.au/blog</a>

At present, the following affidavits have been filed:

- the affidavit of Angela Julian-Armitage filed 19 November 2021;
- the affidavit of Geoffrey Graeme Heaton filed 19 November 2021 (in 5 volumes);
- the affidavit of Bradley Vincent Hellen filed 24 November 2021;
- the affidavit of Benjamin Leigh Sandford filed 8 December 2021;
- the affidavit of Benjamin Leigh Sandford filed 9 December 2021.

If you have difficulty accessing any of the above links, please let us know so we can arrange for the documents to be provided to you.

Yours faithful Ma

Contact Direct phone Email

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au

Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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27 January 2022

Robert William Kirby 6 East Street Dubbo NSW 2830

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you were the director of Galwary Pty Ltd ACN 000 485 745 (Galwary) at the time that it was deregistered.

Galwary held an interest in the Company at the time that Galwary was deregistered. As a consequence, that interest has vested in ASIC. ASIC is aware of the matters in this letter, and has requested that we make you aware as the former director.

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland for the appointment of a statutory trustee for that purpose.

#### Please find attached:

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- the affidavit of Benjamin Leigh Sandford filed 8 December 2021;
- the affidavit of Benjamin Leigh Sandford filed 9 December 2021.

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Yours faithful Mahoney

Contact Direct phone Email

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au

Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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27 January 2022

John Kevin Kirby 'Galwary' Eugowra NSW 2806

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you were the director of Galwary Pty Ltd ACN 000 485 745 (Galwary) at the time that it was deregistered.

Galwary held an interest in the Company at the time that Galwary was deregistered. As a consequence, that interest has vested in ASIC. ASIC is aware of the matters in this letter, and has requested that we make you aware as the former director.

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland for the appointment of a statutory trustee for that purpose.

#### Please find attached:

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Additionally, documents filed by the Company will be available at the reception of the Voyager Resort building and will be uploaded to the Voyager Resort website at <a href="http://www.voyagerresort.com.au/blog">http://www.voyagerresort.com.au/blog</a>

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Yours taunful Mai ionevs

Contact Direct phone Email

Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au

Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Our reference 25203 • 2

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27 January 2022

James Gilbert & Cora Willemina Jacoba Taylor 175 Springwood Road Springwood Qld 4217

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you were the director of Chasetop Pty Ltd ACN 010 880 181 (**Chasetop**) at the time that it was deregistered.

Chasetop held an interest in the Company at the time that Chasetop was deregistered. As a consequence, that interest has vested in ASIC, ASIC is aware of the matters in this letter, and has requested that we make you aware as the former director.

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland for the appointment of a statutory trustee for that purpose.

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Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

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Our reference 25203 • 243

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27 January 2022

Phyllis Mignon Maddocks 32 Kensington Road South Yarra Vic 3141

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you were the director of Chasetop Pty Ltd ACN 010 880 181 (Chasetop) at the time that it was deregistered.

Chasetop held an interest in the Company at the time that Chasetop was deregistered. As a consequence, that interest has vested in ASIC. ASIC is aware of the matters in this letter, and has requested that we make you aware as the former director.

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland for the appointment of a statutory trustee for that purpose.

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Contact Direct phone Email Ben Sanoforo 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au



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27 January 2022

Mark David Callinan 212 Doveton Crescent Soldiers Hill Vic 3350

#### Voyager Resort Ltd -v- Skelton & Ors

We act for Voyager Resort Ltd (Company).

You are receiving this letter because you were the director of Cardinal E.D.P.C. Pty Ltd ACN 005 732 865 (Cardinal) at the time that it was deregistered.

Cardinal held an interest in the Company at the time that Cardinal was deregistered. As a consequence, that interest has vested in ASIC. ASIC is aware of the matters in this letter, and has requested that we make you aware as the former director.

On 13 November 2021 the Company resolved in general meeting to sell the resort, and to apply to the Supreme Court of Queensland for the appointment of a statutory trustee for that purpose.

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Contact Direct phone Email Ben Sandford 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone Email Ben Seccombe 07 3007 3720 bseccombe@mahoneys.com.au

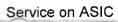
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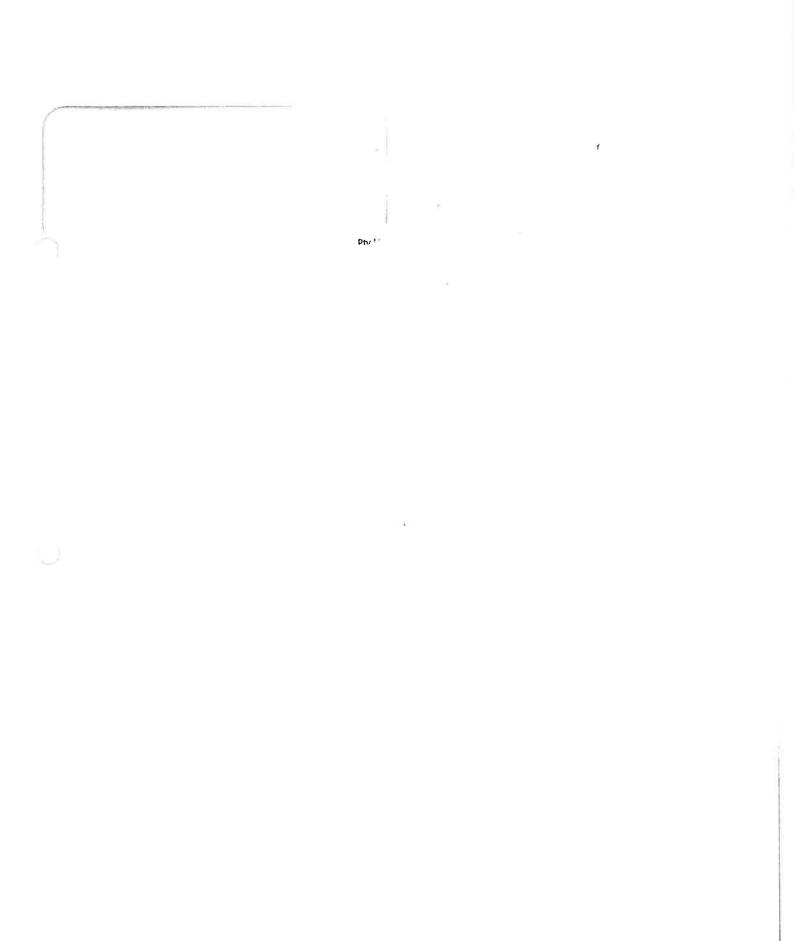


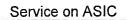
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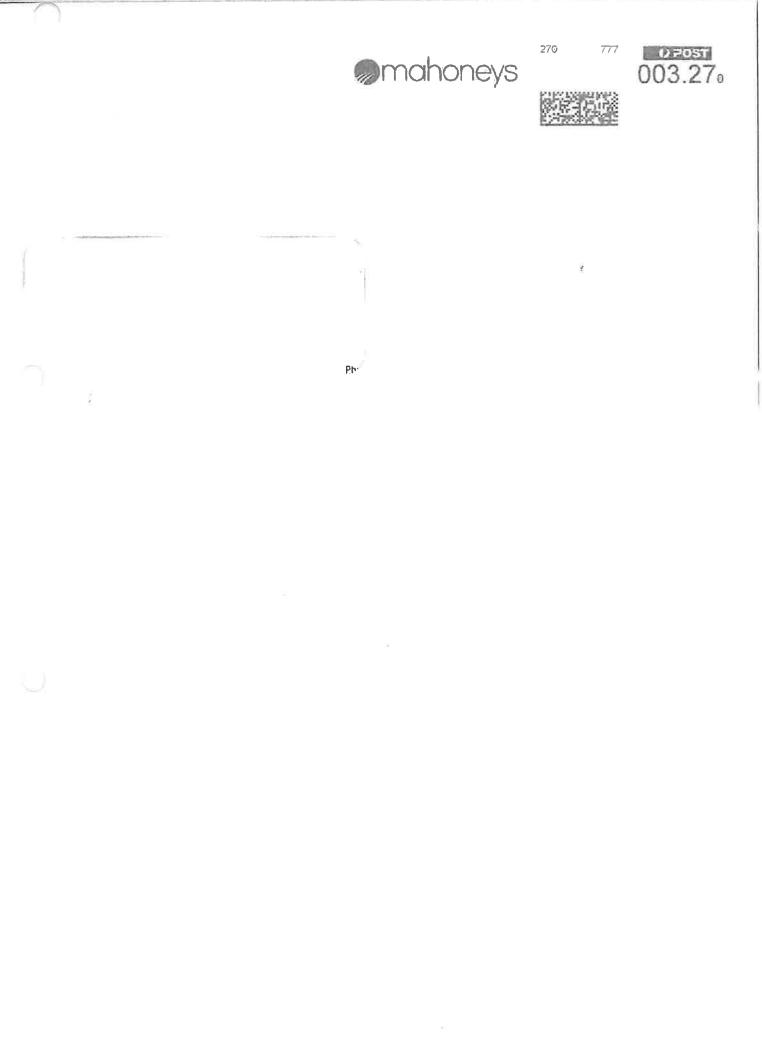
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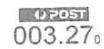
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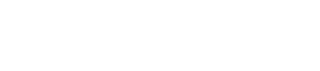








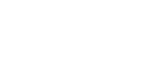
















Status	Address Type	Address	Start Date - End Date	Doc Number
Former	Principal Place of Business	4 COCHRANE COURT WANDONG VIC 3758	01/06/2010 - 27/11/2011	1E6573910
Former	Principal Place of Business	SUITE 2 LEVEL 1 1057 BURWOOD HIGHWAY FERNTREE GULLY VIC 3156	26/01/2000 - 31/05/2010	0E4292350
Former	Principal Place of Business	24 ORCHARD DRIVE CROYDON VIC 3136	03/12/1999 - 25/01/2000	0E3803437
Former	Principal Place of Business	21A THE MALL WANTIRNA VIC 3152	17/01/1997 - 02/12/1999	0E0913644 (AR 1996)
Former	Principal Place of Business	C/- G A HARRISON & CO 250 INKERMAN STREET ST KILDA VIC 3182	20/11/1991 - 12/12/1996	00519960B (AR 1991)
Former	Principal Place of Business	C/- G A HARRISON & CO 118 BARKLY STREET ST KILDA VIC 3182	19/03/1991 - 19/11/1991	0519960A (AR 1990)

#### **Organisation Officers**

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Former Director	TERRENCE REGINALD MC DONALD Date of Birth: 04/09/1943 Place of Birth: BRUNSWICK VIC	4 COCHRANE COURT WANDONG VIC 3758	09/06/1976 - 27/11/2011		1E6573910
Former Director	LYNETTE RAE MC DONALD Date of Birth: 11/09/1945 Place of Birth: BRUNSWICK VIC	24 ORCHARD DRIVE CROYDON VIC 3136	09/06/1976 - 07/03/2006		0E6272396(AR 2001)
Former Secretary	TERRENCE REGINALD MC DONALD Date of Birth: 04/09/1943 Place of Birth: BRUNSWICK VIC	4 COCHRANE COURT WANDONG VIC 3758	09/06/1976 - 27/11/2011		1E6573910

#### Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Former	ORD ORDINARY SHARES	2	\$2.00	\$0.00	0519960A (AR 1990)

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### Shareholders

Status	Class	No. Held	Beneficially Held	Fully Paid	Shareholder Details	Document Number
Former	ORD	1	Yes	Yes	LYNETTE RAE MC DONALD 4 COCHRANE COURT WANDONG VIC 3758	1E6573910
Former	ORD	1	Yes	Yes	TERRENCE REGINALD MC DONALD 4 COCHRANE COURT WANDONG VIC 3758	1E6573910

#### **Pre-ASIC** Documents

State	Received Date	Form Code	Status
VIC	03/03/1988	CCF055	
VIC	03/03/1988	CCF066	
VIC	27/10/1988	CCF066	
VIC	28/06/1989	CCF055	
VIC	20/03/1990	CCF066	

#### Annual Returns

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1986	18/12/1986		18/11/1986		18/11/1986	No

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
316	316 Annual Return 316E Corrections	4	20/11/1991	18/12/1991	20/11/1991	00519960B (AR 1991)
	316L Annual Return					
203	203A Notification of Change of Address	÷1	05/08/1991	08/08/1991		
316	316 Annual Return 316E Corrections 316L Annual Return	4	19/03/1991	25/03/1991	19/03/1991	0519960A (AR 1990)

#### Contact Address for ASIC use only

Status	Address	Start Date - End Date	Doc Number
Former	PO BOX 183 BEACONSFIELD VIC 3807	28/06/2003 - 27/11/2011	

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Former Director	DAWN IRIS FOSTER Date of Birth: 25/02/1956 Place of Birth: BRIDINGTON UNITED KINGDOM	10 SWALLOW DRIVE ERSKINE PARK NSW 2759	06/11/1990 - 07/10/1997		000232474
Former Director	BRIAN JAMES FOSTER Date of Birth: 14/12/1949 Place of Birth: LEEDS UNITED KINGDOM	10 SWALLOW DRIVE ERSKINE PARK NSW 2759	06/11/1990 - 07/10/1997		000232474
Former Director	CAROLINE GOSNELL Date of Birth: 08/10/1968 Place of Birth: CARLISLE UNITED KINGDOM	17 PEITA CRESCENT MONA VALE NSW 2103	02/11/1990 - 06/11/1990		000329813
Former Director	JUSTINE SCULLY Date of Birth: 20/08/1969 Place of Birth: SYDNEY NSW	UNIT 6 17 DALCASSIA STREET HURSTVILLE NSW 2220	02/11/1990 - 06/11/1990		000329813
Former Secretary	BRIAN JAMES FOSTER Date of Birth: 14/12/1949 Place of Birth: LEEDS UNITED KINGDOM	10 SWALLOW DRIVE ERSKINE PARK NSW 2759	06/11/1990 - 07/10/1997		000232474
Former Secretary	JUSTINE SCULLY Date of Birth: 20/08/1969 Place of Birth: SYDNEY NSW	UNIT 6 17 DALCASSIA STREET HURSTVILLE NSW 2220	02/11/1990 - 06/11/1990		000329813
Former Appointed Liquidator (Court Winding Up)	WILLIAM EDWARD ANDREW Place of Birth:	LEVEL 2 32 MARTIN PLACE SYDNEY NSW 2000	24/03/1994 - 07/10/1997	Supreme Court, NSW ApplicationNumber:1028, Year:1994	012304134

#### Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Former	A A CLASS SHARES	2	\$2.00	\$0.00	002744277 (AR 1991)

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### Shareholders

Status	Class	No. Held	Benefici Held	ially Fully Paid	Shareholder Details	Document Number
Former	А	1	Yes	Yes	BRIAN JAMES FOSTER 59 PARKLANDS AVENUE LEONAY NSW 2750	002744277 (AR 1991)
Former	A	1	Yes	Yes	DAWN IRIS FOSTER 59 PARKLANDS AVENUE LEONAY NSW 2750	002744277 (AR 1991)

#### **Annual Returns**

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1991	31/01/1992		31/12/1991		31/12/1991	No
1992	31/01/1993		31/12/1992		14/12/1992	No
1993	31/01/1994		31/12/1993			Yes

#### Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
524	524A Presentation of Liquidator's Account And Statement	7	02/10/1997	09/10/1997	30/09/1997	012972961
524	524B Presentation of Liquidator's (Final) Account And Statement	5	23/05/1997	29/05/1997	14/05/1997	012944571
578	578 Deregistration Request (Liquidator Not Acting or Affairs Fully Wound Up)	1	23/05/1997	29/05/1997	23/05/1997	012944570
524	524A Presentation of Liquidator's Account And Statement	5	07/04/1997	10/04/1997	31/03/1997	012745183

# Historical Company Extract for BAXTER & BAXTER PTY. LTD.

Extracted from ASIC database on 06 December 2021 05:25 PM AEST

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

#### **Current Organisation Details**

A.C.N:007985220A.B.N:190079852Status:Deregistered:Date Deregistered:11/12/2005Reason Deregistered:Section 607Registred In:SAReview Date:16/04/1982Review Date:16/04/2006Name Start Date:28/03/1988Type:Australian F	220 ed 5 1AA 2 3 Proprietary Company Company Number 5 Shares Company
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#### Former Organisation Details

Start Date - End Date	Name	Status	Name Start Date	Туре	Class	Subclass	Disclosing Entity	Doc Number
28/09/2005 - 10/12/2005	BAXTER & BAXTER PTY. LTD.	Strike-Off Action In Progress	28/03/1988	Australian Proprietary Company	Limited By Shares	Proprietary Company	No	022236889
28/03/1988 - 27/09/2005	BAXTER & BAXTER PTY. LTD.	Registered	28/03/1988	Australian Proprietary Company	Limited By Shares	Proprietary Company	Νο	
16/04/1982 - 27/03/1988	P.J. ABBOTT INVESTMENTS PTY. LTD.	Registered S	16/04/1982	Australian Proprietary Company	Limited By Shares	Exempt Proprietary Company	No	

#### **Organisation Address**

Status	Address Type	Address	Start Date - End Date	Doc Number
Former	Registered Office	C/- MCNAMARA & BASHAM 121 GREENHILL ROAD UNLEY SA 5061	15/02/1999 - 11/12/2005	0E6079272 (AR 2001)
Former	Registered Office	MCNAMARA & BASHAM 121 GREENHILL ROAD UNLEY SA 5061	15/02/1999 - 16/08/2001	0E4868830 (AR 2000)
Former	Registered Office	C/- LEIGH MCNAMARA & ASSOCIATES 121 GREENHILL ROAD UNLEY SA 5061	15/02/1999 - 24/09/2000	0E2977648
Former	Registered Office	LEIGH MCNAMARA & ASSOCIATES LEVEL 1 214 GREENHILL ROAD EASTWOOD SA 5063	21/10/1998 - 14/02/1999	00798522I (AR 1998)
Former	Registered Office	LJ MCNAMARA 179 GOODWOOD ROAD MILLSWOOD SA 5034	08/04/1996 - 20/10/1998	011022279
Former	Registered Office	LEVEL 1 20 GREENHILL ROAD WAYVILLE SA 5034	07/02/1994 - 07/04/1996	005155868
Former	Registered Office	119 COMMERCIAL ROAD PORT ADELAIDE SA 5015	09/02/1993 - 06/02/1994	003795981

## Service on ASIC

Status	Class	No. Held	Beneficially Held	y Fully Paid	Shareholder Details	Document Number
Former	ORD	1	Yes	Yes	MARK WAYNE BAXTER 9 VARCOE STREET HENLEY BEACH SA 5022	00798522C (AR 1992)
Former	ORD	1	Yes	Yes	HEATHER DAWN BAXTER 9 VARCOE STREET HENLEY BEACH SA 5022	00798522C (AR 1992)

#### **Charges & Related Documents**

Charges

ASIC Charge #	Pre-ASIC Charge #	Status	Туре	Chargee Name	Created Date - Expiry Date	Registered
169198	10717/1	Satisfied		WESTPAC BANKING CORPORATION Number: 007457141	07/06/1982 -	25/06/1982

#### **Related Documents**

ASIC Charge #	Form Code	Description	# of Pages	Date Processed	Under Requisition	Doc Number
169198	C4	C4 RELEASE / SATISFACTION OF CHARGE	1		No	000129515

#### **Pre-ASIC Documents**

State	Received Date	Form Code	Status
SA	05/10/1989	CCF066	
SA	03/09/1990	CCF066	

#### Annual Returns

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1988	31/01/1989		31/12/1988		21/12/1988	No
1989	31/01/1990		31/12/1989			No
1990	31/01/1991		31/12/1990		22/08/1990	No
1991	31/01/1992		31/12/1991		30/08/1991	No
1992	31/01/1993		31/12/1992		06/10/1992	No
1993	31/01/1994		31/12/1993		23/09/1993	No
1994	31/01/1995		31/12/1994		22/08/1994	No
1995	31/01/1996		31/12/1995		20/10/1995	No
1996	31/01/1997					No
1997	31/01/1998					No
1998	31/01/1999					No
1999	31/01/2000					No
2000	31/01/2001					No
2001	31/01/2002					No
2002	31/01/2003					No

#### Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
C1	C1 NOTICE OF CHARGE	2				000129514
6010	6010 Application For Voluntary Deregistration of a Company	1	27/09/2005	28/09/2005	27/09/2005	022236889
902	902 Supplementary Document Alters 0E7 668 311	1	18/03/2003	19/03/2003	16/09/2002	0E8699139
902	902 Supplementary Document Alters 0E7 668 311	1	28/10/2002	28/10/2002	25/10/2002	0E7840500
316	316L Annual Return Annual Return - Proprietary Company Altered by 0E7 840 500 Altered by 0E8 699 139	3	19/09/2002	28/10/2002	16/09/2002	0E7668311 (AR 2002)
316	316L Annual Return Annual Return - Proprietary Company	3	17/08/2001	20/08/2001	17/08/2001	0E6079272 (AR 2001)
316	316L Annual Return Annual Return - Proprietary Company	3	25/09/2000	09/10/2000	25/09/2000	0E4868830 (AR 2000)

# Historical Company Extract for GALWARY PTY LTD

Extracted from ASIC database on 06 December 2021 05:25 PM AEST

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

#### **Current Organisation Details**

Name:	GALWARY PTY LTD
A.C.N:	000485745
A.B.N:	87000485745
Status:	Deregistered
Date Deregistered:	23/04/2010
Reason Deregistered:	Section 601AB
Registered In:	NSW
Registration Date:	31/12/1964
Review Date:	31/12/2010
Name Start Date:	
Туре:	Australian Proprietary Company
Organisation Number Type:	Australian Company Number
Details Start Date:	23/04/2010
Class:	Limited By Shares
Subclass:	Proprietary Company
Disclosing Entity:	No
Previous State Number:	08562436
Registered charity:	No
Document Number:	

#### Former Organisation Details

Start Date - Name End Date	Status	Name Start Date	Туре	Class	Subclass	Disclosing Entity	Doc Number
18/02/2010 - GALWARY 22/04/2010 PTY LTD	Strike-Off Action In Progress		Australian Proprietary Company	Limited By Shares	Proprietary Company	No	026387688
27/11/2002 - GALWARY 17/02/2010 PTY LTD	Externally Administered		Australian Proprietary Company	Limited By Shares	Proprietary Company	No	018756877
31/12/1964 - GALWARY 26/11/2002 PTY LTD	Registered		Australian Proprietary Company	Limited By Shares	Proprietary Company	No	000369107 (AR 1990)

#### **Organisation Address**

Status	Address Type	Address	Start Date - End Date	Doc Number
Former	Registered Office	151 LACHLAN STREET FORBES NSW 2871	- 23/04/2010	000369107 (AR 1990)
Former	Principal Place of Business	'GALWARY' EUGOWRA NSW 2806	11/11/1997 - 23/04/2010	0E1479532 (AR 1997)
Former	Principal Place of Business	151 LACHLAN STREET FORBES NSW 2871	18/10/1990 - 10/11/1997	000369107 (AR 1990)

#### **Organisation Officers**

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Former Director	ROBERT WILLIAM KIRBY Date of Birth: 08/09/1952 Place of Birth: EUGOWRA NSW	6 EAST STREET DUBBO NSW 2830	23/05/1979 - 23/04/2010		001521265(AR 1991)
Former Director	PETER LAWRENCE KIRBY Date of Birth: 20/12/1950 Place of Birth: EUGOWRA NSW	8 JOHNSON STREET HUNTERS HILL NSW 2110	23/05/1979 - 23/04/2010		00048574C(AR 1992)
Former Director	JOHN KEVIN KIRBY Date of Birth: 02/09/1918 Place of Birth: PARKES NSW	'GALWARY' GALWARY EUGOWRA NSW 2806	31/12/1964 - 23/04/2010		0E7972937(AR 2002)

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1999	31/01/2000					No
2000	31/01/2001					No
2001	31/01/2002					No
2002	31/01/2003					No

#### Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
578	578 Deregistration Request (Liquidator Not Acting or Affairs Fully Wound Up)	1	18/02/2010	18/02/2010	18/02/2010	026387688
524	524B Presentation of Liquidator's (Final) Account And Statement	6	15/12/2004	07/01/2005	13/12/2004	021002003
205	205L Notification of Resolution Winding Up The Company	3	04/12/2002	27/03/2003	27/11/2002	
505	505H Notification of Appointment of Liquidator By The Members	2	04/12/2002	11/12/2002	27/11/2002	018756877
520	520 Declaration of Solvency	3	03/12/2002	26/03/2003		
902	902 Supplementary Document Alters 0E7 972 937	1	28/11/2002	29/11/2002	28/11/2002	0E8014902
316	316L Annual Return Annual Return - Proprietary Company Altered by 0E8 014 902	3	21/11/2002			0E7972937 (AR 2002)
316	316L Annual Return Annual Return - Proprietary Company	3	04/01/2002	10/01/2002	04/12/2001	0E6711197 (AR 2001)
316	316L Annual Return Annual Return - Proprietary Company	3	13/10/2000	03/11/2000	25/09/2000	0E4935556 (AR 2000)
304	304A Notification of Change to Officeholders of Australian Company	1	01/06/2000	01/06/2000	31/05/2000	0E4511973
316	316L Annual Return Annual Return - Proprietary Company	3	18/11/1999	18/11/1999	14/11/1999	0E3715985 (AR 1999)
902	902 Supplementary Document Alters 0E2 439 795	1	13/11/1998	16/11/1998		0E2457313
316	316L Annual Return Annual Return - Proprietary Company Altered by 0E2 457 313	3	09/11/1998	16/11/1998	09/11/1998	0E2439795 (AR 1998)
902	902 Supplementary Document Alters 0E1 479 532	1	07/11/1997	11/11/1997	07/11/1997	0E1497119
304	304C Notification of Change of Name or Address of Officeholder	1	07/11/1997	11/11/1997		
316	316L Annual Return Annual Return - Proprietary Company Altered by 0E1 497 119	4	31/10/1997	11/11/1997	29/10/1997	0E1479532 (AR 1997)
316	316L Annual Return Annual Return - Proprietary Company	4	15/10/1996	29/10/1996	15/10/1996	00048574G (AR 1996)
316	316L Annual Return Annual Return - Proprietary Company	4	17/10/1995	13/12/1995	11/10/1995	00048574F (AR 1995)
316	316L Annual Return Annual Return - Proprietary Company	4	26/09/1994			00048574E (AR 1994)
316	316L Annual Return Annual Return	4				00048574D (AR 1993)
316	316 Annual Return 316P Change of Name or Address of Officeholder 316L Annual Return	4	08/12/1992	22/12/1992	27/11/1992	00048574C (AR 1992)
316	316 Annual Return 316E Corrections 316L Annual Return	4				001521265 (AR 1991)
316	316 Annual Return 316A Change of Address 316B Changes Form Notifying Change of Office Hours 316C Change to Office Holders 316E Corrections	2	18/10/1990	25/01/1991	18/10/1990	000369107 (AR 1990)

#### Contact Address for ASIC use only

Status	Address	Start Date - End Date	Doc Number	
Former	PO BOX 867	28/06/2003 - 10/01/2006		
	FORBES NSW 2871			

Status	Address Type	Address	Start Date - End Date	Doc Number
Former	Principal Place of Business	SCOTTS BUILDING CNR WILLIAM & PORT STEPHENS STREET RAYMOND TERRACE NSW 2324	22/07/1997 - 07/01/1999	0E1243181 (AR 1997)
Former	Principal Place of Business	SCOTTS BUILDING RAYMOND TERRACE NSW 2324	24/02/1997 - 21/07/1997	0E0954750 (AR 1996)
Former	Principal Place of Business	7 CHURCH STREET MAITLAND NSW 2320	25/03/1996 - 23/02/1997	009397083

#### **Organisation Officers**

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Former Director	BRUCE RAYMOND CAMERON LYON Date of Birth: 17/08/1959 Place of Birth: ADELAIDE SA	534 ITALIA ROAD SEAHAM NSW 2324	26/03/1996 - 21/08/2016		7E1065361
Former Director	GARY DAVID MEERS Date of Birth: 28/06/1961 Place of Birth: SYDNEY NSW	10 YOUNG CLOSE THORNTON NSW 2322	26/03/1996 - 06/08/1999		010851596
Former Director	DEBORAH MEEKINGS Date of Birth: 01/12/1962 Place of Birth: MT PLEASANT NSW	14 GAMBIA PLACE MOUNT PLEASANT NSW 2330	25/03/1996 - 26/03/1996		010956631
Former Director	ROBERT MEEKINGS Date of Birth: 01/02/1961 Place of Birth: PENRITH NSW	14 GAMBIA PLACE CRANEBROOK NSW 2749	25/03/1996 - 26/03/1996		010956631
Former Secretary	BRUCE RAYMOND CAMERON LYON Date of Birth: 17/08/1959 Place of Birth: ADELAIDE SA	534 ITALIA ROAD SEAHAM NSW 2324	26/03/1996 - 21/08/2016		7E1065361
Former Secretary	DEBORAH MEEKINGS Date of Birth: 01/12/1962 Place of Birth: MT PLEASANT NSW	14 GAMBIA PLACE MOUNT PLEASANT NSW 2330	25/03/1996 - 26/03/1996		010956631

#### Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Former Former	E CLASS E SHARES ORD ORDINARY SHARES	2 2	\$2.00 \$2.00	\$0.00 \$0.00	0E0954750 (AR 1996) 0E0954750 (AR 1996)

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### Shareholders

Status	Class	No. Heid	Beneficially Held	/ Fully Paid	Shareholder Details	Document Number
Former	E	1	No	Yes	LYON & ASSOCIATES PTY LIMITED 534 ITALIA ROAD SEAHAM NSW 2324 ACN: 060592207 ABN: 92060592207	7E1065361
Former	E	1	Yes	Yes	FIONA JOY LYON 534 ITALIA ROAD SEAHAM NSW 2324	7E1065361
Former	ORD	1	Yes	Yes	FIONA JOY LYON 534 ITALIA ROAD SEAHAM NSW 2324	7E1065361
Former	ORD	1	Yes	Yes	BRUCE RAYMOND LYON 534 ITALIA ROAD SEAHAM NSW 2324	7E1065361
Former	Ε	1	Yes	No	MEERS & ASSOCIATES PTY LIMITED 7 CHURCH STREET MAITLAND NSW 2320 ACN: 075527632 ABN: 48075527632	0E1243181 (AR 1997)

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
203	203 Notification Of 203A Change of Address 203G Change of Address - Principal Place of Business	1	29/09/1999	29/09/1999	20/09/1999	0E3512886
304	304A Notification of Change to Officeholders of Australian Company	1	20/08/1999	20/08/1999	06/08/1999	0E3374122
316	316L Annual Return Annual Return - Proprietary Company	3	10/01/1999	11/01/1999	08/01/1999	0E2703680 (AR 1998)
203	203G Notification of Change of Address - Principal Place Of Business	:1	10/01/1999	11/01/1999		0E2703669
309	309A Notification of Details of a Charge	41	30/03/1998	01/04/1998		
316	316L Annual Return Annual Return - Proprietary Company	4	22/07/1997	22/07/1997	11/07/1997	0E1243181 (AR 1997)
902	902 Supplementary Document Alters 0E0 954 750	1	21/02/1997	24/02/1997	07/01/1997	0E1083955
316	316L Annual Return Annual Return - Proprietary Company Altered by 0E1 083 955	4	23/01/1997	24/02/1997	07/01/1997	0E0954750 (AR 1996)
207	207 Notification of Allotment of Shares	2	01/07/1996	08/07/1996	24/06/1996	010857160
207	207 Notification of Allotment of Shares	3	10/04/1996	10/04/1996	26/03/1996	010851597
304	304A Notification of Change to Officeholders of Australian Company Updated by 010 970 920 Updated by 010 970 921	3	10/04/1996	10/04/1996	26/03/1996	010851596
215	215 Notification of Initial Appointment of Officeholders	<sup>f</sup> 1	26/03/1996	27/03/1996	25/03/1996	010956631
203	203A Notification of Change of Address	1	26/03/1996	29/03/1996	26/03/1996	010944323
370	370 Notice of Retirement or Resignation By Director or Secretary Updates 010 851 596	2	26/03/1996	28/03/1996		010970921
370	370 Notice of Retirement or Resignation By Director or Secretary Updates 010 851 596	2	26/03/1996	28/03/1996	26/03/1996	010970920
209	209 Notice of Redemption of Redeemable Preference Shares	1	26/03/1996	28/03/1996		010970863
204	204 Certificate of Registration Division 1 Pt 2.2	1	25/03/1996	25/03/1996		010966270
201	201C APPLICATION FOR REGISTRATION AS A PROPRIETARY COMPANY	4	25/03/1996	25/03/1996	25/03/1996	009397083

Contact Address for ASIC use only

Status	Address	Start Date - End Date	Doc Number
Former	PO BOX 63 COBDEN VIC 3266	19/03/2007 - 05/04/2011	

Status	Address Type	Address	Start Date - End Date	Doc Number
Former	Principal Place of	175 SPRINGWOOD ROAD	31/12/1992 - 09/02/2009	01088018C (AR 1992)
	Business	SPRINGWOOD QLD 4127		
Former	Principal Place of	8 KIRBY COURT	20/03/1991 - 31/12/1992	1088018A (AR 1990)
	Business	ROCHEDALE SOUTH QLD 4123		

#### **Organisation Officers**

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Former Director	JAMES GILBERT TAYLOR Date of Birth: 11/01/1950 Place of Birth: NEW ZEALAND	175 SPRINGWOOD ROAD SPRINGWOOD QLD 4127	06/01/1989 - 09/02/2009		1088018A(AR 1990)
Former Director	CORA WILLEMINA JACOBA TAYLOR Date of Birth: 12/05/1953 Place of Birth: NEW ZEALAND	175 SPRINGWOOD ROAD SPRINGWOOD QLD 4127	01/07/1990 - 09/02/2009		1088018A(AR 1990)
Former Director	MARK ALEXANDER WHITE Date of Birth: 23/01/1953 Place of Birth: MELBOURNE VIC	UNIT 15A SUNBIRD PLAZA MAIN BEACH GOLD COAST MC QLD 4217	06/01/1989 - 01/07/1990		
Former Director	BARRY RUEBEN CANNELL Date of Birth: 06/01/1940 Place of Birth: UNITED KINGDOM	528 ASHMORE ROAD ASHMORE QLD 4214	21/12/1988 - 06/01/1989		
Former Director	CHRISTINE MARY CANNELL Date of Birth: 27/11/1941 Place of Birth: LEICS UNITED KINGDOM	528 ASHMORE ROAD ASHMORE QLD 4214	21/12/1988 - 06/01/1989		
Former Secretary	JAMES GILBERT TAYLOR Date of Birth: 11/01/1950 Place of Birth: NEW ZEALAND	175 SPRINGWOOD ROAD SPRINGWOOD QLD 4127	06/01/1989 <b>-</b> 09/02/2009		1088018A(AR 1990)
Former Secretary	CHRISTINE MARY CANNELL Date of Birth: 27/11/1941 Place of Birth: LEICS UNITED KINGDOM	528 ASHMORE ROAD ASHMORE QLD 4214	21/12/1988 - 06/01/1989		

#### Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Former	ORD ORDINARY	3	\$3.00	\$0.00	0E2872249 (AR 1998)

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### Shareholders

Status	Class	No. Held	Beneficially Held	Fully Paid	Shareholder Details	Document Number
Former	ORD	1	Yes	Yes	BRACKENMILL PTY. LIMITED C/- CORDNER TAYLOR LEVEL 5 16 QUEENSLAND AVENUE BROADBEACH QLD 4218 ACN: 010796577	0E1559487 (AR 1997)
Former	ORD	2	Yes	Yes	CORA WILLEMINA JACOBA TAYLOF 175 SPRINGWOOD ROAD SPRINGWOOD QLD 4127	R 0E5469338 (AR 2000)
Former	ORD	1	Yes	Yes	PAUL RAFFERTY UNIT 15A SUNBIRD PLAZA MAIN BEACH QLD 4217	1088018A (AR 1990)
Former	ORD	1	Yes	Yes	CORA WILLEMINA JACOBA TAYLOF 175 SPRINGWOOD ROAD SPRINGWOOD QLD 4127	R 0E2872249 (AR 1998)
Pre-ASIC	Documents					
State		Rec	eived Date		Form Code State	JS

Form Code Description	# of pages	Received	Processed	Effective	Doc Number	
•						
304 304A Notification of Ch		20/03/1991	26/03/1991	01/07/1990	001080854	
Officeholders of Austra Z55 Z55 Notice of Register		10/12/1990	31/01/1991	10/12/1990	000385176	
		10/12/1000	0110111001			

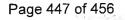
#### Contact Address for ASIC use only

Status	Address	Start Date - End Date	Doc Number
Former	PO BOX 30 BROWNS PLAINS BC QLD 4118	30/03/2006 - 09/02/2009	
Former	PO BOX 884 ROBINA DC QLD 4226	28/06/2003 - 28/01/2006	

Articles

Year	Return Due Extended Due Date	AGM Du		xtended AGM ue Date	AGM Held	Outstanding
1988	31/01/1989	31/12/19	88			Yes
1989	31/01/1990	31/12/19	89			Yes
Documents						
Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
9205	9205 Pre 1991 Regd Office/place of Business, Agent,Officeholders Shares- Allotment, Prospectus, Report of Affairs, Trust Deed	10	05/08/201	0 05/08/2010	05/08/2010	930007368
9206	9206 Pre 1991 Annual Return And Other Documents	11	05/08/201	0 05/08/2010	05/08/2010	930007369
9206	9206 Pre 1991 Annual Return And Other Documents	11	05/08/201	0 05/08/2010	05/08/2010	930007370
9204	9204 Pre 1991 Memorandum And	53	05/08/201	0 05/08/2010	05/08/2010	930007367

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
9205	9205 Pre 1991 Regd Office/place of Business, Agent,Officeholders Shares- Allotment, Prospectus, Report of Affairs, Trust Deed	5	18/02/2011	18/02/2011	18/02/2011	910078624
9206	9206 Pre 1991 Annual Return And Other Documents	50	18/02/2011	18/02/2011	18/02/2011	910078625
9204	9204 Pre 1991 Mernorandum And Articles	25	18/02/2011	18/02/2011	18/02/2011	910078623



Page 1 of 2



## Company Extract BEST AND WEST LIMITED 279447 NZBN: 9429039823953

Entity Type: Incorporated: Current Status: Constitution Filed: NZ Limited Company 23 Jul 1985 Removed Yes

Ultimate holding company:

[Not specified]

**Company Addresses** 

Registered Office 51 Mcglashen Avenue, Nelson, NZ

Address for Service 51 Mcglashan Avenue, Nelson, NZ

#### Directors

BEST, Sharyn Patricia 19 Cropp Place, Richmond, Nelson, 7020, NZ

BEST, Terry James 19 Cropp Place, Richmond, Nelson, 7020, NZ

WEST, Maree Annette 55 Toswill Road, Nelson

WEST, Murray George 55 Tosswill Road, Nelson

#### Shareholdings

Total Number of Shares: 100,000

Extensive Shareholdings:

50,000

BEST, Sharyn Patricia 19 Cropp Place, Richmond, Nelson

No

BEST, Terry James 19 Cropp Place, Richmond, Nelson

Ben Sandford | Mahoneys From: Tuesday, 11 January 2022 5:37:37 PM Sent: 'legal@treasury.govt.nz' To: Voyager Resort Ltd -v- Skelton & Ors - Supreme Court of Queensland Subject: proceeding BS13638/21 [MAH-Matters.FID119232] LO NZ Treasury serving documents 11.1.2022 (2).pdf Attachments:

Please find attached correspondence in respect of the above proceeding, and available at the below link, the documents referred to in it.

https://www.imanageshare-au.com/pd/2560NCzNPHc

#### Regards

Ben Sandford · Associate



Level 18, 167 Eagle Street, Brisbane Qld 4000 GPO Box 3311 Brisbane Qld 4001 07 3007 3722

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## mahoneys

11 January 2022

2	Best and West Limited 279447	18373064
		Companies Act

The interests of those companies have vested in the Crown pursuant to s 324 of the Companies Act 1993.

Would you please confirm that the treasury accepts service of the abovementioned court documents by email.

If you do not intend to appear at the hearing, we would be grateful if you could provide correspondence to that effect to us, in order that we can in turn provide it to the Court.

Yours faithfully Mahoneys

Contact Email

Ben Sandford Direct phone 07 3007 3722 bsandford@mahoneys.com.au Partner Direct phone 07 3007 3720 Email

Ben Seccombe bseccombe@mahoneys.com.au

## Service on NZ Treasury

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raci	k an item	
AU-BRI	CT1321779E	Тгас
Consi	ignment: AU-BRCT1321770G	
	- NE 4000 to DOCKLANDS 3008	
1000	Delivered	Tue 04-Jan-2022 04:56
•		
Tracki	ing History	
0	Delivered	2022-01-04-03:56
-	Delivered	
	DOCKLANDS VIC	
0	Out For Delivery	2022-01-04 10:51
	Onboard for delivery	
	TULLAMARINE VIC	
C.	In Transit	2021-12-29-04:31
<b>.</b>	In Transit Item processed at facility	
	MELBOURNE VIC	
	WEDERGUNE 4:0	
$\bigcirc$	In Transit	2021-12-23 05:01
	fianata ni	
	DARRA QLD	
-		2021-12-29 03:53
	In Transit	
	hem processed at facility	
	BRISBANE QLD	
Ċ.	In Transit	2021-12-23 02:02
<b>*</b>	Picked up from Sender	
	DARPA QLD	
6	Info Received	2021-12-22 11:59
-	Shipping information received by StarTrack	

### For Assistance: PACK & SEND Brisbane City

Phone: 07 3210 0224 Email: brisbanecity@packsand.com.au Web: www.packsend.com.au/brisbanecity