

## NOTICE OF FILING

### Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
Date of Lodgment: 24/02/2025 5:56:49 PM AEST  
Date Accepted for Filing: 24/02/2025 5:57:03 PM AEST  
File Number: QUD13/2025  
File Title: IN THE MATTER OF VOYAGER RESORT LIMITED (IN LIQUIDATION)  
ACN 010 547 618  
Registry: QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA



*Sia Lagos*

Registrar

### Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

**Certificate identifying annexure**  
(rule29.02)



Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 17 pages are the annexure marked "BVH-19" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.

  
.....  
Benjamin Leigh Sandford

**Annexure "BVH-19"**

Bundle of Documents relating to Breadmore

.....

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Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

Prepared by Benjamin Leigh Sandford

Law firm Mahoneys

Tel 07 3007 3777

Fax 07 3007 3778

Email info@mahoneys.com.au

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---

Exhibit GGH-1



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17061075	<b>Search Date:</b>	02/08/2021 10:37
<b>Date Title Created:</b>	21/09/1987	<b>Request No:</b>	38059944
<b>Previous Title:</b>	16977177		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 30 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 705921780 03/09/2002

VOYAGER RESORT LTD A.C.N. 010 547 618

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

Exhibit GGH-1



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17093208	<b>Search Date:</b>	02/08/2021 10:37
<b>Date Title Created:</b>	23/12/1987	<b>Request No:</b>	38059949
<b>Previous Title:</b>	16977177		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 30 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 705415492 20/02/2002  
VOYAGER RESORT LTD A.C.N. 010 547 618

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SCE 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
FOR 99 YEARS  
COMMENCING 27 DEC 1984

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*





## VOYAGER RESORT

167 Old Burleigh Road, Broadbeach, Gold Coast, Queensland, Australia  
PO Box 71, Broadbeach, Queensland 4218  
Telephone: 07 5538 7833 Facsimile: 07 5592 2135

### Transfer of timeshare

FROM: VOYAGER RESORT LIMITED

167 OLD BURLEIGH ROAD

P.O. BOX 71

BROADBEACH QLD 4218

TO: LORRAINE MATILDA BREADMORE

lot 30 titles 17093208 and 17061075

27 WESTWOOD STREET

BRIDPORT TASMANIA 7262

TO: EPP0 & DOREEN ANNE DOORNBOS

lot 62 titles 17094074 and 17388059

2/173 RIVERSIDE DRIVE

LOWER HUTT 6009

NEW ZEALAND

Kindly refer correspondence to Geoff Heaton

10/4/2006



# VOYAGER RESORT LTD.

ABN 11 010 547 618 ACN 010 547 618



## FACSIMILE

TO: AUSTRALIAN TIMESHARE LAWYERS  
FAX NO 55395808

FROM: GEOFF HEATON

DATE: 10<sup>TH</sup> APRIL 2006

SUBJECT: SETTLEMENT PROCEEDS VRL SALE TO BREADMORE

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N.B. THIS IS THE FOURTH REQUEST FOR INFORMATION!

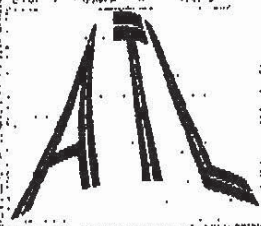
Please advise the payment details of the settlement proceeds of the 2 weeks sold by our Resort to Breadmore.

The settlement advice is following for your records.

GEOFF HEATON  
Company Secretary

A handwritten signature in black ink, appearing to read "Geoff Heaton", written over a light background.

c.c. ABKJ LAWYERS  
ATTENTION: MICHAEL KYLE



# FAX SHEET

## AUSTRALIAN TIMESHARE LAWYERS

**PRINCIPAL**  
Fiona Wood LL.B

**GENERAL  
MANAGER**  
Jenny Petterson

TO: GEOFF HEATON                      FAX NO: 55922 135  
OF: VOYAGER RESORT                NO. OF PAGES:1  
FROM: NATALIE PETTERSON  
DATE: 10 April 2006  
RE: BREADMORE PURCHASE FROM VOYAGER RESORT

Dear Geoff,

The cheque (cheque #407892) has been drawn and shall be in tomorrow's post in an express post satchel.

Yours faithfully,  
AUSTRALIAN TIMESHARE LAWYERS

Per:

Natalie Petterson

CC:ABKJ MICHAEL KYLE

Suite 8  
'Hodson Centre'  
189 Ashmore Road  
Bennuwa Qld 4217

POSTAL ADDRESS  
PO Box 6345  
Gold Coast MC  
Bundall Qld 9726

TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 55395858

EMAIL ADDRESS  
austinelaw@aol.com

**CURRENT TITLE SEARCH**

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 33090763

Search Date: 23/01/2020 09:46

Title Reference: 17061075

Date Created: 21/09/1987

Previous Title: 16977177

**REGISTERED OWNER**

Interest

Dealing No: 705921780 03/09/2002

VOYAGER RESORT LTD A.C.N. 010 547 618

TENANT IN COMMON

1/51

**ESTATE AND LAND**

Estate in Fee Simple

LOT 30 BUILDING UNIT PLAN 6459  
 Local Government: GOLD COAST  
 COMMUNITY MANAGEMENT STATEMENT 8766

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
 Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
 Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
 Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
2. LEASE No 601085045 (H479546) 27/12/1984  
 TO VOYAGER RESORT LIMITED  
 ORIGINAL TERM: FOR 99 YEARS  
 COMMENCING 27 DEC 1984  
 OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES - NIL****UNREGISTERED DEALINGS - NIL**

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2020]  
 Requested By: D-ENQ CITEC CONFIRM

**CURRENT TITLE SEARCH**

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 33090763  
Search Date: 23/01/2020 09:46Title Reference: 17061075  
Date Created: 21/09/1987

Previous Title: 16977177

**REGISTERED OWNER**

Interest

Dealing No: 705921780 03/09/2002

VOYAGER RESORT LTD A.C.N. 010 547 618

TENANT IN COMMON

1/51

**ESTATE AND LAND**

Estate in Fee Simple

LOT 30 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766**EASEMENTS, ENCUMBRANCES AND INTERESTS**

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ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2020]  
Requested By: D-ENQ CITEC CONFIRM

**"VOYAGER RESORT"  
TIME SHARE SALES AGREEMENT**

ITEM:

A. VENDORS: VOYAGER RESORT LTD ACN 010 547 618

VENDOR'S ADDRESS: 167 OLD BURLIEGH ROAD, BROADBEACH QLD 4218

Telephone number: (Office) 5538 7833

B. PURCHASER'S NAMES: DENNIS WILLIAM BREADMORE AND LORRAINE MATILDA BREADMORE

PURCHASER'S ADDRESS: 27 WESTWOOD STREET, BRIDPORT TASMANIA 7262

Telephone number: (home) 03 6356 1129

C. THE RESORT: VOYAGER RESORT NUMBER OF BEDROOMS: ONE (OCCUPANCY - 4)

FIXED WEEK NOS: N/A NO. OF FLOATING WEEKS: TWO APARTMENT: 7D

BEING A 1/51 SHARE IN LOT 30 IN BUILDING UNITS PLAN NO: 6459 BEING \* WHOLE OF CERTIFICATE OF TITLE REFERENCE 17081075

BEING A 1/51 SHARE IN LOT 30 IN BUILDING UNITS PLAN NO: 6459 BEING \* WHOLE OF CERTIFICATE OF TITLE REFERENCE ~~18022889~~ 17093209

NUMBER OF SHARES SOLD: 2 CERTIFICATE/S NUMBER/S: 6329 & 6172

ENTITLEMENT: CURRENT ENTITLEMENT AVAILABLE JULY 15 -29, AND JULY 29 - 12 AUGUST. CURRENT LEVY PAID.

D. PURCHASE PRICE: \$5,000.00

E.(i) DEPOSIT: (10% of purchase price): NIL

(ii) STAKEHOLDER: N/A

F. BALANCE AT SETTLEMENT: \$5,000.00

G. DATE FOR COMPLETION: 26.10.05

H. VENDOR'S AGENT: GEOFF HEATON  
VOYAGER RESORT LIMITED

PO BOX 71  
BROADBEACH QLD 4218  
TEL: 0755 387 833

We the Purchasers named at Item B hereby offer to purchase the abovementioned timeshare interest on the terms and conditions contained herein.

DATED this 2005 day of

COUNTERPART SIGNED BY PURCHASERS

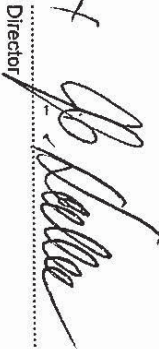

Witness

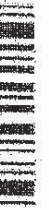
.....  
D W BREADMORE

Witness

.....  
I M BREADMORE



Standard Transfer Form		
Affix Duty Stamp Here		
Full Name of Company		VOYAGER RESORT LIMITED
Full Description of Securities	Class - FLOATING Fully paid share to the sum of \$1.00	If not paid, paid to Register
Quantity	Words TWO	Figures 2
Full Name(s) of Seller(s)	HUMPHREY FIRKINS & GEOFFREY GRAEME HEATON ATF VOYAGER RESORT LTD ACN 010 547 618	Broker's Transfer Identification No.
Consideration	\$1.00	Date of Purchase
Full Name(s) of Buyer(s)	DENNIS WILLIAM BREADMORE AND LORRAINE MATILDA BREADMORE	
Full Postal Address of Buyer(s)	27 WESTWOOD STREET, BRIDPORT TASMANIA 7262	
Removal Request	Please enter these securities on the ..... Register	
<p>I/We the registered holder(s) and undersigned seller(s) for the above consideration do hereby transfer to the above name(s) hereinafter called the Buyer(s) the securities as specified above standing in my/our name(s) hereinafter called the Buyer(s) the securities as specified above standing in my/our name(s) on the books of the abovenamed Company, subject to the several conditions on which I/we hold the same at the time of signing hereof and I/we the Buyer(s) do hereby agree to accept the said securities subject to the same conditions.</p>		
Seller(s) Sign Here	x Director  Director x Director  Director	For Company Use
Date Signed	x	



Dealing Number:

Duty Imprint

**Privacy Statement**  
 The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994, and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

**1. Interest being transferred (if shares show as a fraction)**

Parcel 1 1/51 Fee Simple, Parcel 2 1/51 Fee Simple

Lodger (Name, address & phone number) Lodger Code

AUST TIMESHARE LAWYERS  
-PO BOX 6345 GCMC 9726 GC013  
NRP:25174VRI433

Note: A Form 24 (Property Transfer Information) must be attached to this Form where interest being transferred is "fee simple" (Land Title Act 1994), "State leasehold" (Land Act 1994) or "Water Allocation" (Water Act 2000).

**2. Lot on Plan Description**

Parcel 1 LOT 30 BUP 6459  
Parcel 2 LOT 30 BUP 6459

County

WARD  
WARD

Parish

GILSTON  
GILSTON

Title Reference

17061075  
18022039

**3. Transferor**

VOYAGER RESORT LIMITED ACN ACN 010 547 618

**4. Consideration**

\$5000.00

**5. Transferee**

DENNIS WILLIAM  
LORRAINE MATILDA

Surname/Company name and number

BREADMORE  
BREADMORE

(Include tenancy if more than one)

as Joint Tenants

**6. Transfer/Execution.** The transferor transfers to the transferee the estate and interest described in item 1 for the consideration and in the case of monetary consideration acknowledges receipt of the consideration. The transferor declares that the information contained in items 1 to 3 on the attached Form 24 is true and correct. The transferee states that the information contained in items 3 and 4 on the attached Form 24 is true and correct. Where a solicitor signs on behalf of the transferee the information in items 3 and 4 on Form 24 is based on information supplied by the transferee.

**NOTE: Separate executions are required for each transferor and transferee.**

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer (signature, full name & qualification)

Execution Date

Transferor's Signature

Witnessing Officer (signature, full name & qualification)

DIRECTOR

Transferor's Signature

AFFIX CO SEAL

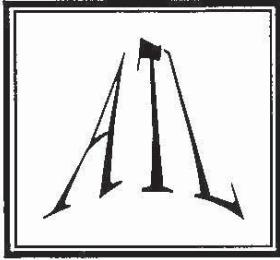


Witnessing Officer (signature, full name & qualification)

Execution Date

Transferee's or Solicitor's Signature





OUR REF:NATALIE PETTERSON:FLW:25174VRL433

10 April 2006

**AUSTRALIAN  
TIMESHARE  
LAWYERS**

GEOFF HEATON  
VOYAGER RESORT LTD  
P O BOX 71  
BROADBEACH QLD 4218

PRINCIPAL  
Fiona Wood LL.B.

C.E.O.  
Jenny Petterson

Dear Sir,

**RE: BREADMORE PURCHASE FROM VOYAGER RESORT  
2 FLOATING WEEKS IN LOT 30 "VOYAGER RESORT"**

We attach hereto cheque in sum of \$5,000.00 representing full settlement funds held in our Trust Account.

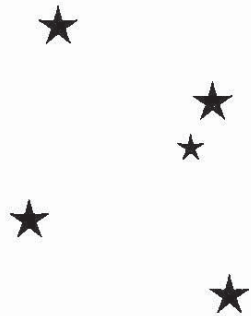
Should you have any queries please contact Natalie Petterson at our office.

Yours faithfully  
AUSTRALIAN TIMESHARE LAWYERS

Per:

  
Natalie Petterson

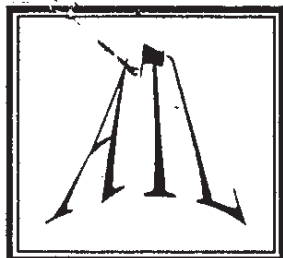
*Banked  
12/4/06*



SUITE 8  
"HODSON CENTRE"  
189 ASHMORE ROAD  
BENOWA QLD 4217

POSTAL ADDRESS:  
PO BOX 6345  
GOLD COAST MC  
BUNDALL QLD 9726

TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 5539 5858  
EMAIL: austimelaw@aol.com



**AUSTRALIAN  
TIMESHARE  
LAWYERS**

Reprinted 10 October, 2005

MR & MRS D W BREADMORE  
27 WESTWOOD STREET  
BRIDPORT TAS 7262

Dear Sir & Madam,

**RE: PURCHASE FROM VOYAGER RESORT - 2 FLOATING WEEKS IN  
LOT 30 "VOYAGER RESORT"**

PRINCIPAL  
Fiona Wood LL.B.

C.E.O.  
Jenny Petterson

Instructions received from Geoff Heaton of Voyager Resort confirm that you wish to purchase the abovementioned timeshare interest from Voyager Resort Ltd, and understand we are to act on your behalf in order to convey the freehold and share interest into your name and we wish to thank you for those instructions.

Should you have any queries or require any assistance during the course of this transaction, please do not hesitate to **contact Natalie Petterson** at our office.

Upon the information received, we have prepared the Sales Agreement, and Transfer documents which provide for a purchase price of \$5,000.00. The due date for completion will be on or prior to 26 October 2005.

We enclose a copy of the Sales Agreement and request you sign where indicated. Please have your signature witnessed by an independent adult person. An identical counterpart has been submitted to the Vendor for signing and exchange.

Prior to settlement on 26 October 2005 would you please forward to our office a **bank cheque** drawn in favour of **Australian Timeshare Lawyers Trust Account** for a total sum of ~~\$5,705.50~~ representing:-

Purchase Price	\$5,000.00
Our costs and outlays as per the Memorandum attached (which includes stamp duty/registration fees)	\$ 705.50

Following settlement and lodgment of the Transfer with the Qld Department of Natural Resources, the Registration Confirmation Statement evidencing your ownership will issue approximately four weeks later and thereafter the Club will be requested to prepare a new Share Certificate for your entitlement (please allow 2-3 months for these procedures).

We look forward to receiving settlement money and executed agreement

SUITE 8  
"HODSON CENTRE"  
189 ASHMORE ROAD  
BENOWA QLD 4217  
POSTAL ADDRESS:  
PO BOX 6345  
GOLD COAST MC  
BUNDALL QLD 9726

TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 5539 5858  
EMAIL: austimelaw@aol.com



Mr & Mrs D W Breadmore

10 October, 2005

---

prior to settlement date.

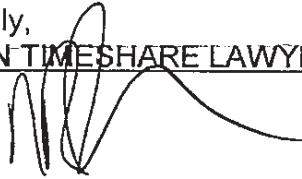
Our instructions indicate the entitlements are available to you July 15 - 29<sup>th</sup>, and July 29<sup>th</sup> - 12<sup>th</sup> August.

Should you have any queries, please do not hesitate to contact Natalie Petterson at our office.

Yours faithfully,

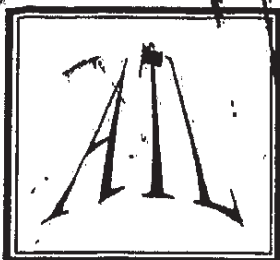
AUSTRALIAN TIMESHARE LAWYERS

per:



**Natalie Petterson**

enc.



OUR REF: NATALIE PETTERSON:FLW:23397VRL370

21 June, 2005

**AUSTRALIAN  
TIMESHARE  
LAWYERS**

THE DIRECTORS  
VOYAGER RESORT LTD  
P O BOX 71  
BROADBEACH QLD 4218

PRINCIPAL  
Fiona Wood LL.B.

Dear Sirs,

C.E.O.  
Jenny Petterson

RE: **SALE TO DOORNBOS - 2 FLOATING WEEKS IN LOT 62  
"VOYAGER RESORT"**

We are pleased to advise settlement of your timeshare sale took place today.

We note full settlement money has been paid to the resort direct by the purchaser's credit card.

We are now attending to stamping and registration procedures, and shall forward new share certificates to the resort for signing and sealing in due course.

Should you have any queries, please contact our office.

Yours faithfully,  
**AUSTRALIAN TIMESHARE LAWYERS**

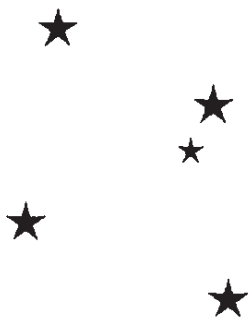
per:

**Natalie Petterson**

SUITE 8  
"HODSON CENTRE"  
189 ASHMORE ROAD  
BENOWA QLD 4217

POSTAL ADDRESS:  
PO BOX 6345  
GOLD COAST MC  
BUNDALL QLD 9726

TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 5539 5858  
EMAIL: austimelaw@aol.com



17 June 2005

Australian Timeshare Lawyers  
P.O. Box 6345  
G C M C 9726

**VRL Sale to Doornbos**

We enclose a signed transfer delivered to us by Mr Doornbos.

Can you now please attend to transfer.

Yours faithfully



Geoff Heaton  
**RESORT MANAGER**

TRANSFER

Dealing Number.

Duty Imprint



Privacy Statement

The information from this form is collected under the authority of the Land Title Act 1994 the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

<b>1. Interest being transferred</b> (if shares show as a fraction) Parcel 1 1/51 Estate in fee simple, Parcel 2 1/51 share in fee simple	<b>Lodger</b> (Name, address & phone number) AUST TIMESHARE LAWYERS -PO BOX 6345 GCMC 9726 NRP:23397VRL370	<b>Lodger Code</b> GC013
--	---	-----------------------------

Note: A Form 24 (Property Transfer Information) must be attached to this Form where interest being transferred is "fee simple" (Land Title Act 1994), "State leasehold" (Land Act 1994) or "Water Allocation" (Water Act 2000).

2. Lot on Plan Description	County	Parish	Title Reference
Parcel 1 LOT 62 BUP 6459	WARD	GILSTON	17093221 17388059
Parcel 2 LOT 62 BUP 6459	WARD	GILSTON	17094074 ✓

**3. Transferor**  
VOYAGER RESORT LIMITED ACN ACN 010 547 618

**4. Consideration**  
\$7000.00

<b>5. Transferee</b>	Given names	Surname/Company name and number	(Include tenancy if more than one)
EPOO DOREEN ANNE		DOORNBO DOORNBO	as Joint Tenants

**6. Transfer/Execution.** The transferor transfers to the transferee the estate and interest described in item 1 for the consideration and in the case of monetary consideration acknowledges receipt of the consideration. The transferor declares that the information contained in items 1 to 3 on the attached Form 24 is true and correct. The transferee states that the information contained in items 3 and 4 on the attached Form 24 is true and correct. Where a solicitor signs on behalf of the transferee the information in items 3 and 4 on Form 24 is based on information supplied by the transferee.

**NOTE: Separate executions are required for each transferor and transferee.**

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer (signature, full name & qualification)	Execution Date	Transferor's Signature
.....	X, Y, Z 1, 1, 1	DIRECTOR

Witnessing Officer (signature, full name & qualification)	Execution Date	Transferor's Signature
.....	X, Y, Z 1, 1, 1	DIRECTOR

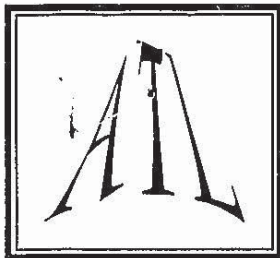
Witnessing Officer (signature, full name & qualification)	Execution Date	*Transferee's or Solicitor's Signature
JP	16/06/05	

Witnessing Officer (signature, full name & qualification)	Execution Date	*Transferee's or Solicitor's Signature
GEORGEY GREENE HEATON JUSTICES OF THE PEACE		

(Witnessing officer must be in accordance with Schedule 1 of the Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Note: A Solicitor is required to print full name if signing on behalf of the Transferee and no witness is required in this instance





**AUSTRALIAN  
TIMESHARE  
LAWYERS**

**PRINCIPAL**  
Fiona Wood LL.B.  
**C.E.O.**  
Jenny Petterson

OUR REF: NATALIE PETTERSON:FLW:23397VRL370

25 September, 2003

THE DIRECTORS  
VOYAGER RESORT  
P O BOX 71  
BROADBEACH QLD 4218

Dear Sir,

**RE: SALE TO DOORNBOS - 2 FLOATING WEEKS- LOT 62  
"VOYAGER RESORT"**

We have received instructions from Geoff Heaton at Voyager Resort that the Resort wishes to sell timeshare consisting of 2 Floating weeks in Lot 62 to Mr & Mrs E Doornbos, and we advise that we have been instructed to act on the Purchaser's behalf.

Settlement has been set for 22 October 2003.

In preparation for settlement we enclose the following documents for your attention:-

- 1. Sales Agreement for 2 Floating weeks for the sum of \$7,000.00. We request two directors sign the agreement where noted, and affix the company seal.
- 2. Form 1 Transfer (with Form 24 annexed). Please sign the Transfer form in the Transferors section, and affix the company seal.
- 3. Share Transfer relating to 2 Floating weeks in Voyager Resort Limited to be signed by two directors in the Sellers section - no witness required.
- 4. Disbursement Authority to be signed where indicated - no witness required.

We confirm your instructions 2003/2004 maintenance levy has been paid, and current entitlements shall pass to the purchaser upon settlement.

Upon receipt of executed documents from you we shall attend to settlement and forward cheque in sum of \$7,000.00 to your office.

Should you have any queries with regard to the enclosures, please contact your Solicitor, or alternatively, contact **Natalie Petterson** at our office.

Yours faithfully,  
AUSTRALIAN TIMESHARE LAWYERS

per:   
**Natalie Petterson**

enc

SUITE 8  
"HODSON CENTRE"  
189 ASHMORE ROAD  
BENOWA QLD 4217  
  
POSTAL ADDRESS:  
PO BOX 6345  
GOLD COAST MC  
BUNDALL QLD 9726  
  
TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 5539 5858  
EMAIL: austimelaw@aol.com

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 47 pages are the annexure marked "BVH-20" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-20"**

**Bundle of Documents relating to Clark and Sparshott**

.....

---

Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

Prepared by Benjamin Leigh Sandford

Law firm Mahoneys

Tel 07 3007 3777

Fax 07 3007 3778

Email info@mahoneys.com.au

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---





## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	18384006	<b>Search Date:</b>	02/08/2021 09:04
<b>Date Title Created:</b>	24/09/1992	<b>Request No:</b>	38057378
<b>Previous Title:</b>	18373048		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 7 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER**

DONALD WILLIAM CLARK

**INTEREST**

2/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
2. LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
FOR 99 YEARS  
ORIGINAL TERM: COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	16805077	<b>Search Date:</b>	02/08/2021 09:07
<b>Date Title Created:</b>	26/09/1985	<b>Request No:</b>	38057633
<b>Previous Title:</b>	16699144		

### ESTATE AND LAND

Estate in Fee Simple

LOT 15 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

### REGISTERED OWNER

### INTEREST

Dealing No: 709188063 05/12/2005

SUZANNE MAY SPARSHOTT

DONALD WILLIAM CLARK

UNDER INSTRUMENT 709188063

PERSONAL REPRESENTATIVE

1/51

### EASEMENTS, ENCUMBRANCES AND INTERESTS

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

### ADMINISTRATIVE ADVICES

NIL

### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b> 16810115	<b>Search Date:</b> 02/08/2021 10:58
<b>Date Title Created:</b> 02/10/1985	<b>Request No:</b> 38060783
<b>Previous Title:</b> 16699169	

**ESTATE AND LAND**

Estate in Fee Simple

LOT 40 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 709188063 05/12/2005

SUZANNE MAY SPARSHOTT

DONALD WILLIAM CLARK

UNDER INSTRUMENT 709188063

PERSONAL REPRESENTATIVE

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	18384007	<b>Search Date:</b>	02/08/2021 09:04
<b>Date Title Created:</b>	24/09/1992	<b>Request No:</b>	38057379
<b>Previous Title:</b>	18373048		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 7 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 712954968 22/12/2009  
GEOFFREY CLARK

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
FOR 99 YEARS  
ORIGINAL TERM: COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	16805076	<b>Search Date:</b>	02/08/2021 09:07
<b>Date Title Created:</b>	26/09/1985	<b>Request No:</b>	38057632
<b>Previous Title:</b>	16699144		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 15 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 712157755 13/01/2009  
CATHERINE LOUISE CLARK

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>16805078</b>	<b>Search Date:</b>	02/08/2021 09:07
<b>Date Title Created:</b>	26/09/1985	<b>Request No:</b>	38057634
<b>Previous Title:</b>	16699144		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 15 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 712157758 13/01/2009

PAUL HAZELTON CLARK  
STUART CRAIG BARRY

JOINT TENANTS INTER SE

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

Withdrawn & Reentered  
5/12/2005

QUEENSLAND LAND REGISTRY

TRANSMISSION APPLICATION BY PERSONAL REPRESENTATIVE (Grant in Queensland)

FORM 5 Version 4  
Page 1 of 1

7

[Redacted]

~~709028689~~

Lodger (Name, address & phone number)

Lodger Code



709188063

Stephens & Tozer

371

\$200.70

\$200.70

05/12/2005 09:26

try

BE 202

- Deceased's name and last residential address  
Gordon Walton Clark of 306 Windsor Parade, Orana Gardens, Dubbo NSW 2830

2. Lot on Plan Description	County	Parish	Title Reference
Lot 7 on BUP 6459	Ward	Gilston	18384007
Lot 40 on BUP 6459	Ward	Gilston	16810115
Lot 15 on BUP 6459	Ward	Gilston	16805078
Lot 15 on BUP 6459	Ward	Gilston	16805077
Lot 15 on BUP 6459	Ward	Gilston	16805076

3. Interest held by deceased

Fee Simple

4. Applicant	Given Names	Surname/Company Name and Number
	Donald William	Clark
	Suzanne May	Sparshott

Address for service of notices to the applicant:

5. Document(s) deposited

- \*Grant of Probate )
  - \*Grant of letters of Administration with the will annexed ) issued by the Supreme Court of Queensland in the
  - \*Grant of letters of administration (intestacy) ) estate of the deceased
  - \*Reseal of grant of representation Letters of administration
  - \*Exemplification of grant of representation )
- \* Delete documents not deposited

6. Request

The applicant is the personal representative of the deceased and it is requested that the applicant be registered as proprietor/lessee/mortgagee of the above interest in the land as personal representative.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer: *Adam Boldorf* signature, 7/10/04, JP 200101625 qualification  
 Applicant's or Solicitor's Signature: *Donald William Clark*  
*Butcherine* DOUGLAS JOSEPH BUTCHERINE

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec) Solicitor, Dubbo Note: A Solicitor is required to print full name if signing on behalf of the Applicant and no witness is required in this instance

*3aw*

SUPREME COURT  
OF QUEENSLAND

**SUPREME COURT OF QUEENSLAND**

- 2 JAN 2003

**REGISTRY: BRISBANE**

**NUMBER: S 11675 of 2002**

**FILED  
BRISBANE**

**The Estate of: GORDON WALTON CLARK (Deceased)  
Intestate**

**Late of: Dubbo, New South Wales**

**Date of Death: 23 March 2001**

**RESEAL OF LETTERS OF ADMINISTRATION**

The annexed document is sealed pursuant to the provisions of the British Probates Act 1898.

The document was produced by:

NAME	ADDRESS
SUZANNE MAY SPARSHOTT	10L Beni Forest Road, Dubbo, New South Wales
DONALD WILLIAM CLARK	40 Old Lorne Road, Deans Marsh, Victoria

As: Children of the deceased.



Given under the seal of the  
Supreme Court of  
Queensland

*A. P. HARRIS*  
**DEPUTY REGISTRAR**

2 JAN 2003

RESEAL OF  
LETTERS OF ADMINISTRATION  
Prepared and Filed in the Registry

Stephens & Tozer  
Level 4, 183 North Quay  
BRISBANE QLD 4000



In the Supreme Court  
of New South Wales  
at Sydney

Equity Division

Probate

No: 113608/01

The Estate of

GORDON WALTON CLARK

Late of

DUBBO in the State of New South Wales  
RETIRED ENGINEER Deceased

---

---

Letters of Administration

Deceased Died  
23/03/2001

---

---

ADMINISTRATION of the estate of the abovenamed deceased  
intestate is hereby granted to:

SUZANNE MAY SPARSHOTT of 10L BENI FOREST ROAD, DUBBO and  
DONALD WILLIAM CLARK of 12 LORNE ROAD, DEANS MARSH IN THE  
STATE OF VICTORIA, the children of the deceased.

The inventory attached, lists property disclosed to the  
Court in accordance with section 81A of the Wills Probate &  
Administration Act, 1898, and is issued by the Court under  
section 91(2) of that Act.



*Ok*  
Dated 16/10/2001

Registrar

A/C

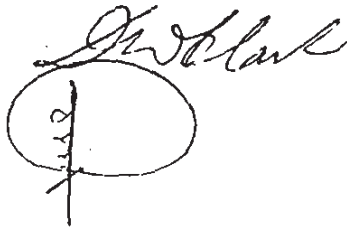
## ANNEXURE "C"

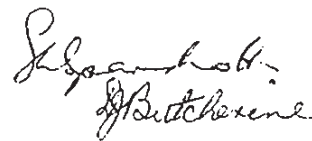
Of the Estate of GORDON WALTON CLARK

Late of Dubbo, Retired Engineer deceased

## Property owned solely by deceased

Description	Estimated or Known value
<b>Real Estate -</b>	
Unit and Garages (2) in Orana Gardens, Windsor Parade Dubbo Held under Occupancy Licence with Dubbo RSL Aged Care Association Estimated Value	\$112,000.00
<b>Real Estate</b> in Torwood Road, Dubbo being land in Folio Identifier 112/754287 Estimated value	\$ 45,000.00
<b>Real Estate</b> Unit known as 2/7 Pegasus Place Dubbo being land in Folio Identifier 2/SP40802 Estimated value	\$ 92,000.00
<b>Time Share</b> in resort Capri Waters Country Club Ltd. at Mulwala, New South Wales Estimated value	\$ 2,000.00
	\$251,000.00
<b>Shareholdings</b>	
Fosters Brewing Group 1000 Ordinary shares, estimated value \$5.13	\$ 5,130.00
Lend Lease Corporation Limited 4000 ordinary shares Estimated value \$13.07	\$52,280.00
CSR Limited 710 Ordinary shares Estimated value \$5.16	\$ 3,656.50
Carried forward	\$61,066.50    \$251,000.00

*Gordon Walton Clark*  


*J. B. Butcher*  


13/10

Brought forward	\$61,066.50	\$251,000.00
Telstra Corporation		
3040 Ordinary shares		
Estimated value \$6.42	\$19,516.80	
Bendigo Bank		
458 shares, estimated value \$6.12	\$ 2,802.96	
Commonwealth Bank,		
1340 Ordinary shares		
Estimated value \$27.60	\$36,984.00	
Burns Philp & Co. Ltd.		
6500 fp ord shares		
2995 notes		
2995 Options		
Estimated value	\$ 4,425.50	
NRMA Insurance Group		
705 Shares		
Estimated value \$2.88	\$ 2,030.40	
QANTAS Airways Limited		
1880 Shares		
Estimated value \$2.91	\$ 5,470.80	
BHP Limited		
1550 Fully paid ordinary shares		
Estimated value	\$34,875.00	
OneSteel Limited		
388 fully paid ordinary shares		
Estimated value	\$ 353.08	
TAB Limited		
257 Fully paid ord shares		
Estimated value	\$ 742.73	
Woolworths Limited		
Total holding of 821 shares		
Estimated value	\$13,236.60	\$181,504.37
Carried forward		\$431,504.37

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

Brought forward \$431,504.37

**Bank Account**

Bank account No. 06 4421 00181071  
With Commonwealth Bank

\$ 631.98

\$432,136.35

**Property owned by the deceased as joint tenant  
With another or others**

Description	Joint owner	Estimated value
-------------	-------------	-----------------

NIL

This is the annexure marked "C" referred to in the Affidavit of  
SUZANNE MAY SPARSHOTT and DONALD WILLIAM CLARK.  
Sworn before me:

*Donald William Clark*

*[Signature]*

*Suzanne May Sparshott*

Applicants

*[Signature]*  
Solicitor/Justice of the Peace

I HEREBY CERTIFY THAT THIS PHOTOCOPY  
CONSISTING OF FIVE PAGES IS A TRUE AND  
CORRECT COPY OF THE ORIGINAL DOCUMENT  
IN MY CUSTODY AND CONTROL WHICH WAS  
LODGED AT THIS COURT ON THE 2 DAY OF  
JANUARY 2003

DATED THIS 29 DAY OF SEPTEMBER 2005



**SENIOR DEPUTY REGISTRAR, SUPREME  
COURT, BRISBANE**

2005

**From:** Bailey Cox  
**Sent:** Friday, 17 November 2023 12:05:25 PM  
**To:** Bailey Cox  
**Bcc:** 'VOYAGER RESORT LIMITED \_ Court Liquidation \_VOYAGER RESORT LIMITED\_ Shareholders'  
**Subject:** PC / Clarie Clark / 17 November 2023 [PILOT-CLIENT.FID1210301]

#### FILE NOTE

<b>Matter</b>	Voyager
<b>Filing No.</b>	
<b>Date/Time</b>	17/11/2023 at 11:20am
<b>Phone No.</b>	0416 185 102
<b>In/Out</b>	In
<b>Person</b>	Claire Clark
<b>Alternate Contact</b>	

#### Comments

- Claire believes she owns 4 weeks but unsure of her lot numbers, unsure why recent correspondence was addressed to her late husband Donald William Clark when all correspondence from Voyager since his death 5 years ago has been addressed to her
- I advised trustees paying registered owners per titles, advised Claire is not listed as registered owner on any title. If she would like to claim on behalf of Donald, she will have to provide appropriate documentation as per step 16 of the instructions
- Searched for Claire in Xero, V number 1815 matches 4 weeks (title 18384006 = 2 weeks owned by Donald, titles 16805077 and 16810115 = 1 week each owned by Donald and Suzanne Sparshott)
- Portal link for weeks owned jointly with Suzanne were sent to a different email address (smsparshott@bigpond.com)
- I advised Claire we would likely need some confirmation from Suzanne that she is happy for Claire to claim payment, otherwise if unable to get this we will need to speak with the trustees and confirm how they would like to proceed

#### Actions To Be Performed

- 

Regards,

**Bailey Cox**


Accountant

Level 10, Waterfront Place, 1 Eagle Street, Brisbane, Qld, Australia, 4000

**T** [+61 7 3023 1365](tel:+61730231365) **E** [bcox@pilotpartners.com.au](mailto:bcox@pilotpartners.com.au) **W** [pilotpartners.com.au](http://pilotpartners.com.au)



Chartered Accountants

Member of  Nexia

Nexia is a worldwide network of independent accounting and consulting firms

[Nexia email disclaimer](#) | [Pilot email disclaimer](#)



**From:** Bailey Cox  
**Sent:** Monday, 20 November 2023 11:54:01 AM  
**To:** Cameron Woodcroft  
**Subject:** PC / Suzanne Sparshott / 20 November 2023 [PILOT-CLIENT.FID1210301]  
**Attachments:** PC\_ Clarie Clark\_ 17 November 2023 [PILOT-CLIENT.FID1210301](2566443.1).msg.nrl

**PC with Suzanne Sparshott at 10:18am on 0409 228 263**

Relevant Titles

# 18384006 - registered owner Donald William Clark – 2 weeks in Lot 7

# 16805077 - registered owners Donald William Clark and Suzanne May Sparshott – 1 week in Lot 15 \*\* PERSONAL REPRESENTATIVE UNDER INSTRUMENT 709188063

# 16810115 - registered owners Donald William Clark and Suzanne May Sparshott – 1 week in Lot 40 \*\* PERSONAL REPRESENTATIVE UNDER INSTRUMENT 709188063

# 18384007 - registered owner Geoffrey Clark – 1 week in Lot 7

Background

- Donald Clark and Suzanne Sparshott are brother and sister
- Donald married to Claire Clark
- Donald now deceased
- Geoffrey Clark is Suzanne Sparshott's nephew

Discussed on call

- Claire Clark contacted Pilot last week advising she believed she owned 4 weeks (those associated with titles #18384006, 16805077, 16810115) – refer to attached file note
- Claire has now reached out to Suzanne about the issue
- Suzanne is confused and wanting to know what payment she is entitled to
- I explained Trustees intend to pay to the registered owner per the Titles, however we will discuss how they would like to proceed with payment for these titles due to ownership dispute
- Suzanne not overly bothered by situation, would be happy to receive half payment for the two weeks jointly owned by her and Donald
- I asked if she would be able to come to agreement with Claire personally, Suzanne advised it would be too awkward to discuss
  
- Suzanne also mentioned she has agreement with nephew Geoffrey that he will pay her half of distribution for week he is listed as registered owner

[@Cameron Woodcroft](#) – we will need to go to the Trustees to get confirmation on who payment is supposed to be to in this case as well

Regards,


**Bailey Cox**  
Accountant



Level 10, Waterfront Place, 1 Eagle Street, Brisbane, Qld, Australia, 4000  
**T** [+61 7 3023 136](tel:+6173023136) **E** [bcox@pilotpartners.com.au](mailto:bcox@pilotpartners.com.au) **W** [pilotpartners.com.au](http://pilotpartners.com.au)



Chartered Accountant  
s

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[Nexia email disclaimer](#) | [Pilot email disclaimer](#)



CATHERINE LOUISE CLARK  
3/41 Locksley Road  
Ivanhoe VIC 3079

*By Email: catherine\_142@yahoo.com.au*

Dear CATHERINE LOUISE CLARK

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 15, 1 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION

### Voyager Resort

To: CATHERINE LOUISE CLARK  
 3/41 Locksley Road  
 Ivanhoe VIC 3079

Former Lot No.: 15  
 Former Weeks held: 1  
 Interest in Lot: 1.96%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b>A</b>
Percentage of amount <b>A</b> attributed to Lot 15 based on valuation	2	1.50%	<b>B</b>
Portion of amount <b>A</b> attributed to Lot 15 ( <b>A</b> x <b>B</b> )		629,654.50	<b>C</b>
Portion of amount <b>C</b> attributed to your interest in Lot 15 ( <b>C</b> x your interest)	3	12,346.17	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	-	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		12,346.17	<b>D</b>
Plus 2023 financial year interest (\$331,813.47 x <b>B</b> x your interest)	7	97.70	<b>E</b>
Plus 2024 financial year interest (\$397,404.61 x <b>B</b> x your interest)	8	137.07	<b>F</b>
<b>Your Total Interest</b> ( <b>E</b> + <b>F</b> )		234.76	<b>G</b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b>D</b> + <b>G</b> )		12,580.93	

**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
4. Upon settlement, the Trustees paid Foreign Resident Capital Gains Withholding Tax on Lots where interests are held by foreign Lot Owners.
5. Any encumbrances over your Lot have been paid and deducted from your entitlement where applicable.
6. Some Lot Owners owed amounts for outstanding levies. These have been adjusted against the relevant Lot Owner's entitlement where applicable.
7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
8. Portion of the \$397,404.61 interest earned by the Statutory Trustees in FY2024 applicable to your interest in the relevant Lot.
9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
Accounting		0.00	0.00	0.00
Bank fees		20.00	92.50	112.50
Computer software - Xero		52.72	186.90	239.62
Legal costs prior to sale, appointment of trustees and transfer of titles		179,606.77	0.00	179,606.77
Professional fees regarding taxation and GST matters		75,185.06	7,384.33	82,569.39
Valuation fees		19,463.68	0.00	19,463.68
Legal costs - trustees dispute Heaton		64,630.75	0.00	64,630.75
Legal costs - trustees dispute Julian-Armitage & Walters		30,463.64	0.00	30,463.64
Consultant fees - Pilot Partners		0.00	308,104.13	308,104.13
Trustees' expenses		0.00	7,234.34	7,234.34
		369,422.62	323,002.20	692,424.82
<b>Net Sale Proceeds for Distribution</b>		42,255,312.31	323,002.20	41,932,310.11
Add Interest received on funds held 2023 tax year		331,813.47	0.00	331,813.47
Add Interest received on funds held 2024 tax year		0.00	465,537.75	465,537.75
<b>Net Funds Held for Distribution to All Owners</b>		42,587,125.78	142,535.55	42,729,661.33
<b>Less FRCGW to be Allocated to Some Owners</b>				
FRCGW paid to ATO	1	863,439.00	0.00	863,439.00
<b>Net Funds Held for Distribution</b>		41,723,686.78	142,535.55	41,866,222.33

**Note 1: Foreign Residents Capital Gains Withholding**

Lot Number	Lot Valuation (\$)	Withholding @ 12.5%
Lot 45	756,248.12	94,531.00
Lot 49	763,000.33	95,375.00
Lot 53	776,504.77	97,063.00
Lot 56	756,248.12	94,531.00
Lot 57	783,256.98	97,907.00
Lot 58	756,248.12	94,531.00
Lot 60	763,000.33	95,375.00
Lot 61	790,009.20	98,751.00
Lot 62	763,000.33	95,375.00

A valuation was obtained in accordance with ATO criteria and the above Lots had values in excess of \$750,000, so the ATO assessed FRCGW on the above Lots at 12.5%. The amount assessed to each Lot will be allocated to owners who owned weeks in the Lot in accordance with value of the weeks. All other Lots were valued under \$750,000 and no FRCGW was payable.

Summary of Herron Todd White Valuation Report			
Lot Number	Unit Number	Assessed Value (\$)	% of Total Assessed Value
3	1A	450,000	1.44%
4	1B	470,000	1.50%
5	1C	490,000	1.57%
6	1D	470,000	1.50%
7	2A	460,000	1.47%
8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
18	4D	490,000	1.57%
19	5A	490,000	1.57%
20	5B	510,000	1.63%
21	5C	530,000	1.69%
22	5D	510,000	1.63%
23	6A	495,000	1.58%
24	6B	515,000	1.65%
25	6C	535,000	1.71%
26	6D	515,000	1.65%
27	7A	500,000	1.60%
28	7B	520,000	1.66%
29	7C	540,000	1.73%
30	7D	520,000	1.66%
31	8A	505,000	1.61%
32	8B	525,000	1.68%
33	8C	545,000	1.74%
34	8D	525,000	1.68%
35	9A	510,000	1.63%
36	9B	530,000	1.69%
37	9C	550,000	1.76%
38	9D	530,000	1.69%
39	10A	515,000	1.65%
40	10B	535,000	1.71%
41	10C	555,000	1.77%
42	10D	535,000	1.71%
43	11A	520,000	1.66%
44	11B	540,000	1.73%
45	11C	560,000	1.79%
46	11D	540,000	1.73%
47	12A	525,000	1.68%
48	12B	545,000	1.74%
49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>

CLAIRE CLARK  
9/233 Burke Road  
Glen Iris VIC 3146

*By Email: [clairemclark1942@gmail.com](mailto:clairemclark1942@gmail.com)*

Dear CLAIRE CLARK

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 7, 2 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION

### Voyager Resort

To: CLAIRE CLARK  
 9/233 Burke Road  
 Glen Iris VIC 3146

Former Lot No.: 7  
 Former Weeks held: 2  
 Interest in Lot: 3.92%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b>A</b>
Percentage of amount <b>A</b> attributed to Lot 7 based on valuation	2	1.47%	<b>B</b>
Portion of amount <b>A</b> attributed to Lot 7 ( <b>A</b> x <b>B</b> )		616,257.59	<b>C</b>
Portion of amount <b>C</b> attributed to your interest in Lot 7 ( <b>C</b> x your interest)	3	24,166.96	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	-	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		24,166.96	<b>D</b>
Plus 2023 financial year interest (\$331,813.47 x <b>B</b> x your interest)	7	191.23	<b>E</b>
Plus 2024 financial year interest (\$397,404.61 x <b>B</b> x your interest)	8	268.30	<b>F</b>
<b>Your Total Interest</b> ( <b>E</b> + <b>F</b> )		459.54	<b>G</b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b>D</b> + <b>G</b> )		24,626.50	



**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
4. Upon settlement, the Trustees paid Foreign Resident Capital Gains Withholding Tax on Lots where interests are held by foreign Lot Owners.
5. Any encumbrances over your Lot have been paid and deducted from your entitlement where applicable.
6. Some Lot Owners owed amounts for outstanding levies. These have been adjusted against the relevant Lot Owner's entitlement where applicable.
7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
8. Portion of the \$397,404.61 interest earned by the Statutory Trustees in FY2024 applicable to your interest in the relevant Lot.
9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
Accounting		0.00	0.00	0.00
Bank fees		20.00	92.50	112.50
Computer software - Xero		52.72	186.90	239.62
Legal costs prior to sale, appointment of trustees and transfer of titles		179,606.77	0.00	179,606.77
Professional fees regarding taxation and GST matters		75,185.06	7,384.33	82,569.39
Valuation fees		19,463.68	0.00	19,463.68
Legal costs - trustees dispute Heaton		64,630.75	0.00	64,630.75
Legal costs - trustees dispute Julian-Armitage & Walters		30,463.64	0.00	30,463.64
Consultant fees - Pilot Partners		0.00	308,104.13	308,104.13
Trustees' expenses		0.00	7,234.34	7,234.34
		369,422.62	323,002.20	692,424.82
<b>Net Sale Proceeds for Distribution</b>		42,255,312.31	323,002.20	41,932,310.11
Add Interest received on funds held 2023 tax year		331,813.47	0.00	331,813.47
Add Interest received on funds held 2024 tax year		0.00	465,537.75	465,537.75
<b>Net Funds Held for Distribution to All Owners</b>		42,587,125.78	142,535.55	42,729,661.33
<b>Less FRCGW to be Allocated to Some Owners</b>				
FRCGW paid to ATO	1	863,439.00	0.00	863,439.00
<b>Net Funds Held for Distribution</b>		41,723,686.78	142,535.55	41,866,222.33

**Note 1: Foreign Residents Capital Gains Withholding**

Lot Number	Lot Valuation (\$)	Withholding @ 12.5%
Lot 45	756,248.12	94,531.00
Lot 49	763,000.33	95,375.00
Lot 53	776,504.77	97,063.00
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Lot 58	756,248.12	94,531.00
Lot 60	763,000.33	95,375.00
Lot 61	790,009.20	98,751.00
Lot 62	763,000.33	95,375.00

A valuation was obtained in accordance with ATO criteria and the above Lots had values in excess of \$750,000, so the ATO assessed FRCGW on the above Lots at 12.5%. The amount assessed to each Lot will be allocated to owners who owned weeks in the Lot in accordance with value of the weeks. All other Lots were valued under \$750,000 and no FRCGW was payable.

Summary of Herron Todd White Valuation Report			
Lot Number	Unit Number	Assessed Value (\$)	% of Total Assessed Value
3	1A	450,000	1.44%
4	1B	470,000	1.50%
5	1C	490,000	1.57%
6	1D	470,000	1.50%
7	2A	460,000	1.47%
8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
18	4D	490,000	1.57%
19	5A	490,000	1.57%
20	5B	510,000	1.63%
21	5C	530,000	1.69%
22	5D	510,000	1.63%
23	6A	495,000	1.58%
24	6B	515,000	1.65%
25	6C	535,000	1.71%
26	6D	515,000	1.65%
27	7A	500,000	1.60%
28	7B	520,000	1.66%
29	7C	540,000	1.73%
30	7D	520,000	1.66%
31	8A	505,000	1.61%
32	8B	525,000	1.68%
33	8C	545,000	1.74%
34	8D	525,000	1.68%
35	9A	510,000	1.63%
36	9B	530,000	1.69%
37	9C	550,000	1.76%
38	9D	530,000	1.69%
39	10A	515,000	1.65%
40	10B	535,000	1.71%
41	10C	555,000	1.77%
42	10D	535,000	1.71%
43	11A	520,000	1.66%
44	11B	540,000	1.73%
45	11C	560,000	1.79%
46	11D	540,000	1.73%
47	12A	525,000	1.68%
48	12B	545,000	1.74%
49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>

CLAIRE CLARK  
9/233 Burke Road  
Glen Iris VIC 3146

*By Email: [clairemclark1942@gmail.com](mailto:clairemclark1942@gmail.com)*

Dear CLAIRE CLARK

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 40, 1 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION Voyager Resort

To: CLAIRE CLARK  
9/233 Burke Road  
Glen Iris VIC 3146

Former Lot No.: 40  
Former Weeks held: 1  
Interest in Lot: 1.96%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b><u>A</u></b>
Percentage of amount <b><u>A</u></b> attributed to Lot 40 based on valuation	2	1.71%	<b><u>B</u></b>
Portion of amount <b><u>A</u></b> attributed to Lot 40 ( <b><u>A</u></b> x <b><u>B</u></b> )		716,734.37	<b><u>C</u></b>
Portion of amount <b><u>C</u></b> attributed to your interest in Lot 40 ( <b><u>C</u></b> x your interest)	3	14,053.62	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	-	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		14,053.62	<b><u>D</u></b>
Plus 2023 financial year interest (\$331,813.47 x <b><u>B</u></b> x your interest)	7	111.21	<b><u>E</u></b>
Plus 2024 financial year interest (\$397,404.61 x <b><u>B</u></b> x your interest)	8	156.02	<b><u>F</u></b>
<b>Your Total Interest</b> ( <b><u>E</u></b> + <b><u>F</u></b> )		267.23	<b><u>G</u></b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b><u>D</u></b> + <b><u>G</u></b> )		14,320.85	

**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
4. Upon settlement, the Trustees paid Foreign Resident Capital Gains Withholding Tax on Lots where interests are held by foreign Lot Owners.
5. Any encumbrances over your Lot have been paid and deducted from your entitlement where applicable.
6. Some Lot Owners owed amounts for outstanding levies. These have been adjusted against the relevant Lot Owner's entitlement where applicable.
7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
8. Portion of the \$397,404.61 interest earned by the Statutory Trustees in FY2024 applicable to your interest in the relevant Lot.
9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
Accounting		0.00	0.00	0.00
Bank fees		20.00	92.50	112.50
Computer software - Xero		52.72	186.90	239.62
Legal costs prior to sale, appointment of trustees and transfer of titles		179,606.77	0.00	179,606.77
Professional fees regarding taxation and GST matters		75,185.06	7,384.33	82,569.39
Valuation fees		19,463.68	0.00	19,463.68
Legal costs - trustees dispute Heaton		64,630.75	0.00	64,630.75
Legal costs - trustees dispute Julian-Armitage & Walters		30,463.64	0.00	30,463.64
Consultant fees - Pilot Partners		0.00	308,104.13	308,104.13
Trustees' expenses		0.00	7,234.34	7,234.34
		369,422.62	323,002.20	692,424.82
<b>Net Sale Proceeds for Distribution</b>		42,255,312.31	323,002.20	41,932,310.11
Add Interest received on funds held 2023 tax year		331,813.47	0.00	331,813.47
Add Interest received on funds held 2024 tax year		0.00	465,537.75	465,537.75
<b>Net Funds Held for Distribution to All Owners</b>		42,587,125.78	142,535.55	42,729,661.33
<b>Less FRCGW to be Allocated to Some Owners</b>				
FRCGW paid to ATO	1	863,439.00	0.00	863,439.00
<b>Net Funds Held for Distribution</b>		41,723,686.78	142,535.55	41,866,222.33

#### **Note 1: Foreign Residents Capital Gains Withholding**

Lot Number	Lot Valuation (\$)	Withholding @ 12.5%
Lot 45	756,248.12	94,531.00
Lot 49	763,000.33	95,375.00
Lot 53	776,504.77	97,063.00
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Lot 60	763,000.33	95,375.00
Lot 61	790,009.20	98,751.00
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A valuation was obtained in accordance with ATO criteria and the above Lots had values in excess of \$750,000, so the ATO assessed FRCGW on the above Lots at 12.5%. The amount assessed to each Lot will be allocated to owners who owned weeks in the Lot in accordance with value of the weeks. All other Lots were valued under \$750,000 and no FRCGW was payable.

Summary of Herron Todd White Valuation Report			
Lot Number	Unit Number	Assessed Value (\$)	% of Total Assessed Value
3	1A	450,000	1.44%
4	1B	470,000	1.50%
5	1C	490,000	1.57%
6	1D	470,000	1.50%
7	2A	460,000	1.47%
8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
18	4D	490,000	1.57%
19	5A	490,000	1.57%
20	5B	510,000	1.63%
21	5C	530,000	1.69%
22	5D	510,000	1.63%
23	6A	495,000	1.58%
24	6B	515,000	1.65%
25	6C	535,000	1.71%
26	6D	515,000	1.65%
27	7A	500,000	1.60%
28	7B	520,000	1.66%
29	7C	540,000	1.73%
30	7D	520,000	1.66%
31	8A	505,000	1.61%
32	8B	525,000	1.68%
33	8C	545,000	1.74%
34	8D	525,000	1.68%
35	9A	510,000	1.63%
36	9B	530,000	1.69%
37	9C	550,000	1.76%
38	9D	530,000	1.69%
39	10A	515,000	1.65%
40	10B	535,000	1.71%
41	10C	555,000	1.77%
42	10D	535,000	1.71%
43	11A	520,000	1.66%
44	11B	540,000	1.73%
45	11C	560,000	1.79%
46	11D	540,000	1.73%
47	12A	525,000	1.68%
48	12B	545,000	1.74%
49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>



SUZANNE MAY SPARSHOTT  
10L Beni Forest Rd  
Dubbo NSW 2830

*By Email: smsparshott@bigpond.com*

Dear SUZANNE MAY SPARSHOTT

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 15, 1 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION

### Voyager Resort

To: SUZANNE MAY SPARSHOTT  
 10L Beni Forest Rd  
 Dubbo NSW 2830

Former Lot No.: 15  
 Former Weeks held: 1  
 Interest in Lot: 1.96%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b>A</b>
Percentage of amount <b>A</b> attributed to Lot 15 based on valuation	2	1.50%	<b>B</b>
Portion of amount <b>A</b> attributed to Lot 15 ( <b>A</b> x <b>B</b> )		629,654.50	<b>C</b>
Portion of amount <b>C</b> attributed to your interest in Lot 15 ( <b>C</b> x your interest)	3	12,346.17	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	-	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		12,346.17	<b>D</b>
Plus 2023 financial year interest (\$331,813.47 x <b>B</b> x your interest)	7	97.70	<b>E</b>
Plus 2024 financial year interest (\$397,404.61 x <b>B</b> x your interest)	8	137.07	<b>F</b>
<b>Your Total Interest</b> ( <b>E</b> + <b>F</b> )		234.76	<b>G</b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b>D</b> + <b>G</b> )		12,580.93	

**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
4. Upon settlement, the Trustees paid Foreign Resident Capital Gains Withholding Tax on Lots where interests are held by foreign Lot Owners.
5. Any encumbrances over your Lot have been paid and deducted from your entitlement where applicable.
6. Some Lot Owners owed amounts for outstanding levies. These have been adjusted against the relevant Lot Owner's entitlement where applicable.
7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
8. Portion of the \$397,404.61 interest earned by the Statutory Trustees in FY2024 applicable to your interest in the relevant Lot.
9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
Accounting		0.00	0.00	0.00
Bank fees		20.00	92.50	112.50
Computer software - Xero		52.72	186.90	239.62
Legal costs prior to sale, appointment of trustees and transfer of titles		179,606.77	0.00	179,606.77
Professional fees regarding taxation and GST matters		75,185.06	7,384.33	82,569.39
Valuation fees		19,463.68	0.00	19,463.68
Legal costs - trustees dispute Heaton		64,630.75	0.00	64,630.75
Legal costs - trustees dispute Julian-Armitage & Walters		30,463.64	0.00	30,463.64
Consultant fees - Pilot Partners		0.00	308,104.13	308,104.13
Trustees' expenses		0.00	7,234.34	7,234.34
		369,422.62	323,002.20	692,424.82
<b>Net Sale Proceeds for Distribution</b>		42,255,312.31	323,002.20	41,932,310.11
Add Interest received on funds held 2023 tax year		331,813.47	0.00	331,813.47
Add Interest received on funds held 2024 tax year		0.00	465,537.75	465,537.75
<b>Net Funds Held for Distribution to All Owners</b>		42,587,125.78	142,535.55	42,729,661.33
<b>Less FRCGW to be Allocated to Some Owners</b>				
FRCGW paid to ATO	1	863,439.00	0.00	863,439.00
<b>Net Funds Held for Distribution</b>		41,723,686.78	142,535.55	41,866,222.33

**Note 1: Foreign Residents Capital Gains Withholding**

Lot Number	Lot Valuation (\$)	Withholding @ 12.5%
Lot 45	756,248.12	94,531.00
Lot 49	763,000.33	95,375.00
Lot 53	776,504.77	97,063.00
Lot 56	756,248.12	94,531.00
Lot 57	783,256.98	97,907.00
Lot 58	756,248.12	94,531.00
Lot 60	763,000.33	95,375.00
Lot 61	790,009.20	98,751.00
Lot 62	763,000.33	95,375.00

A valuation was obtained in accordance with ATO criteria and the above Lots had values in excess of \$750,000, so the ATO assessed FRCGW on the above Lots at 12.5%. The amount assessed to each Lot will be allocated to owners who owned weeks in the Lot in accordance with value of the weeks. All other Lots were valued under \$750,000 and no FRCGW was payable.

Summary of Herron Todd White Valuation Report			
Lot Number	Unit Number	Assessed Value (\$)	% of Total Assessed Value
3	1A	450,000	1.44%
4	1B	470,000	1.50%
5	1C	490,000	1.57%
6	1D	470,000	1.50%
7	2A	460,000	1.47%
8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
18	4D	490,000	1.57%
19	5A	490,000	1.57%
20	5B	510,000	1.63%
21	5C	530,000	1.69%
22	5D	510,000	1.63%
23	6A	495,000	1.58%
24	6B	515,000	1.65%
25	6C	535,000	1.71%
26	6D	515,000	1.65%
27	7A	500,000	1.60%
28	7B	520,000	1.66%
29	7C	540,000	1.73%
30	7D	520,000	1.66%
31	8A	505,000	1.61%
32	8B	525,000	1.68%
33	8C	545,000	1.74%
34	8D	525,000	1.68%
35	9A	510,000	1.63%
36	9B	530,000	1.69%
37	9C	550,000	1.76%
38	9D	530,000	1.69%
39	10A	515,000	1.65%
40	10B	535,000	1.71%
41	10C	555,000	1.77%
42	10D	535,000	1.71%
43	11A	520,000	1.66%
44	11B	540,000	1.73%
45	11C	560,000	1.79%
46	11D	540,000	1.73%
47	12A	525,000	1.68%
48	12B	545,000	1.74%
49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>

STUART CRAIG BARRY & PAUL HAZELTON CLARK  
1241 Indigo Creek Road  
Indigo Valley VIC 3688

*By Email: clarky1241@gmail.com*

Dear STUART CRAIG BARRY & PAUL HAZELTON CLARK

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 15, 1 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION Voyager Resort

To: STUART CRAIG BARRY & PAUL HAZELTON CLARK  
1241 Indigo Creek Road  
Indigo Valley VIC 3688

Former Lot No.: 15  
Former Weeks held: 1  
Interest in Lot: 1.96%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b>A</b>
Percentage of amount <b>A</b> attributed to Lot 15 based on valuation	2	1.50%	<b>B</b>
Portion of amount <b>A</b> attributed to Lot 15 ( <b>A</b> x <b>B</b> )		629,654.50	<b>C</b>
Portion of amount <b>C</b> attributed to your interest in Lot 15 ( <b>C</b> x your interest)	3	12,346.17	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	-	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		12,346.17	<b>D</b>
Plus 2023 financial year interest (\$331,813.47 x <b>B</b> x your interest)	7	97.70	<b>E</b>
Plus 2024 financial year interest (\$397,404.61 x <b>B</b> x your interest)	8	137.07	<b>F</b>
<b>Your Total Interest</b> ( <b>E</b> + <b>F</b> )		234.76	<b>G</b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b>D</b> + <b>G</b> )		12,580.93	



**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
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7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
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9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
Accounting		0.00	0.00	0.00
Bank fees		20.00	92.50	112.50
Computer software - Xero		52.72	186.90	239.62
Legal costs prior to sale, appointment of trustees and transfer of titles		179,606.77	0.00	179,606.77
Professional fees regarding taxation and GST matters		75,185.06	7,384.33	82,569.39
Valuation fees		19,463.68	0.00	19,463.68
Legal costs - trustees dispute Heaton		64,630.75	0.00	64,630.75
Legal costs - trustees dispute Julian-Armitage & Walters		30,463.64	0.00	30,463.64
Consultant fees - Pilot Partners		0.00	308,104.13	308,104.13
Trustees' expenses		0.00	7,234.34	7,234.34
		369,422.62	323,002.20	692,424.82
<b>Net Sale Proceeds for Distribution</b>		42,255,312.31	323,002.20	41,932,310.11
Add Interest received on funds held 2023 tax year		331,813.47	0.00	331,813.47
Add Interest received on funds held 2024 tax year		0.00	465,537.75	465,537.75
<b>Net Funds Held for Distribution to All Owners</b>		42,587,125.78	142,535.55	42,729,661.33
<b>Less FRCGW to be Allocated to Some Owners</b>				
FRCGW paid to ATO	1	863,439.00	0.00	863,439.00
<b>Net Funds Held for Distribution</b>		41,723,686.78	142,535.55	41,866,222.33

**Note 1: Foreign Residents Capital Gains Withholding**

Lot Number	Lot Valuation (\$)	Withholding @ 12.5%
Lot 45	756,248.12	94,531.00
Lot 49	763,000.33	95,375.00
Lot 53	776,504.77	97,063.00
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Lot 58	756,248.12	94,531.00
Lot 60	763,000.33	95,375.00
Lot 61	790,009.20	98,751.00
Lot 62	763,000.33	95,375.00

A valuation was obtained in accordance with ATO criteria and the above Lots had values in excess of \$750,000, so the ATO assessed FRCGW on the above Lots at 12.5%. The amount assessed to each Lot will be allocated to owners who owned weeks in the Lot in accordance with value of the weeks. All other Lots were valued under \$750,000 and no FRCGW was payable.

Summary of Herron Todd White Valuation Report			
Lot Number	Unit Number	Assessed Value (\$)	% of Total Assessed Value
3	1A	450,000	1.44%
4	1B	470,000	1.50%
5	1C	490,000	1.57%
6	1D	470,000	1.50%
7	2A	460,000	1.47%
8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
18	4D	490,000	1.57%
19	5A	490,000	1.57%
20	5B	510,000	1.63%
21	5C	530,000	1.69%
22	5D	510,000	1.63%
23	6A	495,000	1.58%
24	6B	515,000	1.65%
25	6C	535,000	1.71%
26	6D	515,000	1.65%
27	7A	500,000	1.60%
28	7B	520,000	1.66%
29	7C	540,000	1.73%
30	7D	520,000	1.66%
31	8A	505,000	1.61%
32	8B	525,000	1.68%
33	8C	545,000	1.74%
34	8D	525,000	1.68%
35	9A	510,000	1.63%
36	9B	530,000	1.69%
37	9C	550,000	1.76%
38	9D	530,000	1.69%
39	10A	515,000	1.65%
40	10B	535,000	1.71%
41	10C	555,000	1.77%
42	10D	535,000	1.71%
43	11A	520,000	1.66%
44	11B	540,000	1.73%
45	11C	560,000	1.79%
46	11D	540,000	1.73%
47	12A	525,000	1.68%
48	12B	545,000	1.74%
49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>

GEOFFREY CLARK  
10L Beni Forest Rd  
Dubbo NSW 2830

*By Email: smsparshott@bigpond.com*

Dear GEOFFREY CLARK

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 7, 1 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION

### Voyager Resort

To: GEOFFREY CLARK  
10L Beni Forest Rd  
Dubbo NSW 2830

Former Lot No.: 7  
Former Weeks held: 1  
Interest in Lot: 1.96%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b>A</b>
Percentage of amount <b>A</b> attributed to Lot 7 based on valuation	2	1.47%	<b>B</b>
Portion of amount <b>A</b> attributed to Lot 7 ( <b>A</b> x <b>B</b> )		616,257.59	<b>C</b>
Portion of amount <b>C</b> attributed to your interest in Lot 7 ( <b>C</b> x your interest)	3	12,083.48	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	-	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		12,083.48	<b>D</b>
Plus 2023 financial year interest (\$331,813.47 x <b>B</b> x your interest)	7	95.62	<b>E</b>
Plus 2024 financial year interest (\$397,404.61 x <b>B</b> x your interest)	8	134.15	<b>F</b>
<b>Your Total Interest</b> ( <b>E</b> + <b>F</b> )		229.77	<b>G</b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b>D</b> + <b>G</b> )		12,313.25	

**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
4. Upon settlement, the Trustees paid Foreign Resident Capital Gains Withholding Tax on Lots where interests are held by foreign Lot Owners.
5. Any encumbrances over your Lot have been paid and deducted from your entitlement where applicable.
6. Some Lot Owners owed amounts for outstanding levies. These have been adjusted against the relevant Lot Owner's entitlement where applicable.
7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
8. Portion of the \$397,404.61 interest earned by the Statutory Trustees in FY2024 applicable to your interest in the relevant Lot.
9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
Accounting		0.00	0.00	0.00
Bank fees		20.00	92.50	112.50
Computer software - Xero		52.72	186.90	239.62
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		369,422.62	323,002.20	692,424.82
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Add Interest received on funds held 2023 tax year		331,813.47	0.00	331,813.47
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<b>Net Funds Held for Distribution to All Owners</b>		42,587,125.78	142,535.55	42,729,661.33
<b>Less FRCGW to be Allocated to Some Owners</b>				
FRCGW paid to ATO	1	863,439.00	0.00	863,439.00
<b>Net Funds Held for Distribution</b>		41,723,686.78	142,535.55	41,866,222.33

**Note 1: Foreign Residents Capital Gains Withholding**

Lot Number	Lot Valuation (\$)	Withholding @ 12.5%
Lot 45	756,248.12	94,531.00
Lot 49	763,000.33	95,375.00
Lot 53	776,504.77	97,063.00
Lot 56	756,248.12	94,531.00
Lot 57	783,256.98	97,907.00
Lot 58	756,248.12	94,531.00
Lot 60	763,000.33	95,375.00
Lot 61	790,009.20	98,751.00
Lot 62	763,000.33	95,375.00

A valuation was obtained in accordance with ATO criteria and the above Lots had values in excess of \$750,000, so the ATO assessed FRCGW on the above Lots at 12.5%. The amount assessed to each Lot will be allocated to owners who owned weeks in the Lot in accordance with value of the weeks. All other Lots were valued under \$750,000 and no FRCGW was payable.



Summary of Herron Todd White Valuation Report			
Lot Number	Unit Number	Assessed Value (\$)	% of Total Assessed Value
3	1A	450,000	1.44%
4	1B	470,000	1.50%
5	1C	490,000	1.57%
6	1D	470,000	1.50%
7	2A	460,000	1.47%
8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
18	4D	490,000	1.57%
19	5A	490,000	1.57%
20	5B	510,000	1.63%
21	5C	530,000	1.69%
22	5D	510,000	1.63%
23	6A	495,000	1.58%
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49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 11 pages are the annexure marked "BVH-21" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-21"**

Bundle of Documents relating to Doornbos, DA

.....

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Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

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Prepared by Benjamin Leigh Sandford

---

Law firm Mahoneys

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Tel 07 3007 3777

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Fax 07 3007 3778

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Email info@mahoneys.com.au

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Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

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## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17388059	<b>Search Date:</b>	19/08/2021 13:02
<b>Date Title Created:</b>	11/09/1989	<b>Request No:</b>	38257831
<b>Previous Title:</b>	16977213		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 62 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 702886897 08/09/1998  
VOYAGER RESORT LTD A.C.N. 010 547 618

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17094074	<b>Search Date:</b>	19/08/2021 13:02
<b>Date Title Created:</b>	29/12/1987	<b>Request No:</b>	38257811
<b>Previous Title:</b>	16977213		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 62 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 706119154 14/11/2002  
VOYAGER RESORT LTD A.C.N. 010 547 618

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

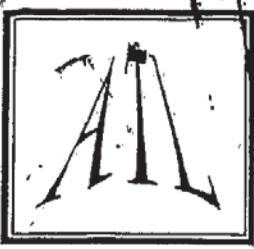
NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



OUR REF: NATALIE PETTERSON:FLW:23397VRL370

21 June, 2005

**AUSTRALIAN  
TIMESHARE  
LAWYERS**

THE DIRECTORS  
VOYAGER RESORT LTD  
P O BOX 71  
BROADBEACH QLD 4218

PRINCIPAL  
Fiona Wood LL.B.

C.E.O.  
Jenny Petterson

Dear Sirs,

**RE: SALE TO DOORNBOS - 2 FLOATING WEEKS IN LOT 62  
"VOYAGER RESORT"**

We are pleased to advise settlement of your timeshare sale took place today.

We note full settlement money has been paid to the resort direct by the purchaser's credit card.

We are now attending to stamping and registration procedures, and shall forward new share certificates to the resort for signing and sealing in due course.

Should you have any queries, please contact our office.

Yours faithfully,  
**AUSTRALIAN TIMESHARE LAWYERS**

per:

**Natalie Petterson**

SUITE 8  
"HODSON CENTRE"  
189 ASHMORE ROAD  
BENOWA QLD 4217

POSTAL ADDRESS:  
PO BOX 6345  
GOLD COAST MC  
BUNDALL QLD 9726

TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 5539 5858  
EMAIL: austimelaw@aol.com



17 June 2005

Australian Timeshare Lawyers  
P.O. Box 6345  
G C M C 9726

**VRL Sale to Doornbos**

We enclose a signed transfer delivered to us by Mr Doornbos.

Can you now please attend to transfer.

Yours faithfully



Geoff Heaton  
**RESORT MANAGER**

QUEENSLAND LAND REGISTRY  
Land Title Act 1994, Land Act 1994 and Water Act 2000

**TRANSFER**

FORM 1 Version 4  
Page 1 of

Dealing Number.

Duty Imprint



**Privacy Statement**

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

<b>1. Interest being transferred</b> (if shares show as a fraction) Parcel 1 1/51 Estate in fee simple, Parcel 2 1/51 share in fee simple	<b>Lodger</b> (Name, address & phone number) AUST TIMESHARE LAWYERS -PO BOX 6345 GCMC 9726 NRP:23397VRL370	<b>Lodger Code</b> GC013
--	---	-----------------------------

Note: A Form 24 (Property Transfer Information) must be attached to this Form where interest being transferred is "fee simple" (Land Title Act 1994), "State leasehold" (Land Act 1994) or "Water Allocation" (Water Act 2000).

2. Lot on Plan Description	County	Parish	Title Reference
Parcel 1 LOT 62 BUP 6459	WARD	GILSTON	17093221 17388 0,59
Parcel 2 LOT 62 BUP 6459	WARD	GILSTON	17094074 ✓

**3. Transferor**  
VOYAGER RESORT LIMITED ACN ACN 010 547 618

**4. Consideration**  
\$7000.00

<b>5. Transferee</b>	Given names	Surname/Company name and number	(Include tenancy if more than one)
EPP0	DOREEN ANNE	DOORNBOS	as Joint Tenants

**6. Transfer/Execution.** The transferor transfers to the transferee the estate and interest described in item 1 for the consideration and in the case of monetary consideration acknowledges receipt of the consideration. The transferor declares that the information contained in items 1 to 3 on the attached Form 24 is true and correct. The transferee states that the information contained in items 3 and 4 on the attached Form 24 is true and correct. Where a solicitor signs on behalf of the transferee the information in items 3 and 4 on Form 24 is based on information supplied by the transferee.

**NOTE: Separate executions are required for each transferor and transferee.**  
Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Witnessing Officer (signature, full name & qualification)	Execution Date	Transferor's Signature
.....	X / X / X	DIRECTOR <i>[Signature]</i>
.....	X / X / X	DIRECTOR <i>[Signature]</i>
Witnessing Officer (signature, full name & qualification)	Execution Date	*Transferee's or Solicitor's Signature
<i>[Signature]</i> JP	16/06/05	<i>[Signature]</i>
GEORGEY GRAEME HEATON Justice of the Peace		<i>[Signature]</i>
.....	1 / 1	.....

(Witnessing officer must be in accordance with Schedule 1 of the Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

Note: A Solicitor is required to print full name if signing on behalf of the Transferee and no witness is required in this instance





**AUSTRALIAN  
TIMESHARE  
LAWYERS**

**PRINCIPAL**  
Fiona Wood LL.B.  
**C.E.O.**  
Jenny Petterson

OUR REF: NATALIE PETTERSON:FLW:23397VRL370

25 September, 2003

THE DIRECTORS  
VOYAGER RESORT  
P O BOX 71  
BROADBEACH QLD 4218

Dear Sir,

**RE: SALE TO DOORNBOS - 2 FLOATING WEEKS- LOT 62  
"VOYAGER RESORT"**

We have received instructions from Geoff Heaton at Voyager Resort that the Resort wishes to sell timeshare consisting of 2 Floating weeks in Lot 62 to Mr & Mrs E Doornbos, and we advise that we have been instructed to act on the Purchaser's behalf.

Settlement has been set for 22 October 2003.

In preparation for settlement we enclose the following documents for your attention:-

- 1. Sales Agreement for 2 Floating weeks for the sum of \$7,000.00. We request two directors sign the agreement where noted, and affix the company seal.
- 2. Form 1 Transfer (with Form 24 annexed). Please sign the Transfer form in the Transferors section, and affix the company seal.
- 3. Share Transfer relating to 2 Floating weeks in Voyager Resort Limited to be signed by two directors in the Sellers section - no witness required.
- 4. Disbursement Authority to be signed where indicated - no witness required.

We confirm your instructions 2003/2004 maintenance levy has been paid, and current entitlements shall pass to the purchaser upon settlement.

Upon receipt of executed documents from you we shall attend to settlement and forward cheque in sum of \$7,000.00 to your office.

Should you have any queries with regard to the enclosures, please contact your Solicitor, or alternatively, contact **Natalie Petterson** at our office.

Yours faithfully,  
AUSTRALIAN TIMESHARE LAWYERS  
per:

  
**Natalie Petterson**

enc

SUITE 8  
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189 ASHMORE ROAD  
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BUNDALL QLD 9726  
  
TEL: 07 5539 5858  
FAX: 07 5539 5808  
INT: +61 7 5539 5858  
EMAIL: austimelaw@aol.com





EPPO DOORNBOS & DOREEN ANNE DOORNBOS  
2/173 Riverside Drive  
Lower Hutt 5010  
NEW ZEALAND

*By Email: [eppo.doreen@xtra.co.nz](mailto:eppo.doreen@xtra.co.nz)*

Dear EPPO DOORNBOS & DOREEN ANNE DOORNBOS

**Re: Appointment of Statutory Trustees for Sale  
Lots 3-62 on Building Unit Plan 6459  
167 Old Burleigh Road, Broadbeach QLD 4218 ("Voyager Resort")**

**Your Former Lot Holding: Lot 62, 4 Week(s)**

We refer to previous correspondence and Pilot Partners reports in relation to the above matter.

The Statutory Trustees engaged Pilot Partners to assist in the calculation of the distribution to the Lot Owners.

A distribution has been deposited into your nominated bank account by the Trustees.

In this regard, please find **attached**:

- A statement setting out the calculation of your final distribution;
- A summary of the Statutory Trustees' receipts and payments applicable to the sale of the property and related matters for the period 16 December 2022 to 22 January 2024; and
- A summary of the Herron Todd White Valuation Report dated 10 March 2023.

This now brings the majority of matters for the Statutory Trustees to an end and we are now taking steps to finalise our appointment, where possible. The Liquidators will proceed with their administration and dividend to shareholders.

Yours faithfully

**STATUTORY TRUSTEES OF VOYAGER RESORT**

Contact: [voyager@pilotpartners.com.au](mailto:voyager@pilotpartners.com.au)

## STATEMENT OF FINAL DISTRIBUTION Voyager Resort

To: EPPO DOORNBOS & DOREEN ANNE DOORNBOS  
2/173 Riverside Drive  
Lower Hutt 5010  
NEW ZEALAND

Former Lot No.: 62  
Former Weeks held: 4  
Interest in Lot: 7.84%

	Note	Amount (\$)	
Net funds available for distribution	1	41,932,310.11	<b><u>A</u></b>
Percentage of amount <b><u>A</u></b> attributed to Lot 62 based on valuation	2	1.81%	<b><u>B</u></b>
Portion of amount <b><u>A</u></b> attributed to Lot 62 ( <b><u>A</u></b> x <b><u>B</u></b> )		756,925.09	<b><u>C</u></b>
Portion of amount <b><u>C</u></b> attributed to your interest in Lot 62 ( <b><u>C</u></b> x your interest)	3	59,366.67	
Less Foreign Resident Capital Gains Withholding Tax paid by the Statutory Trustees on your behalf	4	7,480.40	
Less Payment made to any encumbrances over your Lot	5	-	
Less Outstanding levies owed to Voyager Resort Limited	6	-	
<b>Your Total Net Proceeds</b>		51,886.28	<b><u>D</u></b>
Plus 2023 financial year interest (\$331,813.47 x <b><u>B</u></b> x your interest)	7	469.77	<b><u>E</u></b>
Plus 2024 financial year interest (\$397,404.61 x <b><u>B</u></b> x your interest)	8	659.10	<b><u>F</u></b>
<b>Your Total Interest</b> ( <b><u>E</u></b> + <b><u>F</u></b> )		1,128.87	<b><u>G</u></b>
<b>NET FINAL DISTRIBUTION PAID TO YOU</b> ( <b><u>D</u></b> + <b><u>G</u></b> )		53,015.15	

**Notes:**

1. The net sale proceeds for Lots 3-62, adjusted for expenses, shown as net sale proceeds for distribution in the Trustees' summary of receipts and payments **attached**.
2. The proportion of the net sale price attributable to the relevant Lot, based on the assessed Lot value per the Herron Todd White Valuation Report dated 10 March 2023. Refer to the summary of Herron Todd White Valuation Report **attached**.
3. The proportion of the net sale price attributable to your relevant Lot, divided into shares and multiplied by the number of weeks held by you in the Lot. E.g. Lot Owners who held 1 week are entitled to 1/51 share in the Lot.
4. Upon settlement, the Trustees paid Foreign Resident Capital Gains Withholding Tax on Lots where interests are held by foreign Lot Owners.
5. Any encumbrances over your Lot have been paid and deducted from your entitlement where applicable.
6. Some Lot Owners owed amounts for outstanding levies. These have been adjusted against the relevant Lot Owner's entitlement where applicable.
7. Portion of the \$331,813.47 interest earned by the Statutory Trustees in FY2023 applicable to your interest in the relevant Lot.
8. Portion of the \$397,404.61 interest earned by the Statutory Trustees in FY2024 applicable to your interest in the relevant Lot.
9. All figures have been rounded to 2 decimal places. The actual amounts paid may vary slightly due to being calculated with the maximum accuracy allowable with our software.

### Statutory Trustees' Income and Expense Statement as at 11 January 2024

	Note	To 30/06/2023	01/07/2023 to 11/01/2024	Total at 11/01/2024
<b>Revenue</b>				
Sale proceeds Voyager Resort		43,550,012.93	0.00	43,550,012.93
<b>Cost of Sale</b>				
Agents commission		871,000.06	0.00	871,000.06
Legal cost		54,277.94	0.00	54,277.94
		925,278.00	0.00	925,278.00
<b>Net Sale Proceeds</b>		42,624,734.93	0.00	42,624,734.93
<b>Costs Incurred Prior To and After Sale</b>				
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8	2B	480,000	1.53%
9	2C	500,000	1.60%
10	2D	480,000	1.53%
11	3A	465,000	1.49%
12	3B	485,000	1.55%
13	3C	505,000	1.61%
14	3D	485,000	1.55%
15	4A	470,000	1.50%
16	4B	490,000	1.57%
17	4C	510,000	1.63%
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25	6C	535,000	1.71%
26	6D	515,000	1.65%
27	7A	500,000	1.60%
28	7B	520,000	1.66%
29	7C	540,000	1.73%
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36	9B	530,000	1.69%
37	9C	550,000	1.76%
38	9D	530,000	1.69%
39	10A	515,000	1.65%
40	10B	535,000	1.71%
41	10C	555,000	1.77%
42	10D	535,000	1.71%
43	11A	520,000	1.66%
44	11B	540,000	1.73%
45	11C	560,000	1.79%
46	11D	540,000	1.73%
47	12A	525,000	1.68%
48	12B	545,000	1.74%
49	12C	565,000	1.81%
50	12D	545,000	1.74%
51	13A	535,000	1.71%
52	13B	555,000	1.77%
53	13C	575,000	1.84%
54	13D	555,000	1.77%
55	14A	540,000	1.73%
56	14B	560,000	1.79%
57	14C	580,000	1.85%
58	14D	560,000	1.79%
59	15A	545,000	1.74%
60	15B	565,000	1.81%
61	15C	585,000	1.87%
62	15D	565,000	1.81%
<b>Total</b>		<b>\$31,300,000</b>	<b>100%</b>

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 15 pages are the annexure marked "BVH-22" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-22"**

Bundle of Documents relating to Gurrieri, RG & SL

.....

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Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

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Prepared by Benjamin Leigh Sandford

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Law firm Mahoneys

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Tel 07 3007 3777

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Fax 07 3007 3778

---

Email info@mahoneys.com.au

---

Ref 32419

---

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17093250	<b>Search Date:</b>	19/08/2021 13:02
<b>Date Title Created:</b>	23/12/1987	<b>Request No:</b>	38257806
<b>Previous Title:</b>	16977213		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 62 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

ROBERT GUISEPPE GURRIERI SALLY-ANN LOUISE GURRIERI	JOINT TENANTS INTER SE	2/51
---	------------------------	------

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

ITEM 14 1/14

MAGISTRATES COURT OF QUEENSLAND  
REGISTRY: BRISBANE  
NUMBER: 0052019/20

Plaintiff: VOYAGER RESORT LIMITED (ACN 010547618)

AND

Defendant: 1. ROBERT GUISEPPE GURRIERI  
2. SALLY-ANN LOUISE GURRIERI

REQUEST FOR DEFAULT JUDGMENT

The Plaintiff requests the Registrar to give judgment against the Defendant in default of filing of a Notice of Intention to Defend in response to this claim.

The Claim was served on the Second Defendant on 18/06/2020 as is shown by the Affidavit of Service of KIERAN BRIAN MONAGHAN, filed with this request.

The claim against the Defendant is for \$19947.08 as a debt or liquidated demand with interest.

No Notice of Intention to Defend has been served at the address for service of the plaintiff.

The relief claimed remains unsatisfied as appears from the affidavit of LEAHRA MCKENDRICK filed with this request.

The Plaintiff also claims interest under part 8 of the Civil Proceedings Act 2011 at an annual interest rate of 4.75%, that is \$495.68 calculated from 31/01/2020.



Request for default judgment  
Filed on behalf of the plaintiff:  
Form 25 R.283-287,289

CELTIC LEGAL  
Solicitor  
LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066  
Ph: (07) 33008000 Fax: (07) 33008088  
Reference: 2003511



N

The plaintiff also claims \$1786.76 costs as prescribed, made up as follows:

Cost of Claim	\$263.50
Appeal Costs Fund Fee	\$3.85
Professional Costs on Claim	\$1125.00
Service and Travelling Costs on Claim	\$51.55
Other Costs at Judgment	\$0.00
Additional Service and Travelling Costs	\$0.00
Professional Fee in obtaining Judgment	\$254.10
Search Fee	\$54.58
e-Lodgement Service Provider's Fee on Claim	\$17.09
e-Lodgement Service Provider's Fee on Default Judgment	\$17.09
	<hr/>
Total Amount of Costs	\$1786.76
	<hr/>

Signed: Signature not required for electronically lodged documents

Description: Solicitor for the Plaintiff

Date: 24/07/2020

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3

MAGISTRATES COURT OF QUEENSLAND  
REGISTRY: BRISBANE  
NUMBER: 0052019/20

Plaintiff: VOYAGER RESORT LIMITED (ACN 010547618)

AND

Defendant: 1. ROBERT GUISEPPE GURRIERI  
2. SALLY-ANN LOUISE GURRIERI

AFFIDAVIT TO SUPPORT A REQUEST FOR DEFAULT JUDGMENT

I, LEAHRA MCKENDRICK  
of Level 5, 49 Sherwood Road, Toowong QLD 4066

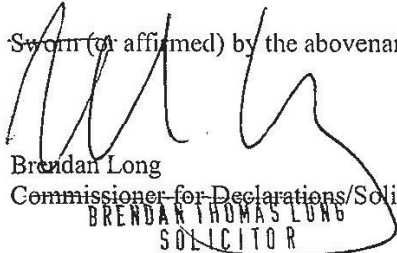
~~STATE ON OATH~~ (OR SOLEMNLY AND SINCERELY AFFIRM AND DECLARE) THAT:

- 1. I am a Paralegal in the employ of Celtic Legal, the Solicitors for the Plaintiff in this proceeding and under the supervision of Mr Brendan Long, Director of Celtic Legal.
- 2. I am duly authorised to make this Affidavit on behalf of the Plaintiff.
- 3. Today, I was informed by Millie Blake, an authorised agent for the Plaintiff who has custody and control of the records of the Plaintiff, that the Plaintiff has received no payments from the Second Defendant and the amount of \$19,947.08 ("Debt") remains outstanding.
- 4. The Plaintiff claims interest on the Debt from the Second Defendant in the amount of \$495.68. The amount of interest is calculated as follows:

Start Date	End Date	Days	Rate	Amount Per Day	Total
13/Jan/2020	30/Jun/2020	170	4.75%	\$2.5888	\$440.09
01/Jul/2020	24/Jul/2020	24	4.25%	\$2.3163	\$55.59
Total		194			\$495.68

5. All the facts and circumstances deposed to in this Affidavit are within my own knowledge except those that are deposed to from information only and my means of knowledge and sources of information appear on the fact of this my Affidavit.

Sworn (or affirmed) by the abovenamed deponent at TOOWONG on 24/07/2020, before me:

  
 Brendan Long  
 Commissioner for Declarations/Solicitor/Justice of the Peace  
 BRENDAN THOMAS LONG  
 SOLICITOR

  
 Deponent

X

Magistrates Court of Queensland

Registry: Brisbane  
Number: 0052019/20

Plaintiff VOYAGER RESORT LIMITED (ACN 010547618)  
AND  
Defendant Robert Guiseppe Gurrieri  
Defendant Sally-Ann Louise Gurrieri

AFFIDAVIT OF SERVICE

I, Kieran Brian Monaghan a Process Server of Suite 4 50-54 Robinson Street DANDENONG VIC 3175 in the State of Victoria, make oath and say that on Thursday 18 June 2020 at 4:35 PM, I served the Defendant, **Sally-Ann Louise Gurrieri** with a true copy of the Claim and Statement of Claim, filed at Brisbane on 22/04/2020, numbered 0052019/20, together with a Form 1 Notice to Defendant Service and Execution of Process Act 1992

(a) by delivering a copy thereof to her personally at 29 ANSTEY AVENUE RESERVOIR VIC 3073

(b) I identified the person served by asking:  
I asked, Are you Sally-Ann Louise Gurrieri the person named as the Defendant in this Claim and Statement of Claim? the Female appeared to look at the documents and replied: "Yes".

And that I necessarily made 1 (number) trips and 9 (distance) kilometres in all, for the purpose of effecting such service.

Additional travelling fees claimed \$ Nil

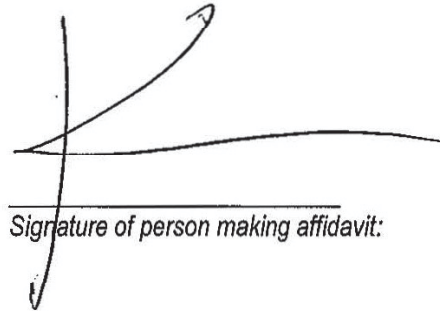
All the facts and circumstances above deposed to are within my own knowledge, save such as are deposed to from information only, and my means of knowledge and sources of information appear on the face of this my affidavit.

\*SWORN by the above named deponent at DANDENONG  
in the State of Victoria  
on 19/06/2020

Before me:



Witness: **FATIMA NAMDAR**  
Capacity: Suite 5, 50-54 Robinson Street  
Address: Dandenong, VIC 3175  
*An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)*

  
Signature of person making affidavit:

Document: AFFIDAVIT OF SERVICE  
Filed on behalf of Plaintiff

CELTIC LEGAL  
Solicitor  
Level 5, 49 Sherwood Road, Toowong QLD 4066  
Phone: 07 3300 8000  
Fax: 07 3300 8088  
Reference: 2003511



h

**Magistrates Court of Queensland**

Registry:  
Number:

Brisbane  
0052019/20

Plaintiff	VOYAGER RESORT LIMITED (ACN 010547618)
	AND
Defendant	Robert Guiseppe Gurrieri
Defendant	Sally-Ann Louise Gurrieri

**AFFIDAVIT OF ATTEMPT**

I, Kieran Brian Monaghan a Process Server of Unit 4, 50-54 Robinson Street DANDENONG VIC 3175 in the State of Victoria, make oath and say that I did duly attempt to serve a copy of:

- A. Claim and Statement of Claim
- B. Form 1 - Notice to Defendant

on Robert Guiseppe Gurrieri by attempting to deliver them to the Defendant as follows:

I was unable to effect service because:

Thursday 18 June 2020 at 4:56pm: attended at the given address of 42 Royal Parade RESERVOIR VIC 3073 in an attempt to serve the documents. The documents were not served because attempted to interview a male occupant who advised that the defendant no longer resides at the given address having vacated. The male occupant refused to assist, and I believe that he was the defendant. The male refused to produce ID. The defendant's brother is also believed to be living at the address. The occupant refused to assist further or provide any details in relation to the defendant. Discreetly interviewed a male neighbour however he was unco operative which was possibly because the male occupant was in the front yard watching. A Mercedes Vito van registered 1BY-8LP was sighted on the roadside.

And that I necessarily made 3 (number) trips and 9 (distance) kilometres in all, for the purpose of effecting such service.

Additional travelling fees claimed

\$ Nil

All the facts and circumstances above 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 on the face of this my affidavit.

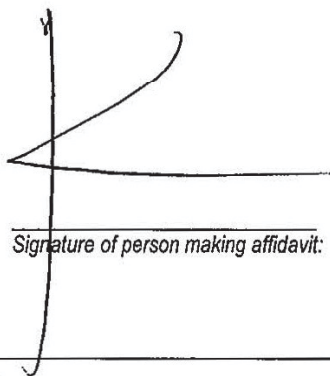
\*SWORN by the above named deponent at Dandenong  
in the State of Victoria  
on 19/06/2020

Before me:



**FATIMA NAMDAR**  
Suite 5, 50-54 Robinson Street  
Dandenong VIC 3175

Witness:  
Capacity: *An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)*  
Address:



Signature of person making affidavit:

Document: **AFFIDAVIT OF ATTEMPT**  
Filed on behalf of Plaintiff

**CELTIC LEGAL**  
Solicitor  
Level 5, 49 Sherwood Rd, Toowong QLD 4066  
Phone: 07 3300 8000  
Fax: 07 3300 8088  
Reference: 2003511

6

**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: **BRISBANE**  
NUMBER: **0052019/20**

Plaintiff: **VOYAGER RESORT LIMITED (ACN 010547618)**

**AND**

Defendant: **1. ROBERT GUISEPPE GURRIERI**  
**2. SALLY-ANN LOUISE GURRIERI**

**CLAIM**

The plaintiff claims:

1. The Defendants pay the Plaintiff the sum of \$19,947.08 for money due and payable by the Defendants to the Plaintiff in respect to a breach of the Agreement;
2. In the alternative, damages in the sum of \$19,947.08;
3. In the alternative, restitution in the sum of \$19,947.08;
4. The Defendants pay the Plaintiff interest on the Debt from 31 January 2020 pursuant to section 58 of the Civil Proceedings Act 2011 (Qld);
5. The Defendants pay the Plaintiff's costs of and incidental to these proceedings on a standard basis; and
6. Such other or further order as the Court deem fit.

The plaintiff makes this claim in reliance on the facts alleged in the attached Statement of Claim.  
ISSUED WITH THE AUTHORITY OF THE MAGISTRATES COURTS OF QUEENSLAND

And filed in the **BRISBANE** Registry on **22/04/2020**

To the defendant(s): **TAKE NOTICE** that you are being sued by the plaintiff in the Court. If you intend to dispute this claim or wish to raise any counterclaim against the plaintiff, you must within 28 days of the service upon you of this claim file a Notice of Intention to Defend in this Registry. If you do not comply with this requirement judgment may be given against you for the relief claimed and costs without further notice to you. The Notice should be in Form 6 to the Uniform Civil Procedure Rules. You must serve a



Registrar

<p>CLAIM Filed on Behalf of the Plaintiff(s) Form 2, Version 2 Uniform Civil Procedure Rules 1999 Rule 22</p>	<p>CELTIC LEGAL Solicitor LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066 Ph: ( 07 ) 33008000 Fax: ( 07 ) 33008088 Reference: 2003511</p>
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sealed copy of it at the plaintiff's address for service shown in this claim as soon as possible.

Address of Registry: 363 George Street Brisbane Qld 4001

If the claim is for an amount of not more than \$25,000.00, and the claim is not to recover a debt or liquidated demand, then the claim is a 'minor claim'. Simplified procedures apply to minor claims. (see rule 515 of the *Uniform Civil Procedure Rules 1999*).

If you assert that this Court does not have jurisdiction in this matter or assert any irregularity you must file a Conditional Notice of Intention to Defend in Form 7 under Rule 144, and apply for an order under Rule 16 within 14 days of filing that Notice.

If you object that these proceedings have not been commenced in the correct district of the Court, that objection must be included in your Notice of Intention to Defend.



## PARTICULARS OF THE PLAINTIFF:

Name: **VOYAGER RESORT LIMITED (ACN 010547618)**  
Plaintiff residential or business 167 OLD BURLEIGH RD, BROADBEACH QLD 4218  
  
Plaintiff Solicitor Name: BRENDAN LONG  
Solicitor Firm Name: CELTIC LEGAL  
Solicitor Business Address: LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066  
  
Address for Service: LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066  
Dx:  
Telephone: ( 07 ) 33008000  
Fax: ( 07 ) 33008088  
E-mail Address: blong@celticlegal.com.au

Signed: Signature not required for electronically lodged documents.

Description: Solicitor for the Plaintiff

Dated: 22/04/2020

This Claim is to be served on:

of: 1. ROBERT GUISEPPE GURRIERI  
27 AVANDINA CRES, GREENSBOROUGH VIC 3088, AUSTRALIA  
and on: 2. SALLY-ANN LOUISE GURRIERI  
of: 44-48 BAYES RD, LOGAN RESERVE QLD 4133, AUSTRALIA

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**MAGISTRATES COURT OF QUEENSLAND**REGISTRY: **BRISBANE**  
NUMBER: **0052019/20**

Plaintiff: **VOYAGER RESORT LIMITED (ACN 010547618)**  
**AND**  
Defendant: **1. ROBERT GUISEPPE GURRIERI**  
**2. SALLY-ANN LOUISE GURRIERI**

---

Filed in the **BRISBANE** Registry on **22/04/2020**

**STATEMENT OF CLAIM**

**This claim in this proceeding is made in reliance on the following facts:**

1. At all material times to this proceeding:
  - (a) the Plaintiff was a company incorporated at law and capable of suing in its corporate name.
  - (b) the First Defendant was an individual capable of being sued.
  - (c) the Second Defendant was an individual capable of being sued.

(collectively referred to herein as "the Defendants").
2. In or around December 1986, the Plaintiff and the Defendants entered into a written timeshare agreement ("Agreement") with respect to a premises known as Lot 62 on Building Unit Plan 6459 ("Premises").
3. The material terms of the Agreement were, inter alia, as follows:
  - (a) The Defendants would be listed as joint tenants inter se as tenants in common in a 2/51 part share owners of the Premises.
  - (b) The Defendants would make levy payments to the Plaintiff with respect to the Premises ("Levy Fees") within a time stipulated by the Plaintiff, namely on receipt of a tax invoice.
  - (c) In default of payment of the Levy Fees, the Defendants would pay a late payment fee to the Plaintiff.
4. As at 23 December 1987, the Defendants are, and were, a 2/51 part share owner of the Premises.

**Particulars**

- (a) The Plaintiff refers to and relies on the current title search for title reference 17093250 identifying the Defendants as 2/51 part share owners.

Claim filed on behalf of the plaintiff Form 16 R.22, 146	<b>CELTIC LEGAL</b> Solicitor LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066 Ph: (07) 33008000 Fax: (07) 33008088 Reference: 2003511
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10

5. Pursuant to the Agreement, the Plaintiff issued tax invoices to the Defendants between 1 July 2015 and 31 January 2020 to the total amount of \$19,947.08.

#### Particulars

(a) The Plaintiff refers to and relies on the tax invoices identified in the statement issued to the Defendants for the period to 31 January 2020.

6. Pursuant to the Agreement, the amount of \$19,947.08 is due and owing by the Defendants to the Plaintiff ("Debt").

7. The Defendants have failed, neglected and/or refused to pay the Debt to the Plaintiff and as such, the Defendants are in breach of the Agreement.

8. On or about 26 February 2020, the Plaintiff issued a written letter of demand to the Defendants ("Demand").

9. Despite the Demand, the Defendants have not paid the Debt to the Plaintiff and the Defendants remain in breach of the Agreement.

10. As a result of the Defendants breaching the Agreement, the Plaintiff has suffered loss and damage in the amount of the Debt.

11. The Plaintiff claims interest on the Debt from the Defendants in the amount of \$213.20 as at the date of this statement of claim and continuing to accrue at a rate of \$2.60 per day pursuant to section 58 of the Civil Proceedings Act 2011 (Qld). The amount of interest is calculated as follows:

$$\begin{aligned} & \$19,947.08 \times 4.75\% / 365 \text{ days} = \$2.60 \text{ (daily rate of interest).} \\ & 31 \text{ January 2020 to 21 April 2020, 82 days at } 4.75\% \text{ on } \$19,245.80 = \$213.20. \end{aligned}$$

12. The Plaintiff claims its legal costs from the Defendants.

The Plaintiff claims the following relief:

1. \$19,947.08 for money due and payable by the Defendants to the Plaintiff in respect to a breach of the Agreement;
2. in the alternative, damages in the sum of \$19,947.08;
3. in the alternative, restitution in the sum of \$19,947.08;
4. interest pursuant to section 58 of the Civil Proceedings Act 2011 (Qld); and
5. legal costs.

The Plaintiff also claims interest under part 8 of the Civil Proceedings Act 2011 at an annual interest rate of 4.75%, that is \$213.20 calculated from 31/01/2020.

**Signed:** Signature not required for electronically lodged documents.

**Description:** Solicitor for the Plaintiff

11

**NOTICE AS TO DEFENCE**

Your defence must be attached to your notice of intention to defend.

**NOTICE UNDER RULE 150(3)**

The plaintiff claims:

<b>Claim</b>	<b>\$19947.08</b>
<b>Interest</b>	<b>\$213.20</b>
<b>Costs of issuing the claim and this statement of claim</b>	<b>\$263.50</b>
<b>Appeal Costs Fund</b>	<b>\$3.85</b>
<b>Professional Costs</b>	<b>\$1125.00</b>
<b>Service and Travelling Costs</b>	<b>\$51.55</b>
<b>Search Fees</b>	<b>\$54.58</b>
<b>e-Lodgement Service Provider's Fee</b>	<b>\$17.09</b>
	<hr/>
<b>TOTAL AMOUNT OF PLAINTIFF'S CLAIM</b>	<b>\$21675.85</b>
	<hr/>

**The proceeding ends if you pay those amounts before the time for filing your notice of intention to defend ends. If you are in default by not filing a notice of intention to defend within the time allowed, the plaintiff is entitled to claim additional costs of \$254.10, costs of entering judgment in default.**

12

**voyager resort**

---

**From:** Rosen Lawyers <rosen@ecn.net.au>  
**Sent:** Wednesday, 17 November 2021 1:30 PM  
**To:** Brendan Long  
**Subject:** GURRIERI ats VOYAGER RESORT LIMITED

**ROSEN  
LAWYERS**

Warren Rosen LL.B  
Principal

ABN: 54 251 164 699

1st Floor, 393 WONDALL ROAD TINGALPA QLD 4173  
PO Box 2044 TINGALPA QLD 4173  
**PHONE (07) 3348 3677** A/H Mobile 0411 633 944  
Fax (07) 3348 3688  
E-Mail [rosen@ecn.net.au](mailto:rosen@ecn.net.au) Website: [www.rosenlawyers.com.au](http://www.rosenlawyers.com.au)

Our Ref: WLR:TSD:21/134  
Your Ref: 2003511

17 November 2021

**Attention: Brendan Long**  
Celtic Legal  
By Email: [blong@celticlegal.com.au](mailto:blong@celticlegal.com.au)

“Without Prejudice”

Dear Colleagues

**GURRIERI ats VOYAGER RESORT LIMITED**

We refer to the document entitled “Acknowledgement Form of Surrender”.

We are instructed that our client is prepared to sign that document in favour of your client in full satisfaction and discharge of her debt to your client.

We await your further advices.

Yours faithfully  
**ROSEN**



Encl/



“Liability limited by a scheme approved under professional standards legislation”

13

# ROSEN LAWYERS

Warren Rosen LL.B  
Principal

ABN: 54 251 164 699

1st Floor, 393 WONDALL ROAD TINGALPA QLD 4173

PO Box 2044 TINGALPA QLD 4173

PHONE (07) 3348 3677 A/H Mobile 0411 633 944

Fax (07) 3348 3688

E-Mail rosen@ecn.net.au Website: www.rosenlawyers.com.au

Our Ref: WLR:VMC:21/134

Your Ref:

11 April 2022

**Attention: Angela Julian-Armitage**

Barrister-at-Law

c/- PD Connolly Chambers

Level 16

239 George Street

BRISBANE QLD 4000

Dear Colleagues

## GURRIERI ats VOYAGER RESORT LIMITED

We refer to your letter of the 3<sup>rd</sup> of March 2022 and enclosures, and our letter to you of the 4<sup>th</sup> of March 2022.

Please find *enclosed*:

1. Deed of Transfer duly executed by our client and Mr Gurrieri;
2. Share Transfer duly executed by our client and Mr Gurrieri;
3. Form 1 Transfer and Form 24.

In the circumstances, kindly advise whether Voyager Resort Limited are prepared to Consent to an Application to set aside Judgment in respect of our client.

Thanking you in anticipation of your prompt attention.

Yours faithfully

**ROSEN**

Sender to keep  
Life & Pet  
02 01004 72562 50660 50995



"Liability limited by a scheme approved under professional standards legislation"  
Warren Rosen – Family Law Specialist



### WARNING

We have been made aware of recent attempted frauds relating to the transfer of money requested by law firms to its clients. Please DO NOT act on any communication from Rosen Lawyers that requests either the transfer or deposit of money to our nominated account without first calling our office on 07 3348 3677 to confirm the authenticity and reliability of the correspondence received.

14



Geoffrey Heaton <heatong48@gmail.com>

---

**FW: GURRIERI ats VOYAGER RESORT LIMITED**

---

Angela Julian-Armitage <armitage@qldbar.asn.au>  
To: Rosen Lawyers <rosen@ecn.net.au>  
Cc: heatong48@gmail.com, geoffw@acctweb.com.au

Wed, May 11, 2022 at 1:00 PM

Dear colleague,

You have not heard back from me as the documents you claim to have sent to my chambers have not arrived. Could you kindly check with the post office to see where they may have landed. If you have copies please forward them to the following address:-

Voyager Resort Ltd  
167 Old Burleigh Road  
Broadbeach Qld 4218

Regards

[Quoted text hidden]



**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 8 pages are the annexure marked "BVH-23" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-23"**

Bundle of Documents relating to McCrae, DW

.....

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Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

---

Prepared by Benjamin Leigh Sandford

---

Law firm Mahoneys

---

Tel 07 3007 3777

---

Fax 07 3007 3778

---

Email info@mahoneys.com.au

---

Ref 32419

---

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>17139199</b>	<b>Search Date:</b>	02/08/2021 11:24
<b>Date Title Created:</b>	05/05/1988	<b>Request No:</b>	38061651
<b>Previous Title:</b>	16977196		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 46 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 720444644 04/12/2020

DAVID WAYNE MCCRAE

2/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: **BRISBANE**  
 NUMBER: **0052299/20**

Plaintiff: **VOYAGER RESORT LIMITED (ACN 010547618)**

**AND**

Defendant: **1. DAVID WAYNE MCCRAE**  
**2. RAELENE ANN MCCRAE**

**CLAIM**

The plaintiff claims:

1. The Defendants pay the Plaintiff the sum of \$20,910.00, for money due and payable by the Defendants to the Plaintiff in respect to a breach of the Agreement;
2. In the alternative, damages in the sum of \$20,910.00;
3. In the alternative, restitution in the sum of \$20,910.00;
4. The Defendants pay the Plaintiff interest on the Debt from 01 March 2020 pursuant to section 58 of the Civil Proceedings Act 2011 (Qld);
5. The Defendants pay the Plaintiff's costs of and incidental to these proceedings on a standard basis; and
6. Such other or further order as the Court deem fit.

The plaintiff makes this claim in reliance on the facts alleged in the attached Statement of Claim.  
 ISSUED WITH THE AUTHORITY OF THE MAGISTRATES COURTS OF QUEENSLAND

And filed in the **BRISBANE** Registry on **07/05/2020**

To the defendant(s): **TAKE NOTICE** that you are being sued by the plaintiff in the Court. If you intend to dispute this claim or wish to raise any counterclaim against the plaintiff, you must within 28 days of the service upon you of this claim file a Notice of Intention to Defend in this Registry. If you do not comply with this requirement judgment may be given against you for the relief claimed and costs without further notice to you. The Notice should be in Form 6 to the Uniform Civil Procedure Rules. You must serve a



Registrar

CLAIM  
 Filed on Behalf of the Plaintiff(s)  
 Form 2, Version 2  
 Uniform Civil Procedure Rules 1999  
 Rule 22

CELTIC LEGAL  
 Solicitor  
 LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066  
 Ph: ( 07 ) 33008000 Fax: ( 07 ) 33008088  
 Reference: 2003531



sealed copy of it at the plaintiff's address for service shown in this claim as soon as possible.

Address of Registry: 363 George Street Brisbane Qld 4001

If the claim is for an amount of not more than \$25,000.00, and the claim is not to recover a debt or liquidated demand, then the claim is a 'minor claim'. Simplified procedures apply to minor claims. (see rule 515 of the *Uniform Civil Procedure Rules 1999*).

If you assert that this Court does not have jurisdiction in this matter or assert any irregularity you must file a Conditional Notice of Intention to Defend in Form 7 under Rule 144, and apply for an order under Rule 16 within 14 days of filing that Notice.

If you object that these proceedings have not been commenced in the correct district of the Court, that objection must be included in your Notice of Intention to Defend.

## PARTICULARS OF THE PLAINTIFF:

Name: **VOYAGER RESORT LIMITED (ACN 010547618)**

Plaintiff residential or business 167 OLD BURLEIGH RD, BROADBEACH QLD 4218

Plaintiff Solicitor Name: BRENDAN LONG

Solicitor Firm Name: CELTIC LEGAL

Solicitor Business Address: LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066

Address for Service: LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066

Dx:

Telephone: ( 07 ) 33008000

Fax: ( 07 ) 33008088

E-mail Address: blong@celticlegal.com.au

Signed: Signature not required for electronically lodged documents.

Description: Solicitor for the Plaintiff

Dated: 07/05/2020

This Claim is to be served on:

of: 1. DAVID WAYNE MCCRAE  
5 HATFIELD COURT, KEYSBOROUGH VIC 3173, AUSTRALIA

and on: 2. RAELENE ANN MCCRAE

of: 5 HATFIELD COURT, KEYSBOROUGH VIC 3173, AUSTRALIA

---

**MAGISTRATES COURT OF QUEENSLAND**REGISTRY: **BRISBANE**NUMBER: **0052299/20**Plaintiff: **VOYAGER RESORT LIMITED (ACN 010547618)****AND**Defendant: **1. DAVID WAYNE MCCRAE****2. RAELENE ANN MCCRAE**Filed in the **BRISBANE** Registry on **07/05/2020****STATEMENT OF CLAIM****This claim in this proceeding is made in reliance on the following facts:**

1. At all material times to this proceeding:
  - (a) the Plaintiff was a company incorporated at law and capable of suing in its corporate name;
  - (b) the First Defendant was an individual capable of being sued; and
  - (c) the Second Defendant was an individual capable of being sued.
2. In or around 07 September 1987, the Plaintiff and the First Defendant and Second Defendant ("Defendants") entered into a written agreement ("Agreement") with respect to a premise known as Lot 46 Building Unit Plan 6459 ("Premise").

## Particulars

- (a) In so far as the Agreement was written, it is contained in the Application for Units executed by the Defendants.
3. The material terms of the Agreement were, inter alia, as follows:
  - (a) The Defendants would be listed as the tenants in common as a 2/51 part share owner of the Premise.
  - (b) The Defendants would make levy payments to the Plaintiff with respect to the Premise ("Levy Fees") within the time stipulated by the Plaintiff, namely on receipt of the Plaintiff's tax invoice.
  - (c) In default of payment of the Levy Fees, the Defendants would pay a late payment fee to the Plaintiff ("Late Payment Fee").
4. As at 5 May 1988, the Defendants were, and are, a 2/51 part share owner of the Premise.

## Particulars

- (a) The Plaintiff refers to and relies on the current title search for title reference 17139199 identifying the Defendants as

Claim filed on behalf of the plaintiff Form 16 R.22, 146	CELTIC LEGAL Solicitor LEVEL 5, 49 SHERWOOD RD, TOOWONG QLD 4066 Ph: ( 07 ) 33008000 Fax: ( 07 ) 33008088 Reference: 2003531
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2/51 owner of the Premise.

5. Pursuant to the Agreement, between 2014 and 29 February 2020, the Plaintiff issued tax invoices to the Defendants with respect to Levy Fees and Late Payment Fees totalling the amount of \$22,520.00 ("Debt").
6. On or about 11 February 2020, the Plaintiff applied a credit in the amount of \$1,610.00 towards the Debt.
7. The Defendants have failed, neglected and/or refused to pay the Debt to the Plaintiff and as such, the Defendants are in breach of the Agreement.
8. On or about 03 March 2020, the Plaintiff issued a written letter of demand to the Defendants in respect to the Debt ("Demand").
9. Despite the Plaintiff's Demand, the Defendants have not paid the Debt to the Plaintiff and the Defendants remain in breach of the Agreement.
10. As a result of the Defendants breaching the Agreement, the Plaintiff has suffered loss and damage in the amount of the Debt.
11. The Plaintiff claims interest on the Debt from the Defendants from 01 March 2020 in the amount of \$181.82 as at the date of this Statement of Claim and continuing to accrue at a rate of \$2.71 per day pursuant to section 58 of the Civil Proceedings Act 2011 (Qld).
12. The Plaintiff claims its legal costs from the Defendants.

The Plaintiff claims the following relief:

1. \$20,910.00 for money due and payable by the Defendants to the Plaintiff in respect to a breach of the Agreement;
2. in the alternative, damages in the sum of \$20,910.00;
3. in the alternative, restitution in the sum of \$20,910.00;
4. interest pursuant to section 58 of the Civil Proceedings Act 2011 (Qld); and
5. legal costs.

The Plaintiff also claims interest under part 8 of the Civil Proceedings Act 2011 at an annual interest rate of 4.75%, that is \$181.82 calculated from 01/03/2020.

**Signed:** Signature not required for electronically lodged documents.

**Description:** Solicitor for the Plaintiff

**NOTICE AS TO DEFENCE**

Your defence must be attached to your notice of intention to defend.

**NOTICE UNDER RULE 150(3)**

The plaintiff claims:

<b>Claim</b>	<b>\$20910.00</b>
<b>Interest</b>	<b>\$181.82</b>
<b>Costs of issuing the claim and this statement of claim</b>	<b>\$263.50</b>
<b>Appeal Costs Fund</b>	<b>\$3.85</b>
<b>Professional Costs</b>	<b>\$1249.00</b>
<b>Service and Travelling Costs</b>	<b>\$103.10</b>
<b>Search Fees</b>	<b>\$54.58</b>
<b>e-Lodgement Service Provider's Fee</b>	<b>\$17.09</b>
<b>TOTAL AMOUNT OF PLAINTIFF'S CLAIM</b>	<b>\$22782.94</b>

The proceeding ends if you pay those amounts before the time for filing your notice of intention to defend ends. If you are in default by not filing a notice of intention to defend within the time allowed, the plaintiff is entitled to claim additional costs of \$279.00, costs of entering judgment in default.



4



Geoffrey Heaton &lt;heatong48@gmail.com&gt;

---

**FW: Voyager Resort Limited -v- McCrae - 195447**  
1 message

Millie Blake <MBlake@profcoll.com.au>  
To: Geoffrey Heaton <heatong48@gmail.com>

Good Morning Geoffrey,

Please see attached and below.

Please can you confirm if the title is now in Voyagers Name?

Thank you



Millie Blake

Account Manager

P: 07 3831 5222 | F: 07 3831 5655

PO Box 341 Toowong QLD 4066

mblake@profcoll.com.au | www.profcoll.com.au

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This email is intended only for the use of the addressee. You must not edit this email or any attachments without our express consent.

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---

**From:** Beau Foley <bfoley@celticlegal.com.au>  
**Sent:** Thursday, 7 January 2021 11:06 AM  
**To:** Glenn Small <GSmall@profcoll.com.au>  
**Subject:** Voyager Resort Limited -v- McCrae - 195447

Hi Glenn,

Further to our email of 8 December 2020, we have now received the original transfer of title documents from the Defendant. Please see **attached**.

Are we instructed to forward the original title documents to the conveyancers of the client, ABKJ Lawyers?

Sincerely,



**Beau Foley**

Solicitor

PO Box 443, Toowong QLD 4066 | Level 5, 49 Sherwood Rd, Toowong QLD 4066  
P: 07 3300 8000 | F: 07 3300 8088 | E: bfoley@celticlegal.com.au

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 10 pages are the annexure marked "BVH-24" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-24"**

Bundle of Documents relating to TR McDonald Pty Ltd

.....

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Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

Prepared by Benjamin Leigh Sandford

Law firm Mahoneys

Tel 07 3007 3777

Fax 07 3007 3778

Email [info@mahoneys.com.au](mailto:info@mahoneys.com.au)

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: [info@mahoneys.com.au](mailto:info@mahoneys.com.au)  
.....



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	16807094	<b>Search Date:</b>	02/08/2021 10:34
<b>Date Title Created:</b>	27/09/1985	<b>Request No:</b>	38059683
<b>Previous Title:</b>	16699154		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 25 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER**

T R MCDONALD & SONS PTY LTD

**INTEREST**

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
2. LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



# Historical Company Extract for T.R. MCDONALD & SONS PTY. LTD.

Extracted from ASIC database on 01 November 2024 02:57 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:	T.R. MCDONALD & SONS PTY. LTD.
A.C.N:	005199600
Status:	Deregistered
Date Deregistered:	27/11/2011
Reason Deregistered:	Section 601AB
Registered In:	VIC
Registration Date:	09/06/1976
Review Date:	09/06/2012
Name Start Date:	09/09/1976
Type:	Australian Proprietary Company
Organisation Number Type:	Australian Company Number
Details Start Date:	27/11/2011
Class:	Limited By Shares
Subclass:	Proprietary Company
Disclosing Entity:	No
Previous State Number:	C0119869P
Registered charity:	No
Document Number:	

## Former Organisation Details

Start Date - End Date	Name	Status	Name Start Date	Type	Class	Subclass	Disclosing Entity	Doc Number
19/09/2011 - 26/11/2011	T.R. MCDONALD & SONS PTY. LTD.	Strike-Off Action In Progress	09/09/1976	Australian Proprietary Company	Limited By Shares	Proprietary Company	No	0D0201248
09/09/1976 - 18/09/2011	T.R. MCDONALD & SONS PTY. LTD.	Registered	09/09/1976	Australian Proprietary Company	Limited By Shares	Proprietary Company	No	0519960A (AR 1990)
09/06/1976 - 08/09/1976	SEVENTH EMEER NOMINEES PTY. LTD.	Registered	09/06/1976	Australian Proprietary Company	Limited By Shares	Exempt Proprietary Company	No	0519960A (AR 1990)

## Organisation Address

Status	Address Type	Address	Start Date - End Date	Doc Number
Former	Registered Office	SUITE 4 27-33 WOODS STREET BEACONSFIELD VIC 3807	27/08/2008 - 27/11/2011	1E4702996
Former	Registered Office	SUITE 2 LEVEL 1 1057 BURWOOD HIGHWAY FERNTREE GULLY VIC 3156	01/02/2000 - 26/08/2008	0E4118616
Former	Registered Office	21A THE MALL WANTIRNA VIC 3152	08/07/1996 - 31/01/2000	0E0512663
Former	Registered Office	C/- G A HARRISON & CO 250 INKERMAN STREET ST KILDA VIC 3182	12/08/1991 - 07/07/1996	001312246
Former	Registered Office	118 BARKLY STREET ST KILDA VIC 3182	21/06/1989 - 11/08/1991	0519960A (AR 1990)
Former	Registered Office	24 ORCHARD DRIVE CROYDON VIC 3136	14/12/1987 - 20/06/1989	
Former	Registered Office	13 BENDIGO STREET RICHMOND VIC 3121	09/06/1976 - 13/12/1987	

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

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1987	31/01/1988		31/12/1987		31/12/1987	No
1988	31/01/1989		31/12/1988		30/09/1988	No
1989	31/01/1990		31/12/1989		31/12/1989	No
1990	31/01/1991		31/12/1990		31/12/1990	No
1991	31/01/1992		31/12/1991		13/11/1991	No
1992	31/01/1993		31/12/1992		31/12/1992	No
1993	31/01/1994		31/12/1993		30/11/1993	No
1994	31/01/1995		31/12/1994		31/12/1994	No
1995	31/01/1996		31/12/1995		11/11/1995	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
9204	9204 Pre 1991 Memorandum And Articles	38	11/07/2013	11/07/2013	11/07/2013	910338707
9205	9205 Pre 1991 Regd Office/place of Business, Agent, Officeholders Shares- Allotment, Prospectus, Report of Affairs, Trust Deed	11	11/07/2013	11/07/2013	11/07/2013	910338708
9206	9206 Pre 1991 Annual Return And Other Documents	60	11/07/2013	11/07/2013	11/07/2013	910338709
9206	9206 Pre 1991 Annual Return And Other Documents	25	11/07/2013	11/07/2013	11/07/2013	910338710
484	484 Change to Company Details 484C Change of Principal Place of Business (Address) 484A1 Change Officeholder Name or Address 484A2 Change Member Name or Address	2	11/06/2010	11/06/2010	01/06/2010	1E6573910
484	484B Change to Company Details Change of Registered Address	2	20/08/2008	20/08/2008	13/08/2008	1E4702996
484	484E Change to Company Details Appointment or Cessation of A Company Officeholder	2	17/03/2006	17/03/2006	07/03/2006	1E1913804
316	316L Annual Return Annual Return - Proprietary Company	3	10/09/2002	10/09/2002	14/08/2002	0E7629987 (AR 2002)
316	316L Annual Return Annual Return - Proprietary Company	3	10/10/2001	16/10/2001	14/09/2001	0E6272396 (AR 2001)
316	316L Annual Return Annual Return - Proprietary Company	3	14/11/2000	14/11/2000	18/10/2000	0E5058426 (AR 2000)
203	203G Notification of Change of Address 1 - Principal Place Of Business	1	08/02/2000	08/02/2000	26/01/2000	0E4292350
203	203A Notification of Change of Address 1	1	25/01/2000	26/01/2000	21/01/2000	0E4118616
316	316L Annual Return Annual Return - Proprietary Company	3	10/12/1999	18/01/2000	07/12/1999	0E3829272 (AR 1999)
203	203G Notification of Change of Address 1 - Principal Place Of Business	1	07/12/1999	07/12/1999	03/12/1999	0E3803437
316	316L Annual Return Annual Return - Proprietary Company	3	02/12/1998	02/12/1998	17/11/1998	0E2535169 (AR 1998)
316	316L Annual Return Annual Return - Proprietary Company	4	18/12/1997	18/12/1997	09/12/1997	0E1632446 (AR 1997)
316	316L Annual Return Annual Return - Proprietary Company	4	16/01/1997	17/01/1997	13/12/1996	0E0913644 (AR 1996)
203	203 Notification Of 203A Change of Address 203B Change of Office Hours	1	01/07/1996	01/07/1996	01/07/1996	0E0512663
316	316L Annual Return Annual Return	4	14/11/1995	05/12/1995	11/11/1995	00519960F (AR 1995)
316	316L Annual Return Annual Return	4	28/02/1995	05/04/1995	31/12/1994	00519960E (AR 1994)
316	316L Annual Return Annual Return	4	06/12/1993	16/12/1993	30/11/1993	00519960D (AR 1993)
316	316L Annual Return Annual Return	4	05/03/1993	10/03/1993	31/12/1992	00519960C (AR 1992)

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
316	316 Annual Return 316E Corrections 316L Annual Return	4	20/11/1991	18/12/1991	20/11/1991	00519960B (AR 1991)
203	203A Notification of Change of Address	1	05/08/1991	08/08/1991	01/08/1991	001312246
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

Note: The Address for ASIC Company Communications is for ASIC use only to correspond with the company. ASIC will forward notices such as the company statement, invoice statements and other correspondence where requested to this address.

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

**From:** Lyn mcdonald  
**Sent:** Tuesday, 14 November 2023 6:19:16 PM  
**To:** Voyager  
**Subject:** No info

Just an email to inform you that I am getting no emails from you..I owned a week at the resort 7th week of the year..my apartment was under T.R. Mcdonald and sons but he passed away and the resort is in my name Lynette McDonald as sorted by the Voyager..please inform me as per payment of the unit  
Thanks

**From:** Bailey Cox  
**Sent:** Friday, 17 November 2023 9:24:34 AM  
**To:** Cameron Woodcroft  
**Subject:** PC / Lynette McDonald / 17 November 2023 [PILOT-CLIENT.FID1210301]  
**Attachments:** No info

#### FILE NOTE

<b>Matter</b>	Voyager
<b>Filing No.</b>	
<b>Date/Time</b>	17/11/2023 at 9:14am
<b>Phone No.</b>	0408 134 542
<b>In/Out</b>	In
<b>Person</b>	Lynette McDonald
<b>Alternate Contact</b>	

#### Comments

- Lynette following up on attached email regarding her right to receive distribution for title owned by deregistered company
- I explained that title was never actually transferred into her name but we have reached out to Trustees to ask how they intend to proceed
- Lynette confirmed she has been paying levies for 10+ years
- I advised I would provide her an update after hearing back from the Trustees

#### Actions To Be Performed

- [@Cameron Woodcroft](#) – if you're still catching up with Geoff, it might be worthwhile asking if he is aware of Lynette McDonald's situation

Regards,

**Bailey Cox**

Accountant

Level 10, Waterfront Place, 1 Eagle Street, Brisbane, Qld, Australia, 4000

**T** +61 7 3023 136 **E** [bc Cox@pilotpartners.com.au](mailto:bc Cox@pilotpartners.com.au) **W** [pilotpartners.com.au](http://pilotpartners.com.au)

5



Chartered Accountant

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**From:** Bailey Cox  
**Sent:** Wednesday, 22 November 2023 9:23:19 AM  
**To:** Bailey Cox  
**Subject:** PC / Lynette McDonald / 22 November 2023 [PILOT-CLIENT.FID1210301]  
**Attachments:** PC\_ Lynette McDonald \_ 17 November 2023 [PILOT-CLIENT.FID1210301](2566173.1).msg.nrl

#### FILE NOTE

<b>Matter</b>	Voyager
<b>Filing No.</b>	
<b>Date/Time</b>	22/11/2023 at 9:14am
<b>Phone No.</b>	0408 134 542
<b>In/Out</b>	In
<b>Person</b>	Lynette McDonald
<b>Alternate Contact</b>	

#### Comments

- Lyn wanted update on dispute – refer to attached file note
- I advised we have raised dispute with Trustees, still waiting to hear back from some of them
- Lyn wanted to know if she should be contacting her solicitor, I advised not necessary at this stage. Geoff Heaton has indicated he would like payment to be made to Lyn however would need the Trustees to come to an agreement

#### Actions To Be Performed

- 

Regards,

**Bailey Cox**

Accountant

Level 10, Waterfront Place, 1 Eagle Street, Brisbane, Qld, Australia, 4000

**T** +61 7 3023 136 **E** [bcox@pilotpartners.com.au](mailto:bcox@pilotpartners.com.au) **W** [pilotpartners.com.au](http://pilotpartners.com.au)

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└ └



**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

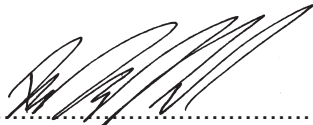
No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 2 pages are the annexure marked "BVH-25" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-25"**

**Bundle of Documents relating to McLennan & Hodge**

.....

---

Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

Prepared by Benjamin Leigh Sandford

Law firm Mahoneys

Tel 07 3007 3777

Fax 07 3007 3778

Email info@mahoneys.com.au

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b> 16756022	<b>Search Date:</b> 02/08/2021 10:35
<b>Date Title Created:</b> 14/05/1985	<b>Request No:</b> 38059764
<b>Previous Title:</b> 16699156	

**ESTATE AND LAND**

Estate in Fee Simple

LOT 27 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 716456734 28/04/2015

CAROL HODGE  
MATTHEW MCLELLAN

1/51  
1/51

AS TENANTS IN COMMON

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

17<sup>th</sup> May, 2022

Voyager Resort  
P.O. Box 71  
Broadbeach, Gold Coast, Qld. 4218

Dear Sir/Madam,

**Re: Proceeds of Voyager Resort Time-Shares Pay-Out**

I herewith notify you in writing of the time-shares of two (2) weeks in the names of Carol Hodge & Matthew McLellan Certificate No. 7488 Classification FL Vacation week 50 Title 16756022 registered 7<sup>th</sup> May, 2015.

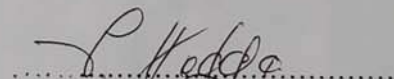
Between my son Matthew McLellan and myself Carol Hodge we ask that the whole pay-out amount would only be made payable to Mrs Carol Hodge into Commonwealth Bank A/c 763182 BSB 5013450.

Both Matthew and I have agreed to this and herewith have signed below to approve of this agreement made between us for full amount time-shares pay-out once Voyager Resort has finally settled with payments to share holders.

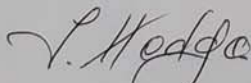
Matthew has signed below for approval of his other half to be paid into my name and account along with my signature to confirm these details to you.

I Matthew herewith agree to my half of the pay-out of the 2 weeks time-shares to be paid directly to my mother, Mrs. Carol Hodge, 34 Dalsten Grove, Mt. Eliza, Victoria, 3930.

  
.....  
Mr Matthew McLellan

  
.....  
Mrs Carol Hodge

Yours Sincerely,

  
.....  
Carol Hodge

Attachment: Voyager Resort Ltd Certificate

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

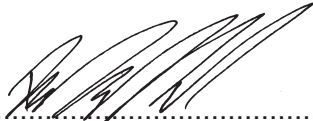
No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 4 pages are the annexure marked "BVH-26" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-26"**

Bundle of Documents relating to Mills, RJ

.....

---

Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

---

Prepared by Benjamin Leigh Sandford

---

Law firm Mahoneys

---

Tel 07 3007 3777 Fax 07 3007 3778

---

Email info@mahoneys.com.au Ref 32419

---

**Address for Service MAHONEYS**  
Level 18, 167 Eagle Street, Brisbane Qld 4000  
Email: info@mahoneys.com.au

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## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17094085	<b>Search Date:</b>	02/08/2021 10:37
<b>Date Title Created:</b>	29/12/1987	<b>Request No:</b>	38059951
<b>Previous Title:</b>	16977177		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 30 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

DEAN BRIAN MILLS		
ROSEMARY JANE MILLS	JOINT TENANTS INTER SE	1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



10 MILLS

1/3

Decree  
Cert.

FAMILY LAW ACT 1975  
**DECREE nisi OF DISSOLUTION OF MARRIAGE**  
 IN THE FAMILY COURT OF AUSTRALIA  
 AT SYDNEY  
 IN THE MARRIAGE OF  
 DEAN BRIAN MILLS  
 AND  
 ROSEMARY JANE MILLS

BEFORE THE FAMILY COURT OF AUSTRALIA  
 The twelfth day of July 2000

- The application of DEAN BRIAN MILLS for dissolution of the marriage of the abovesaid husband and wife was heard this day.
- The court was satisfied that the abovesaid DEAN BRIAN MILLS was domiciled in Australia.
- The court held that the marriage had broken down irretrievably.
- The court decreed that, upon and subject to the decrees of the court becoming absolute, the marriage solemnized at RASCHUTE, NEW SOUTH WALES, the ninth day of February 1961, between the abovesaid husband and wife be dissolved.
- The court by order declared that it was satisfied that the only child/children of the marriage who have not attained the age of 18 years is/are the child/children specified in the order and proper arrangements in all the circumstances have been made for the care, welfare and development of the child/children.

By the COURT  
 A.R. Mackay  
 JUDGE




**DEEDS INDEX OR CERTIFICATE THAT DECREE NISI HAS BECOME ABSOLUTE** FORM 41

- Date of Decree Nisi: 12/07/2000
- Date of Order under Section 58A(1)(b): 12/07/2000

I certify that the decree nisi of dissolution of marriage between the abovesaid husband and wife became absolute on the thirteenth day of August 2000.

DATED this seventh day of September 2000.

KE

2/3

**STATEMENT OF ASSETS, LIABILITIES AND FINANCIAL POSITION OF PRIVATE COMPANY LIMITED**

ASSETS		
Fixed Assets:		
Plant and Equipment		₹ 10,00,000
Investments		₹ 50,00,000
Current Assets:		
Stocks		₹ 10,00,000
Debtors		₹ 5,00,000
Prepaid Expenses		₹ 1,00,000
Other Current Assets		₹ 2,00,000
Shareholders' Funds:		
Share Capital		₹ 1,00,00,000
Reserves		₹ 50,00,000
Liabilities:		
Long Term Liabilities:		
Loans:		
to Bank		₹ 100,00,000
to Other Financial Institutions		₹ 50,00,000
to Government		₹ 50,00,000
to Other Creditors		₹ 50,00,000
Current Liabilities:		
Credit Cards:		
CBA Mastercard		₹ 1,00,000
CBA Person Loan		₹ 50,000
GE Commercial		₹ 1,00,000

Jane Hill *[Signature]*



3/3

**NEW SOUTH WALES**  
**REGISTRY OF BIRTHS, DEATHS AND MARRIAGES**  
**MARRIAGE CERTIFICATE**

REGISTRATION NUMBER  
**000000**

1. Full name of bride	<b>Ms. [Name]</b>
2. Full name of groom	<b>Mr. [Name]</b>
3. Date of marriage	<b>27 Dec 2009</b>
4. Place of marriage	<b>[Location]</b>
5. Date of registration	<b>27 Dec 2009</b>
6. Registrar	<b>[Name]</b>
7. Address of Registrar	<b>[Address]</b>
8. Registrar's Signature	<b>[Signature]</b>

Before presenting copies, also examine original. The original has a coloured background.

I hereby certify that this is a true copy of particulars recorded in the Register in the State of New South Wales, in the Commonwealth of Australia.

**REGISTRY OF BIRTHS, DEATHS AND MARRIAGES**  
SYDNEY      27 Dec 2009      *Greg Curry*

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 5 pages are the annexure marked "BVH-27" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-27"**

Bundle of Documents relating to Neil, AJ & MS

.....

---

Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

---

Prepared by Benjamin Leigh Sandford

---

Law firm Mahoneys

---

Tel 07 3007 3777 Fax 07 3007 3778

---

Email info@mahoneys.com.au Ref 32419

---

**Address for Service MAHONEYS**  
Level 18, 167 Eagle Street, Brisbane Qld 4000  
Email: info@mahoneys.com.au

---



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>17251171</b>	<b>Search Date:</b>	02/08/2021 11:38
<b>Date Title Created:</b>	31/01/1989	<b>Request No:</b>	38062240
<b>Previous Title:</b>	16977200		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 53 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER**

ANDREW JOHN NEIL  
MARIAN SHIRLEY NEIL

JOINT TENANTS INTER SE

**INTEREST**

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

**From:** Geoffrey Heaton  
**Sent:** Monday, 4 December 2023 3:51:32 PM  
**To:** Cameron Woodcroft;Amelia Meek;Bailey Cox  
**Subject:** Fwd: Timeshare liquidation/ Distribution

Account details below

**Best regards,  
Geoff Heaton**

----- Forwarded message -----

From: **Andrew Neil** <[riversong@optusnet.com.au](mailto:riversong@optusnet.com.au)>  
Date: Mon, Dec 4, 2023 at 3:43 PM  
Subject: Re: Timeshare liquidation/ Distribution  
To: Geoffrey Heaton <[heatong48@gmail.com](mailto:heatong48@gmail.com)>

Good afternoon Geoff,

Thank you for your email, the following are my details as per your request ..

Name :

MR A J NEIL

Bank :

NAB

Acct # :

55-299-4699

BSB :

084-134

Many thanks once again for your assistance, please advise should you require any further details.

Kind regards,

Andrew Neil

Sent from Andy's iPhone

On 4 Dec 2023, at 15:27, Geoffrey Heaton <[heatong48@gmail.com](mailto:heatong48@gmail.com)> wrote:

Hi Andrew,

Kindly forward your bsb and account number for the distributions.

**Best regards,  
Geoff Heaton**

*Trustee*  
(07) 5538 7833

On Sat, Dec 2, 2023 at 4:31 PM Andrew Neil <[riversong@optusnet.com.au](mailto:riversong@optusnet.com.au)> wrote:

Good afternoon Geoff ..

As promised, I am responding to your email regarding the distribution of the funds due to Marian and myself as time-share owners post the sale of Voyager Resort.

As per your recommendation in your email, I agree that the distribution should be 50% to each party being legally joint owners of the share.

Please advise what further information you require from me in regard to my part of the share distribution.

Many thanks for your assistance, I'm sorry you've been put into this awkward position and am most appreciative of your assistance in this matter.

Sincerely,

Andrew Neil

Ph: 0431 716 101

Email: [riversong@optusnet.com.au](mailto:riversong@optusnet.com.au)

Address: 41 Frederick Street,

Wellington Point

Qld 4160

Sent from Andy's iPhone

On 1 Dec 2023, at 13:35, Geoffrey Heaton <[heatong48@gmail.com](mailto:heatong48@gmail.com)> wrote:

Andrew & Marian,

Referring to our recent phone calls and confirming that, as the timeshare week is held in joint names, the distribution should be made 50% to both parties.

I believe you are discussing this issue and would appreciate a separate email from each of you clarifying the settlement decision.

**Best regards,**

**Geoff Heaton**

*Trustee*

0408 707 457

**From:** Geoffrey Heaton  
**Sent:** Monday, 4 December 2023 3:30:21 PM  
**To:** Cameron Woodcroft;Amelia Meek;Bailey Cox  
**Subject:** Fwd: Timeshare liquidation/ Distribution

Hi All,  
Enclosed is a joint email from Andrew Neil and Marian Williams nee Neil

**Best regards,**

**Geoff Heaton**

*Resort Manager*

Voyager Resort Broadbeach Pty Ltd

0408 707 457

----- Forwarded message -----

From: **Marian Williams** <[marianwilliams22@gmail.com](mailto:marianwilliams22@gmail.com)>  
Date: Sat, Dec 2, 2023 at 4:41 PM  
Subject: Re: Timeshare liquidation/ Distribution  
To: Geoffrey Heaton <[heatong48@gmail.com](mailto:heatong48@gmail.com)>

Hi Geoffrey,

I have had a conversation with Andrew who was, as always, difficult to deal with. Some things never change even after 23 years.

As legally he is entitled to 50% even though he has not paid any levies in all that time, I guess that is how it is.

Could you please send him paperwork so that he can give you his bank details.

I would appreciate it if you could send my 50% to the bank details previously provided.

Regards

Marian Williams

Sent from my iPhone

On 1 Dec 2023, at 1:35 pm, Geoffrey Heaton <[heatong48@gmail.com](mailto:heatong48@gmail.com)> wrote:

Andrew & Marian,

Referring to our recent phone calls and confirming that, as the timeshare week is held in joint names, the distribution should be made 50% to both parties.

I believe you are discussing this issue and would appreciate a separate email from each of you clarifying the settlement decision.

**Best regards,**  
**Geoff Heaton**  
*Trustee*  
0408 707 457

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 13 pages are the annexure marked "BVH-28" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-28"**

Bundle of Documents relating to Pascale, A

.....  
Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

Prepared by Benjamin Leigh Sandford

Law firm Mahoneys

Tel 07 3007 3777

Fax 07 3007 3778

Email info@mahoneys.com.au

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au





## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	17313092	<b>Search Date:</b>	02/08/2021 11:38
<b>Date Title Created:</b>	28/04/1989	<b>Request No:</b>	38062316
<b>Previous Title:</b>	16977203		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 54 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER**

ANTONIO PASCALE

**INTEREST**

1/102

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

Hi Anthony,

The payment of the agreed \$2,500 is to be to the Voyager Resort Ltd account 2042 2718 bsb 124 131 BOQ. Notice of Discontinuance will be issued upon the signing of the contract to transfer the timeshare and receipt of the funds.

ABKJ Lawyers Southport Qld (Andrew Kyle) will be preparing all documents. I will forward advice to Andrew today to commence the required paperwork.

regards

Geoff Heaton  
Managing Director  
[Quoted text hidden]

**Anthony Pascale** <apascale@hunterlaw.com.au>  
To: Geoffrey Heaton <heatong48@gmail.com>

Fri, Sep 11, 2020 at 9:17 AM

Hi Geoff

Payment of \$2500 made.

Receipt#: N091003377099

Transfer from: ANTONIO PASCALE

To account: BSB: 124-131

Account number: \*\*\*\*\*718

Amount transferred: \$2500.00

Description: APascale levies

[Quoted text hidden]

**Geoffrey Heaton** <heatong48@gmail.com>  
To: Anthony Pascale <apascale@hunterlaw.com.au>, Kim Kyle <kk@abkj.com.au>

Fri, Sep 11, 2020 at 10:23 AM

Thank you Anthony,  
We acknowledge receipt of \$2,500.00.

Kim Kyle of ABKJ Lawyers will be preparing the transfer and the notice of discontinuance.

regards

Geoff Heaton  
[Quoted text hidden]

*11/9 Pascale emailed  
sending documents signed  
re Form 1 etc City*

---

This email message and any accompanying attachments may contain information that is confidential and is subject to legal privilege. If you are not the intended recipient, do not read, use, disseminate, distribute or copy this message or attachments. If you have received this message in error, please notify the sender immediately and delete this message. Any views expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the views of Hunter Lawyers. Before opening any attachments, please check them for viruses and defects. Attachments are supplied on the express conditions the addressee assumes all risk of use and absolves Hunter Lawyers entirely of all responsibility for consequences of its use

[Quoted text hidden]

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: Anthony Pascale <apascale@hunterlaw.com.au>

Fri, Aug 14, 2020 at 12:02 PM

Good Morning Anthony,

To confirm, the Resort will accept either of (a) receipt of \$5,000 on or before 15/09/2020 OR (b) \$2,500 plus transfer of the timeshare week to the Resort in settlement of the Claim.

The rental pool still exists for financial owners however the distributions will be obviously dependant on the Covid-19 influence on occupancy levels.

Kindly advise your intentions,

regards

Geoff Heaton  
Managing Director  
[Quoted text hidden]

---

**Anthony Pascale** <apascale@hunterlaw.com.au>  
To: Geoffrey Heaton <heatong48@gmail.com>

Wed, Sep 2, 2020 at 2:00 PM

Ho Geoff

Sorry for not getting back to you earlier I have been deliberating which option to take.

I confirm that I agree to take option 2 ie pay \$2500 by 15/9/20 and transfer the timeshare back to the Resort.

Please let me know a) who to pay the \$2500 to and confirm the court proceedings will be discontinued upon payment b) the arrangements for the transfer of the share back.

Yours faithfully

**Anthony Pascale** | Partner

[Quoted text hidden]

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: Anthony Pascale <apascale@hunterlaw.com.au>

Wed, Sep 2, 2020 at 2:28 PM

**BCCM****Form 8****Information for body corporate roll***Body Corporate and Community Management Act 1997*

This form is effective from 1 June 2010

Department of Justice and  
Attorney-General**Section 1 - To the Secretary**

Name VOYAGER RESORT LTD

Address 167 OLD BURLEIGH ROAD

Suburb BROADBEACH State  Q  L  D Postcode  4  2  1  8

Include the details in this notice in the roll of the body corporate in respect of:

Name of scheme VOYAGER RESORT

CTS/CMS number 8766

Lot number 54 Plan number 6459

**Section 2 - Registered owner**

The following person has by transfer, transmission or in another way, become entitled to be the registered owner of the lot.

Full name VOYAGER RESORT LTD ACN 010 547 618

Residential/business address 167 OLD BURLEIGH ROAD

Suburb BROADBEACH State  Q  L  D Postcode  4  2  1  8

Phone: 07 5538 7833

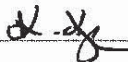
Address for service of notices (if different to above) PO BOX 71

Suburb BROADBEACH State  Q  L  D Postcode  4  2  1  8

Brief details about the way the person became the owner of the lot \_\_\_\_\_

Transfer (Purchase)

\_\_\_\_\_  
\_\_\_\_\_

Signature of owner (or agent) 

Date of acquisition: 20 October 2020

Name of agent Adamson Bernays Kyle & Jones Lawyers

Dated: 26 October 2020

**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: BRISBANE  
NUMBER: 0052315/20

Plaintiff: **VOYAGER RESORT LTD (ACN 010 547 618)**

**AND**

Defendant: **ANTONIO PASCALE**

**NOTICE OF DISCONTINUANCE**

TAKE NOTICE that the Plaintiff discontinues the whole of the claim against the Defendant.

The Plaintiff does not represent any other person in the proceeding.

The Plaintiff has not yet been served with the first defence.

15 OCT 2020

Signed: *[Handwritten Signature]*

Description: Solicitor for the Plaintiff

Dated: 02 OCTOBER 2020



**NOTICE OF DISCONTINUANCE**  
Filed on behalf of the Plaintiff  
Form 27, Version 1  
Uniform Civil Procedure Rules 1999  
Rule 304

**ADAMSON BERNAYS KYLE & JONES  
LAWYERS**  
3 Short Street  
Southport QLD 4215  
Tel: 07 5532 3199  
Fax: 07 5591 3402  
Email: [kk@abkj.com.au](mailto:kk@abkj.com.au)  
Ref: KK:200901





Geoffrey Heaton &lt;heatong48@gmail.com&gt;

---

**RE: ANTONIO PASCALE 2003502 (##CASE:195468##)**

2 messages

---

mblake@profcoll.com.au <mblake@profcoll.com.au>  
Reply-To: mblake@profcoll.com.au, profcoll@debtcol.com.au  
To: heatong48@gmail.com

Wed, Aug 19, 2020 at 1:37 PM

Good Afternoon Geoffrey,

I refer to the above matter.

Please note our agent has now made attempts to serve Antonio at the office address of 3/5 Norfolk Street Liverpool NSW 2170. I note our agent has been advised that the debtor attends the other work office in Drummoyne, however the receptionist wasn't able to confirm when the debtor would be in the office.

I note the cost to proceed with serve at the Drummoyne office address of Suite C1.10, 50-52 Lyons Road Drummoyne NSW 2047 is \$165.00

Please confirm instructions to proceed with service at the further work address.

Thank you

Regards,

Millie Blake  
Accounts Manager  
Professional Collection Services  
Po Box 341  
TOOWONG QLD 4066  
P: 07 38315222  
E: mblake@profcoll.com.au

---

Geoffrey Heaton <heatong48@gmail.com>  
To: Millie Blake <mblake@profcoll.com.au>, profcoll@debtcol.com.au

Wed, Aug 19, 2020 at 3:37 PM

Millie,

We confirm that the debtor Pascale has arranged with the Directors of Voyager to resolve the debt. Once the arrangements are confirmed I will advise further.

In the meantime kindly hold further action,

regards

Geoff Heaton  
[Quoted text hidden]



Geoffrey Heaton &lt;heatong48@gmail.com&gt;

---

**Settlement Offer**

3 messages

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: apascale@hunterlaw.com.au

Mon, Aug 10, 2020 at 12:01 PM

Good morning Anthony,

The Resort will accept payment of \$5,500 in settlement of the claim. The funds must be received into the Resort account @ Bank of Queensland by 31/08/2020.

Please confirm your acceptance or non acceptance before 28/08/2020.

regards

Geoff Heaton  
Managing Director

---

**Anthony Pascale** <apascale@hunterlaw.com.au>  
To: Geoffrey Heaton <heatong48@gmail.com>

Thu, Aug 13, 2020 at 12:25 PM

Hi Geoff

Thanks for your email. I thought from our discussion that the Voyager would accept \$5000 and am happy to pay that amount by the 15/9/20.

BTW you mentioned previously you may be happy for the week to be handed back to cover some of the outstanding fees. I note in the statement of claim you agree for \$2500 to be deducted if we hand back the week. Please let me know if that is still an option

Also, Please confirm if the rental pool is still available.

Thanks.

Yours faithfully  
**Anthony Pascale** | Partner

**HUNTER LAWYERS**

Drummoyne | T (02) 9719 3999 | F (02) 9719 1199  
Liverpool | T (02) 9600 8400 | F (02) 9602 8895  
E [apascale@hunterlaw.com.au](mailto:apascale@hunterlaw.com.au)





Geoffrey Heaton &lt;heatong48@gmail.com&gt;

---

**Settlement Offer**

5 messages

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: apascale@hunterlaw.com.au

Mon, Aug 10, 2020 at 12:01 PM

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Managing Director

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Liverpool | T (02) 9600 8400 | F (02) 9602 8895  
E [apascale@hunterlaw.com.au](mailto:apascale@hunterlaw.com.au)

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[Quoted text hidden]

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: Anthony Pascale <apascale@hunterlaw.com.au>

Fri, Aug 14, 2020 at 12:02 PM

Good Morning Anthony,

To confirm, the Resort will accept either of (a) receipt of \$5,000 on or before 15/09/2020 OR (b) \$2,500 plus transfer of the timeshare week to the Resort in settlement of the Claim.

The rental pool still exists for financial owners however the distributions will be obviously dependant on the Covid-19 influence on occupancy levels.

Kindly advise your intentions,

regards

Geoff Heaton  
Managing Director  
[Quoted text hidden]

---

**Anthony Pascale** <apascale@hunterlaw.com.au>  
To: Geoffrey Heaton <heatong48@gmail.com>

Wed, Sep 2, 2020 at 2:00 PM

Ho Geoff

Sorry for not getting back to you earlier I have been deliberating which option to take.

I confirm that I agree to take option 2 ie pay \$2500 by 15/9/20 and transfer the timeshare back to the Resort.

Please let me know a) who to pay the \$2500 to and confirm the court proceedings will be discontinued upon payment b) the arrangements for the transfer of the share back.

Yours faithfully

**Anthony Pascale** | Partner

[Quoted text hidden]

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: Anthony Pascale <apascale@hunterlaw.com.au>

Wed, Sep 2, 2020 at 2:28 PM

Hi Anthony,

The payment of the agreed \$2,500 is to be to the Voyager Resort Ltd account 2042 2718 bsb 124 131 BOQ. Notice of Discontinuance will be issued upon the signing of the contract to transfer the timeshare and receipt of the funds.

ABKJ Lawyers Southport Qld (Andrew Kyle) will be preparing all documents. I will forward advice to Andrew today to commence the required paperwork.

regards

Geoff Heaton  
Managing Director  
[Quoted text hidden]



## VOYAGER RESORT

Beachfront Broadbeach

167 Old Burleigh Rd, Broadbeach. Qld. 4218  
PO Box 71, Broadbeach. Qld. 4218

Phone: + 61 7 5538 7833  
Fax: +61 7 5592 2135

### SURRENDER AGREEMENT

Purchasers Name: VOYAGER RESORT LIMITED

Purchasers Address: 167 Old Burleigh Road BROADBEACH QLD 4218

Vendors Name: ANTONIO PASCALE

Vendors Address: 142 CHARLES STREET PUTNEY NSW 2112  
apascale@hunterlaw.com.au

Vendors Phone: 0408 919 944

Certificate of Title: 17313091

Floating Week: FL 36

Share Certificate: # 7037

Apartment No: 13D

Lot No: 54

Purchase Price: NIL

Current Levy Paid: No.

Notes: Delinquent Owner – Surrender & forgive debt \$ 5435-20

Offered by

Geoffrey Heaton  
Managing Director

2/9/20.



# TIMESHARE CONTRACT

Item Schedule:

A. Vendor: Francesco Pascale  
 Vendor's Address: 3 Logan Avenue Haberfield NSW 2045  
 Telephone: 0418 818 004

B. Purchaser: Antonio Pascale  
 Purchaser's Address: 40 Dudley Street Haberfield NSW 2045  
 Telephone: ~~0418 818 004~~ 0408 919 944  
 Tenancy of Purchaser: Joint-Tenants / Tenants in Common (share % to be specified)

C. Resort: Voyager Resort  
 Apartment: 13D  
 No. Bedrooms: 1  
 Fixed Week No.: \_\_\_\_\_ and / or floating week No.: Floating 36  
 Certificate of Title: 17313091  
 No. of shares: 1 (Certificate no. 3390)  
 Entitlement use rights and levy obligations accrue to date of completion and will pass to the Purchaser at settlement

D. Purchase Price: NIL

E. (i) Deposit: Nil  
 (ii) Stakeholder: NA

F. Balance at Settlement: NIL

G. Completion Date: 30 days from date of contract or sooner as agreed

H. Vendor's Agent: NA

Client No: 347 6764 Duties Act 2001  
 Transaction No: 503-107-930  
 Duty Paid \$ NIL  Exempt  
 UTI \$ .....  
 Date: 13/4/11 Signed:

We the Purchasers named in Item B hereby offer to purchase the abovementioned timeshare interest on the terms and conditions contained in the Timeshare Terms of Contract.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Purchaser  
 \_\_\_\_\_  
 Purchaser

Witness  
 \_\_\_\_\_  
 Witness

The Vendors names in Item A hereby accept the above offer to purchase on the terms and conditions contained herein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Vendor  
 \_\_\_\_\_  
 Vendor

Witness  
 \_\_\_\_\_  
 Witness

The Vendor agrees to sell to the Purchaser and the Purchaser agrees to buy from the Vendor the property described in Item C (the property) for the price stated in Item D on the following terms and conditions:-





Geoffrey Heaton &lt;heatong48@gmail.com&gt;

**TITLE DISCREPANCY**

3 messages

Geoffrey Heaton &lt;heatong48@gmail.com&gt;

Thu, Jul 20, 2023 at 3:49 PM

To: Anthony Pascale &lt;apascale@hunterlaw.com.au&gt;

Cc: Cameron Woodcroft &lt;CWoodcroft@pilotpartners.com.au&gt;, Amelia Meek &lt;ameek@pilotpartners.com.au&gt;

Good afternoon Anthony,

Referring to our discussion and attach correspondence relative to the timeshare.  
As mentioned the liquidation is well advanced and a few title matters, including yours, need to be finalised.

There is no offer to you, simply correction of an error that was made on transfer of two titles (each 1/102).  
Kindly review the documents and if agreeable we can prepare the necessary forms.  
There will not be any costs to yourself.

Await your reply.

Best regards,

**Geoff Heaton**  
Resort Manager  
Voyager Resort Broadbeach Pty Ltd  
0408 707 457

 Antonio Pascale file.pdf  
232K

Anthony Pascale &lt;apascale@hunterlaw.com.au&gt;

Mon, Aug 7, 2023 at 10:56 AM

To: Geoffrey Heaton &lt;heatong48@gmail.com&gt;

Cc: Cameron Woodcroft &lt;CWoodcroft@pilotpartners.com.au&gt;, Amelia Meek &lt;ameek@pilotpartners.com.au&gt;

Hi Geoff

Sorry I have not got back to you earlier. I am not sure that I understand the mistake and unfortunately I know longer have my file. I am however happy to co operate and resolve any mistake caused by your lawyers provided my time and expenses are paid by you.

Please confirm they will be covered and send me the documentation to rectify the mistake.

Yours faithfully

**Anthony Pascale | Partner****HUNTER LAWYERS**

Suite C1.10, 50-52 Lyons Road, Drummoyne NSW 2047 | T (02) 9719 3999

Suite 4, 3-5 Norfolk Street, Liverpool NSW 2170 | T (02) 9600 8400

Email: [apascale@hunterlaw.com.au](mailto:apascale@hunterlaw.com.au)

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[Quoted text hidden]

**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 20 pages are the annexure marked "BVH-29" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-29"**

Bundle of Documents relating to Praver, DM

.....

---

Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

---

Prepared by Benjamin Leigh Sandford

---

Law firm Mahoneys

---

Tel 07 3007 3777

---

Fax 07 3007 3778

---

Email info@mahoneys.com.au

---

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---





## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>16864073</b>	<b>Search Date:</b>	02/08/2021 10:00
<b>Date Title Created:</b>	29/01/1986	<b>Request No:</b>	38058730
<b>Previous Title:</b>	16805150, 16805151		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 17 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER**

DAVID MUSZEK PRAWER

**INTEREST**

2/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
2. LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
FOR 99 YEARS  
COMMENCING 27 DEC 1984

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPY

VOYAGER RESORT

---

AGREEMENT FOR SALE OF TIMESHARES

---

16

VOYAGER RESORT

AGREEMENT FOR SALE OF TIMESHARES **STAMP DUTY - BN**

R/N 1080054378  
ST1080065335 28/03/94 12:47:  
\$75.0000

THE PARTICULARS

**A. VENDOR:**

Full Name: Executor of the Estate of David.Moszek....  
Praver.  
Address: C/- Milder Elfman Szmerling Krycer Pty.  
PO Box 2042 St Kilda West Vic 3182.  
Occupation: .....MANAGER.....  
Telephone: (Home)..... (Work) 03 5298433....

**B. PURCHASER:**

Full Name: Desmond Terrence Crockett &.....  
Janene Patricia Crockett.....  
Address: 24 Clarence Street South Brisbane Qld 4101.  
Occupation: .....  
Telephone: (Home).07 8408477.... (Work) .....

As:\*Joint Tenants/XXXXXXXXXXXXXXXXXXXXX in equal shares  
or in the following shares:-

**C. THE PROPERTY being:-**

- (a) The whole of the land contained in Certificate(s)  
of Title Volume..6864..... Folio...73... being  
  
a .....2./51st Share as tenants in common on Lot  
17 Apartment 4C  
in Registered Building Units plan No. 6459  
  
together with an undivided share in the common  
property of the said Building Units Plan  
(hereinafter called "the Land"); and
- (b) .2..... Share(s) in the Capital of Voyager  
Resort Limited ("the Club") classified as  
follows:-



<u>Certificate No:</u>	<u>Class:</u>
1....158.....	FIXED WEEK 3.....
2....203.....	FIXED WEEK 4.....
3 .....	.....

(hereinafter called ("the Shares")).

D. PRICE: (in words)

five thousand dollars.....

(a) Price	\$ ....5000.00.....
(b) Deposit	\$ .....500.00.....
(c) Balance	\$ ....4500.00.....
TOTAL PRICE	\$ ....5000.00.....

E. STAKEHOLDER:

Full Name: WHITEHOUSE MORWOOD & PAYNE.....

Address: PO BOX 420 BURLEIGH HEADS QLD 4220.....

F. ADJUSTMENTS TO BE MADE AS AT THE DATE OF SETTLEMENT:

(a) 1st July, 1993 (Due date for annual ownership costs) Clause 7.1

(b) Annual Ownership Costs: \*PAID/XXXXXXXXXX

(c) Who bears annual ownership costs:

....VENDOR/XXXXXXXXXX.....

G. USE OF ENTITLEMENT:

The Purchaser XXX/HAS NOT got the right to use the Entitlement for the current period (Clause 5 (a)). WEEK 3 AND 4 1994.

H. DATE OF THIS AGREEMENT: 10<sup>th</sup> day of FEBRUARY 1994

I. DATE FOR COMPLETION: day of 19

J. PLACE AND TIME FOR COMPLETION:

Place for Completion: ....BURLEIGH HEADS.....

Time for Completion: ..... a.m./p.m.

K. VENDOR'S AGENT:

Full Name: ...VOYAGER.RESORT.LIMITED.....

Address: ...167.OLD.BURLEIGH.ROAD..BROADBEACH..4218.

Telephone: ...(075).38.7833.....

(\*Delete whichever inapplicable)



IT IS AGREED that upon the making of this Agreement for Sale the Vendor will sell and the Purchaser will buy the Property described in "C" of the Particulars.

SUBJECT TO the following encumbrances (hereinafter called "the Prior Encumbrances"):-

1. Reservations and conditions, if any, contained in the Crown Grant.
2. A Lease to the Club registered No. H479546 in relation to Lots 1 to 62 inclusive and a Lease to the Club registered No. H479547 in relation to the common property.
3. Interests notified on the Building Units Plan by virtue of the provisions of the Queensland Building Units and Group Titles Act, 1980 (as amended).

FOR the price stated in "D" of the Particulars.

AND upon and subject to the following conditions:-

1. Deposit:

The Vendor's Agent shall be the Stakeholder unless another person is named in Item E. The Deposit shall be paid by the Purchaser to the Stakeholder forthwith upon the execution hereof by the Purchaser. Subject to exercise of the Purchaser's right of rescission pursuant to Clause 11 hereof, the deposit shall be retained by the Stakeholder until completion when it shall be accounted for to the Vendor. Any moneys payable to the Vendor by the Purchaser or the Stakeholder shall be paid to the Vendor or as the Vendor shall in writing direct.

2. Completion:

Completion shall take place on or before the date specified in Item "I" of the Particulars at which time the balance of the purchase price will be paid by cash or bank cheque to the Vendor or as the Vendor may direct in writing against receipt from the Vendor of proper registerable transfers of, subject to this Agreement, the unencumbered Land referred to in Item C(a) of the Particulars and Shares referred to in Item C(b) of the Particulars in favour of the Purchaser together with the duplicate Certificates of Title relating to the Land and the Share Certificate relating to the Shares.



3. The Purchaser shall within twenty-one days from the date hereto tender to the Vendor for execution transfers of the Land and the Shares but such tender shall not of itself be deemed to be an acceptance of title.

4. Completion shall be effected at the time and place specified in Item "J" of the Particulars. In the absence of Agreement it shall be effected between the hours of 9.00am and 5.00pm at Whitehead Morwood & Payne Solicitors, 1744 Gold Coast Highway Burleigh Heads Qld 4220.

5. Vendor's Representations:

5.1 The Vendor represents that at the date hereof:-

Land:

- (a) There are no restrictions on the use of that Land which shall hinder or prevent the Club from using or enjoying the property known as Voyager Resort (of which the Land forms a part) as a holiday and recreational resort.
- (b) The Vendor has not received notice of any resumption or intended resumption of the Land or any part thereof.
- (c) The Vendor is not aware of any proposals by and competent authority for the realignment, widening or alteration of the level of any road adjoining the Land.
- (d) No notices, requirements or demands in relation to the Land have been issued under the provisions of any Act or Regulation or by any competent authority which have not been fully complied with and there are no amounts owing to any competent authority in respect of works performed or to be performed or any expenses incurred by such authority in respect of the Land and no such amounts will be owing at Settlement.

The Club:

- (e) Unless disclosed in the Special Conditions, there are no actual, contingent or expected liabilities of the Club which, when aggregated and apportioned



to each share in the capital of the Club (there being 3 060) will result in a special levy in excess of the sum of fifty dollars (\$50.00) for each such share.

- (f) There are no unsatisfied judgements against the Club nor have proceedings been instituted against the Club in any Court nor has any steps been taken by or against the Club which could lead to the winding up of the Club or the appointment of an official manager receiver or liquidator of the Club.
  - (g) The Purchaser has or has not as set out in Item "G" of the Particulars, the right to exercise the entitlement during current Entitlement Period.
- 5.2 Should it be established that as at the date of the Agreement, one or more of the representations contained in sub-clause 5.1 is untrue or incorrect then, up to the date of completion the Purchaser shall be entitled by notice in writing to rescind this Agreement but shall not be entitled to any such matter. As and from the date of completion of whatsoever against the Vendor should it be established that one or more of the representations contained in this sub-clause 5.1 is untrue or incorrect.

6. Acknowledgement by the purchaser:

- 6.1 The Purchaser acknowledges that its right to occupy and use the property derives from its membership of the Club and that the Club will charge its members levies and other charges for the operation of Voyager Resort.
- 6.2 The Purchaser acknowledges that it is not entitled to make any requisition, objection, claim for compensation or enquiry in respect of:-
  - (a) The Prior Encumbrances;
  - (b) The fencing or non-fencing of any boundary or the fact that any boundary fence or boundary wall should not be upon or within such boundary;
  - (c) Any necessary service easement affecting the property;



(d) Any easements created or implied by the Queensland Building Units and Group Titles Act, 1980 (as amended).

6.3 The Purchaser acknowledges that it has received from the Vendor a Disclosure Statement in relation to the Property prepared by an authorised officer of the Club duly completed.

7. Adjustments:

7.1 The annual ownership costs due on the date detailed in F(a) of the Particulars have or have not been paid as disclosed in F(b) of the Particulars and shall be borne by the party referred to in F(c) of the Particulars and, if applicable, shall be adjusted accordingly on settlement.

7.2 All other monies owing by the Vendor to the Club will be paid by the Vendor prior to settlement or will be adjusted on settlement.

8. Purchaser's Default:

If the purchasers default in the observance or performance of any obligation hereunder which is or has become essential, then the Vendor shall be entitled by notice in writing served on the Purchasers to forfeit the deposit paid hereunder (except so much of it as exceeds ten per centum of the price) and terminate this Agreement (subject to the Property Law Act 1974 so far as the said Act may apply) and thereafter either to sue the Purchasers for breach of contract or to resell the property as owner and the deficiency (if any) arising on such resale and all expenses of and incidental to such resale or attempted resale and the Purchasers' default shall be recoverable by the Vendor from the Purchasers as liquidated damages provided that proceedings for recovery thereof be commenced within 12 months of the termination of this Agreement. The Vendor may retain any money paid by the Purchasers on account of the purchase other than the deposit money forfeited pursuant to this clause as security for any deficiency arising on a resale or for any damage or compensation (including allowance by way of occupation fee or for rents or profits from the Purchasers who has been in possession of the property or in receipt of the rents or profits thereof) awarded to the Vendor for the



Purchasers' default provided that the proceedings for the recovery of such damages or compensation be commenced within 12 months of the termination of this Agreement.

9. Services of Notices:

Service of any notice or document under or relating to this Agreement may be effected as provided in Section 257 of the Queensland Property Law Act 1974-1978 (as amended).

10. The Liability of the Purchaser hereunder shall be joint and several.

11. Purchaser's Right of Rescission:

11.1 A Purchaser may, within seven (7) days from the date hereof give the Vendor notice in writing that he wishes to rescind this Agreement and obtain a refund of any amount paid pursuant to "D" of the Particulars PROVIDED THAT the right granted to the Purchaser pursuant to this sub-clause 11.1 shall cease upon completion of this Agreement.

11.2 Provided that the said notice is served upon the Vendor in accordance with Clause 9 hereof before 5.00pm on the said seventh (7th) day the Vendor shall cause to be refunded to the Purchaser all amounts so paid and the Purchaser shall not be liable to pay the Vendor any sum for damages, costs or expenses relating to the termination of this Agreement.

12. Costs:

12.1 The Vendor and the Purchaser shall each pay his own costs of and incidental to the sale and purchase but all stamp duty hereon (including any fines or penalties) and on any duplicate hereof and any duty in respect of the transfer by the Vendor to the Purchaser may be paid by the Vendor and recovered from the Purchaser. The Vendor shall following execution of the transfer and if so requested by the Purchaser and upon payment by the Purchaser of the normal production fee cause it to be produced to the Stamp Duties Office for stamping.

13. Time of the Essence:

13.1 Time shall in all cases and in every respect be deemed to be of the essence of this contract.

14. Voting Rights Attached to Shares:

Until completion, the Vendor appoints the Purchaser or the Purchaser's nominee as proxy or nominee to vote in respect of the Shares at any General Meeting of the Shareholders of the Club and shall notify the Purchaser in advance of the holding of the meeting.

15. Merger:

Notwithstanding the completion of this sale and purchase and notwithstanding the registration of the transfer in favour of the Purchaser, but subject to Clause 5 hereof, any general or specific condition or any part or parts thereof to which effect is not given by such completion or registration and capable of taking effect after completion or registration shall remain in full force and effect.

16. Further Obligations of Vendor:

The Vendor, at the request of the Purchaser, shall expeditiously do all acts and execute all necessary documents required for and in connection with the transfer of the Property to the Purchaser and which may be necessary to ensure the Purchaser obtains a valid title to the Property.

17. Vendor's Consent to Enquiries:

The Vendor by its execution of this Agreement hereby consents and authorises the Purchaser to make such enquiries contemplated by and provided for in Section 40 of the Building Units and Group Titles Act, 1980 (Qld) as amended.

18. Special Conditions:

IN WITNESS WHEREOF the parties hereto have hereunto set their hands to the Agreement the day and year first hereinbefore written.



SIGNED BY THE VENDOR/S )

\* *B. Praver*

in the presence of )

BENJAMIN PRAVER  
EXECUTOR

*Brodie*

SIGNED BY THE PURCHASER(S)

*J. Pickett*  
*W.T. Cockett*

in the presence of )

*[Signature]*

16/11/2020

Gmail - VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT



Janene Crockett &lt;janene.crockett@gmail.com&gt;

---

**VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT**

12 messages

**Janene Crockett** <janene.crockett@gmail.com>

Thu, Nov 15, 2018 at 10:07 PM

To: ARMITAGE@qldbar.asn.au

Cc: Ross McTaggart &lt;rossmctaggart@stephenstozer.com.au&gt;

Hello Angela,

Attached are documents as per our discussion at the Voyager AGM. Saturday 10 November. 2018

Please acknowledge you have received this email. I have also included my solicitor Ross Mctaggart of Stephens and Tozer in this email should you need to discuss the matter further.

I am looking forward to hearing you have been able to have resolved this matter ASAP in your capacity as chairperson of Voyager Resort Ltd.

Kind regards,

--

Janene P. Crockett

---

**2 attachments****prawer contract of sale feb 1994.pdf**

6554K

**wmpletter31.01.1995.crockett.pdf**

1957K

---

**Angela Julian-Armitage** <armitage@qldbar.asn.au>

Fri, Nov 16, 2018 at 10:23 AM

To: Janene Crockett &lt;janene.crockett@gmail.com&gt;

I am out of the country till Dec and will deal with it then

Angela Julian-Armitage LLB GAICD FMIA  
Barrister-at-Law**Past National President &****State President(Qld/NT) of the Migration Institute of Australia**

Level 16 PD Connolly Chambers

[239 George Street](#)[BRISBANE QLD 4000](#)

Tel: +61 7 32361878

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16/11/2020

Gmail - VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT

[Quoted text hidden]

Virus-free. [www.avg.com](http://www.avg.com)

---

**Janene Crockett** <[janene.crockett@gmail.com](mailto:janene.crockett@gmail.com)>  
To: Angela Julian-Armitage <[armitage@qldbar.asn.au](mailto:armitage@qldbar.asn.au)>  
Cc: [rossmctaggart@stephenstozer.com.au](mailto:rossmctaggart@stephenstozer.com.au)

Fri, Nov 16, 2018 at 4:55 PM

Hi Angela,

Thank you for your response.

Regards, Janene

Sent from my iPhone

[Quoted text hidden]

---

**Angela Julian-Armitage** <[armitage@qldbar.asn.au](mailto:armitage@qldbar.asn.au)>

Mon, Dec 10, 2018 at 3:17 PM

To: Janene Crockett <[janene.crockett@gmail.com](mailto:janene.crockett@gmail.com)>  
Cc: Ross McTaggart <[rossmctaggart@stephenstozer.com.au](mailto:rossmctaggart@stephenstozer.com.au)>, Geoffrey Heaton <[heatong48@gmail.com](mailto:heatong48@gmail.com)>

Dear Mrs Crockett

I have now returned and have spoken with Geoff Heaton about this matter. He is familiar with the fact that Australian Timeshare lawyers had been engage to undertake the transfer of shares but failed to do so.

Geoff Heaton will follow this up with ATL in order to get you a resolution.

Thank you for your patience

Kind regards

Angela Julian-Armitage LLB GAICD FMIA

Barrister-at-Law

**Past National President Migration Institute of Australia  
State President QLD/NT**

PD Connolly Chambers

[Level 16, 239 George Street](#)

[BRISBANE QLD 4000](#)

+61 418727441

**From:** Janene Crockett [<mailto:janene.crockett@gmail.com>]  
**Sent:** Thursday, 15 November 2018 10:08 PM  
**To:** [ARMITAGE@qldbar.asn.au](mailto:ARMITAGE@qldbar.asn.au)  
**Cc:** Ross McTaggart <[rossmctaggart@stephenstozer.com.au](mailto:rossmctaggart@stephenstozer.com.au)>  
**Subject:** VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT

Hello Angela,



16/11/2020

Gmail - VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT

[Quoted text hidden]



This email has been checked for viruses by AVG antivirus software.  
[www.avg.com](http://www.avg.com)

---

**Janene Crockett** <janene.crockett@gmail.com>  
To: Angela Julian-Armitage <armitage@qldbar.asn.au>  
Cc: rossmctaggart@stephenstozer.com.au

Wed, Mar 20, 2019 at 11:45 AM

Good morning Angela,

I am keen to seek some clarification on the status of my Voyager weeks titles transfer into my name.

I have not heard anything to date from either yourself or any other representatives of the Voyager Resort board of Directors.

As noted above I have included my solicitor in this correspondence as a matter of record.

I believe that I have been extremely patient and am now asking for a swift resolution to this matter.  
I am formally requesting a response from you in 7 days.

Kind regards , Janene Crockett

Sent from my iPhone

[Quoted text hidden]

---

**Angela julian-Armitage** <armitage@qldbar.asn.au>  
To: Janene Crockett <janene.crockett@gmail.com>  
Cc: rossmctaggart@stephenstozer.com.au

Wed, Mar 20, 2019 at 1:20 PM

Dear Janene

My understanding was that Geoff Heaton was looking into this. I will raise this with him again as I'm sure he has it in hand.

Kind regards

Angela Julian-Armitage

Sent from my iPhone

[Quoted text hidden]

---

**Janene Crockett** <janene.crockett@gmail.com>  
To: Angela julian-Armitage <armitage@qldbar.asn.au>  
Cc: rossmctaggart@stephenstozer.com.au

Wed, Mar 20, 2019 at 3:01 PM

Good afternoon Angela,

Thank you for your prompt reply, I look forward to hearing of a resolution soon.

Kind regards, Janene Crockett

Sent from my iPhone

[Quoted text hidden]

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: janene.crockett@gmail.com  
Cc: Angela julian-Armitage <armitage@qldbar.asn.au>, rossmctaggart@stephenstozer.com.au

Wed, Mar 20, 2019 at 4:19 PM

Good afternoon Janene,

Indeed this matter has been running now for the past 3 years when I was balancing titles to owners files.

16/11/2020

Gmail - VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT

I found that your purchase in 1994 had been recorded to your owners file at the Resort however the title had not been transferred.

The signatures on the agreement show Rene Kuiper from the Resort sales staff had dealt with the transaction.

Attached is an email that I forwarded to Mr Whitehead who remains principal of the legal firm that handled the sale of the property.

This has not been answered neither have messages I have left with his office.

Legal advice I have received from ABKJ Lawyers suggests that;

(i) we have you recorded on our share register as the owner of the 2 weeks in lot 17 although the titles office -title 16864073 - vests in the vendor David M.Prawer (deceased).

(ii) that on lodging of the s38 application to the Property court for sale of the Resort the Judge would be able to deal with the matter, along with several similar matters.

Possibly Mr McTaggart may have a view to the way this matter can be resolved,as it does involve an interstate probate issue.

The letter dated 31 January,1995 from Phillip Whitehead mentions a copy of the stamped transfer together with the original endorsed Probate.

If these documents are still available they may assist in having the matter dealt with further.


Please advise if we can assist further,

kind regards

Geoff Heaton  
Director Voyager Resort Limited

[Quoted text hidden]

---

 **0603\_001.pdf**  
42K

---

**Janene Crockett** <janene.crockett@gmail.com>

Sat, Nov 14, 2020 at 1:33 PM

To: Geoffrey Heaton <heatong48@gmail.com>

Cc: Angela julian-Armitage <armitage@qldbar.asn.au>, RossMcTaggart@stephenstozer.com.au

Good afternoon all,

After the AGM today I am seeking clarification and resolution as to the transfer of my titles as previously discussed.

In the event that a trustee is appointed for this sale am I correct in assuming that from a legal perspective my ownership of these two weeks titles would be questioned and I would be unable to receive any financial benefit that is due to me as the legal owner of 26 years.

Ross, with your vast experience in property and contract law , would you please advise of the best solution in order to have the matter resolved before any sale or trustee appointment.

Kind regards,

Janene P Crockett

Sent from my iPhone

On 20 Mar 2019, at 16:19, Geoffrey Heaton <heatong48@gmail.com> wrote:

[Quoted text hidden]  
<0603\_001.pdf>

---

**Ross McTaggart** <rossmctaggart@stephenstozer.com.au>

Mon, Nov 16, 2020 at 3:47 PM

To: Janene Crockett <janene.crockett@gmail.com>

Hi Janene,

I have spoken to Angela would you please call me Wednesday morning at say 9.30am to discuss

16/11/2020

Gmail - VOYAGER WEEKS TITLE TRANSFER - JP CROCKETT

Ross

**Ross McTaggart**  
**Consultant**

**Stephens & Tozer Solicitors**

Phone: 07 3034 3888 | Direct Line: 07 3034 3804 | Mobile: 0412 576 611

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[Quoted text hidden]

**Janene Crockett** <janene.crockett@gmail.com>  
To: Ross McTaggart <rossmctaggart@stephenstozer.com.au>

Mon, Nov 16, 2020 at 4:07 PM

Hi Ross  
Yes I will.  
Thank you.  
Cheers, Janene

Sent from my iPhone

On 16 Nov 2020, at 15:47, Ross McTaggart <rossmctaggart@stephenstozer.com.au> wrote:

[Quoted text hidden]

**Ross McTaggart** <rossmctaggart@stephenstozer.com.au>  
To: Janene Crockett <janene.crockett@gmail.com>

Mon, Nov 16, 2020 at 4:09 PM

I am hear now if you wish

[Quoted text hidden]

16/11/2020

Gmail - Documents relating to your purchase from Prawer



Janene Crockett &lt;janene.crockett@gmail.com&gt;

---

**Documents relating to your purchase from Prawer**

---

**Geoffrey Heaton** <heatong48@gmail.com>  
To: janene.crockett@gmail.com

Mon, Jan 20, 2020 at 3:20 PM

Good afternoon Janene,  
Attached are the relative documents that the Resort will forward to the District Court.

We confirm that ABKJ Lawyers of Southport will handle the Court dealings and will ensure that your distributions of any future sale proceeds will be 8 shares.

You will receive additional documents in the next few months relating to details of a future sale.

regards  
Geoff Heaton

---

 **Prawer to Crockett sale details.pdf**  
329K

16/11/2020

Gmail - Title 16864073 2 shares in lot 17.



Janene Crockett &lt;janene.crockett@gmail.com&gt;

---

**Title 16864073 2 shares in lot 17.**

3 messages

**Geoffrey Heaton** <heatong48@gmail.com>

Mon, Nov 16, 2020 at 10:04 AM

To: janene.crockett@gmail.com, Angela julian-Armitage &lt;armitage@qldbar.asn.au&gt;

Good morning Janene,

The issue is still as we advised in our email of 20 March 2020.

You are recorded in the Company share register as the owner of the 2 shares in lot 17.

The title is still registered in the names of David Prawer (deceased).

At the stage of amalgamation of the titles (which is months away) the statutory trustee appointed by the Court will have Court action using a Section 38 application of the property law to transfer the title to you.

You have contacted your lawyer and I am able to discuss the matter further with him.

regards

Geoff Heaton  
Managing Director

---

**Janene Crockett** <janene.crockett@gmail.com>

Mon, Nov 16, 2020 at 10:13 AM

To: Ross McTaggart &lt;rossmctaggart@stephenstozer.com.au&gt;

Hi Ross

Here is the answer that I received this morning.

Does this sound right to you?

Hope you and Jill are well.

Cheers, Janene

Sent from my iPhone

Begin forwarded message:

**From:** Geoffrey Heaton <heatong48@gmail.com>

**Date:** 16 November 2020 at 10:04:50 AEST

**To:** janene.crockett@gmail.com, Angela julian-Armitage <armitage@qldbar.asn.au>

**Subject:** Title 16864073 2 shares in lot 17.

[Quoted text hidden]

---

**Janene Crockett** <janene.crockett@gmail.com>

Mon, Nov 16, 2020 at 10:15 AM

To: Jonathan Crockett &lt;jonathan.crockett85@gmail.com&gt;

Here is what Geoff sent back.

Cheers, Janene

Sent from my iPhone

Begin forwarded message:

16/11/2020

Gmail - Title 16864073 2 shares in lot 17.

**From:** Janene Crockett <[janene.crockett@gmail.com](mailto:janene.crockett@gmail.com)>  
**Date:** 16 November 2020 at 10:13:16 AEST  
**To:** Ross McTaggart <[rossmctaggart@stephenstozer.com.au](mailto:rossmctaggart@stephenstozer.com.au)>  
**Subject:** Fwd: Title 16864073 2 shares in lot 17.

Hi Ross

[Quoted text hidden]



**Certificate identifying annexure**  
(rule29.02)

Federal Court of Australia  
District Registry: Queensland  
Division: General

No. QUD13/2025

**IN THE MATTER** of VOYAGER RESORT LIMITED (In Liquidation)  
ACN 010 547 618

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED**

Plaintiff

The following 11 pages are the annexure marked "BVH-30" produced and shown to BRADLEY VINCENT HELLEN at the time of affirming his affidavit this 24th day of February 2025.



.....  
Benjamin Leigh Sandford

**Annexure "BVH-30"**

Bundle of Documents relating to Semple, JE

.....

---

Filed on behalf of Bradley Vincent Hellen and Nigel Markey as joint and several liquidators of voyager resort limited, Plaintiff

---

Prepared by Benjamin Leigh Sandford

---

Law firm Mahoneys

---

Tel 07 3007 3777

---

Fax 07 3007 3778

---

Email info@mahoneys.com.au

---

Ref 32419

**Address for Service MAHONEYS**

Level 18, 167 Eagle Street, Brisbane Qld 4000

Email: info@mahoneys.com.au

---



## Current Title Search

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	16808088	<b>Search Date:</b>	02/08/2021 10:36
<b>Date Title Created:</b>	30/09/1985	<b>Request No:</b>	38059875
<b>Previous Title:</b>	16699158		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 29 BUILDING UNIT PLAN 6459  
Local Government: GOLD COAST  
COMMUNITY MANAGEMENT STATEMENT 8766

**REGISTERED OWNER****INTEREST**

Dealing No: 720211803 17/08/2020

JANICE ELLEN SEMPLE

1/51

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by  
Deed of Grant No. 13332009 (ALLOT 16 SEC 26)  
Deed of Grant No. 13332010 (ALLOT 15 SEC 26)  
Deed of Grant No. 16426157 (ALLOT 14 SEC 26)
- LEASE No 601085045 (H479546) 27/12/1984  
TO VOYAGER RESORT LIMITED  
ORIGINAL TERM: FOR 99 YEARS  
COMMENCING 27 DEC 1984  
OR OPTIONS AS MAY BE STATED

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



### VOYAGER RESORT

*Beachfront Broadbeach*  
167 Old Burleigh Rd, Broadbeach. Qld. 4218  
PO Box 71, Broadbeach. Qld. 4218

Phone: + 61 7 5538 7833  
Fax: +61 7 5592 2135

ABKJ Lawyers  
PO Box 1046  
Southport 4215  
[admin@abkj.com.au](mailto:admin@abkj.com.au)

#### SURRENDER AGREEMENT

Purchasers Name: VOYAGER RESORT LIMITED

Purchasers Address: 167 OLD BURLEIGH RD BROADBEACH QLD 4218

Vendors Name: Hugh Gallacher & Janice Ellen Semple

Vendors Address: 51 Flinders Street, Bittern Vic 3918

Bittern vic 3918

Vendors Phone: 0424151949 & 03 97506266

Certificate of Title: 16808088 Lot: 29  
Lot: \_\_\_\_\_

Fixed Weeks: \_\_\_\_\_ Floating Weeks: 5

Share Certificate No: 281

Apartment No: 7C

Purchase Price: NIL  
Current Levy Paid NO

Notes: Delinquent Owner – Surrender – forgive debt of \$8,729.56

Offered by Geoff Heaton  
Managing Director



**VOYAGER RESORT**

*Beachfront Broadbeach*

167 Old Burleigh Rd, Broadbeach. Qld. 4218  
PO Box 71, Broadbeach. Qld. 4218

Phone: + 61 7 5538 7833

Fax: +61 7 5592 2135

ACKNOWLEDGMENT FORM

OF SURRENDER

I/We do hereby agree and acknowledge that I/we have accepted the offer of Surrendering our Title (as detailed on page 1 of this document) back to Voyager Resort Limited, which will release us from our debt of \$ TBA

I/we acknowledge that I/we will have no further claim on the Title.

NAME Janice Sample DATE 20/12/19

X Janice Sample  
Signature of Vendor

NAME \_\_\_\_\_ DATE \_\_\_\_\_

X \_\_\_\_\_  
Signature of Vendor



Subject: Re: Our Reference: 100176 regarding Voyager Resort (##CASE:100176##)



**Jan Semple** <janiceesemple@hotmail.com>  
to Millie Blake

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

Hi Millie

My name is Daniel Semple I am the son of Janice.

Unfortunately my mother passed away after a battle with Cancer on the 27th March , 2020.

You can contact me in respect of this matter. I did send you an email dated 22nd March, 2020.

Regards Daniel Semple

0433 802718

[danieljsemple@hotmail.com](mailto:danieljsemple@hotmail.com)

On 14 Apr 2020, at 2:10 pm, Millie Blake <[MBlake@profcoll.com.au](mailto:MBlake@profcoll.com.au)> wrote:

Good Afternoon Janice,

Please contact me urgently with relation to the payment arrangement you are able to enter into for the am

If contact is not received, we will need to seek our clients instructions.

Thank you

<image003.png> **Millie Blake**

Account Manager

P: 07 3831 5222 | F: 07 3831 5655

PO Box 341 Toowong QLD 4066

[mblake@profcoll.com.au](mailto:mblake@profcoll.com.au) | [www.profcoll.com.au](http://www.profcoll.com.au)

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**From:** Millie Blake

**Sent:** Monday, 6 April 2020 11:43 AM

**To:** Jan Semple <[janiceesemple@hotmail.com](mailto:janiceesemple@hotmail.com)>

**Subject:** RE: Our Reference: 100176 regarding Voyager Resort (##CASE:100176##)



Geoffrey Heaton <heatong48@gmail.com>

**RE: FW: Voyager Resort [ABKJ 200017]**

2 messages

**Tony Kyle** <AMK@abkj.com.au>  
To: Geoffrey Heaton <heatong48@gmail.com>

Mon, Jan 10, 2022 at 10:25 AM

Hi Geoff

Just letting you know that we have received signed transfer documents from Daniel Semple in respect of the timeshare interest that was in the name of his mother – Janice Semple (deceased).

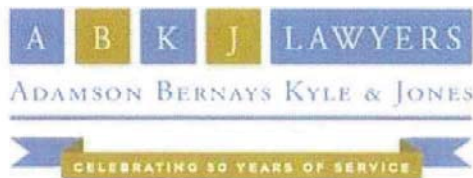
Did you want me to just to hold these on the file for now pending the court action? Is there any update in this regard?

Kind regards,



**Anthony Kyle** | Partner

Accredited Specialist (Business Law)



**T:** 07 5532 3199      **F:** 07 5591 3402  
**E:** amk@abkj.com.au    **W:** www.abkj.com.au  
**A:** 3 Short St (PO Box 1046) Southport Q 4215



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**From:** Geoffrey Heaton [mailto:heatong48@gmail.com]  
**Sent:** Monday, 12 October 2020 12:08 PM  
**To:** Kim Kyle <KK@ABKJ.com.au>  
**Subject:** Re: FW: Voyager Resort

Hi Kim



for lot 29 \$2,200.00

Let me know if letterhead required,  
regards

Geoff Heaton

On Mon, Oct 12, 2020 at 12:01 PM Kim Kyle <KK@abkj.com.au> wrote:

Hi Geoff,

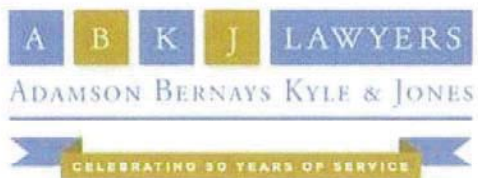
Daniel Semple is finally in a position to apply for Letters of Administration.

Do you have a value he can insert in the Application for the timeshare? I just need a figure at this stage, not an actual valuation on letterhead.

Thanks

Kind regards,

**Kim Kyle** | Associate Solicitor



**T:** 07 5532 3199

**F:** 07 5591 3402

**E:** [kk@abkj.com.au](mailto:kk@abkj.com.au)

**W:** [www.abkj.com.au](http://www.abkj.com.au)

**A:** 3 Short St (PO Box 1046) Southport Q 4215



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From: Daniel Semple [mailto:danieljsemple@hotmail.com]  
Sent: Monday, 12 October 2020 10:29 AM  
To: Kim Kyle <KK@ABKJ.com.au>  
Subject: Re: Voyager Resort

Hi Kim I have submitted the notice on Thursday the 8th October so on the 23rd October I can lodge all the relevant documents and the court is doing in-house decisions in this particular case. So hopefully it should be done by the end of the month fingers crossed. So if you send me a letter detailing the matter so I can attach that when I lodge and submit the information accordingly

Thanks Daniel Semple

Sent from my iPhone

On 29 Sep 2020, at 12:28 pm, Kim Kyle <KK@abkj.com.au> wrote:

Hi Daniel,

I just wanted to touch base to see how you are going with your mother's estate. Have you had any luck with filing an Application for Letters of Administration?

I look forward to hearing from you so I can provide an update to my client.

Kind regards,

**Kim Kyle** | Associate Solicitor

<image001.png>

**T:** 07 5532 3199

**F:** 07 5591 3402

**E:** kk@abkj.com.au

**W:** www.abkj.com.au

**A:** 3 Short St (PO Box 1046) Southport Q 4215

<image002.png>

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<image007.jpg>

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**From:** Kim Kyle  
**Sent:** Monday, 17 August 2020 2:31 PM  
**To:** 'Daniel Semple' <danieljsemple@hotmail.com>  
**Subject:** Voyager Resort

Hi Daniel,

---

I hope that you are keeping safe and well.

I just wanted to touch base to say I received your father's Death Certificate, thank you. I have used the certificate to transfer the Voyager Resort timeshare into your mother's sole name. **Attached** is a copy of the Registration Confirmation Statement for your information.

I will wait to hear from you in regards to the Letters of Administration for your mother's estate, which understandably, will be difficult to obtain whilst the COVID restrictions are in place.

Kind regards,

**Kim Kyle** | Associate Solicitor

<image001.png>

**T:** 07 5532 3199

**F:** 07 5591 3402

**E:** [kk@abkj.com.au](mailto:kk@abkj.com.au)

**W:** [www.abkj.com.au](http://www.abkj.com.au)

**A:** 3 Short St (PO Box 1046) Southport Q 4215

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<image003.png>



### VOYAGER RESORT LTD

167 Old Burleigh Road Broadbeach Gold Coast, Queensland 4218 Australia  
PO Box 71, Broadbeach, Queensland 4218 Australia  
Telephone 07 5538 7833 Facsimile 07 5592 2135

ABKJ LAWYERS  
P.O. BOX 1046  
SOUTHPORT QLD 4215  
AMK@abkj.com.au

*copy*

28/01/2022

Valuation Timeshare – **Simple D.J.** Personal Representative of Simple J.E.

We advise that the current market value of the timeshare weeks held in the name of Daniel James Semple Personal Representative for Janice Ellen Semple being share #281 in lot 29 of BUP 6459 1/51<sup>st</sup> title #16808088 is \$2,250.00 (two thousand two hundred fifty dollars).

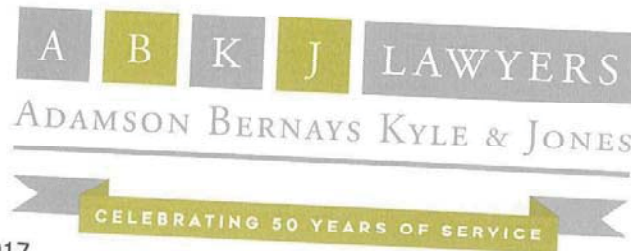
The valuation is based on the most recent sales;

Stretton MW from Tobin Lot 60 two (2) shares \$2,916.20 Title 17023186	05/08/2019
Radovic V & S from Desmond B. Lot 33 (3) shares \$3900 Title 16729139	25/05 2019
Mohan R.& R FROM Hermans J. Lot 54 (2) shares \$4000 Title 50072013	15/09/2016

Regards

Geoff Heaton  
Managing Director  
Residential Letting Agent #4187305  
Qld Property Occupational Act 2014





Our Ref: AMK:200017

21 January 2022

VOYAGER RESORT LIMITED  
ATT: GEOFF HEATON  
PO BOX 71  
BROADBEACH QLD 4218

BY EXPRESS POST

Dear Geoff,

**RE: VOYAGER RESORT LIMITED PURCHASE FROM SEMPLE  
SURRENDER OF APARTMENT 7C**

Thank you for your instructions to act on behalf of the Resort in relation to the buyback of floating week 5 in the abovementioned Apartment.

We **enclose**:

1. Timeshare Sales Agreement for signature by the directors where indicated. No witness is required;
2. Share Transfer Form for 2 floating shares in Voyager Resort Limited for signature by the directors where indicated. No witness is required; and
3. Form 2.2 Dutiable Transaction Statement for signature by the directors where indicated. No witness is required.

When returning executed documents, **please forward a Market Appraisal for the timeshare interest** to enable the transfer to be stamped in accordance with the requirements of the Office of State Revenue. We will then attend to registering the Form 1 Transfer (which we hold already signed by the Vendor.

Should you have any queries with regard to this matter or the manner in which documents are to be executed, please do not hesitate to contact us, otherwise we look forward to receipt of the executed documents shortly.

Yours faithfully

**Anthony Kyle - Partner**  
**Qld Law Society Accredited Specialist - Business Law**  
ADAMSON BERNAYS KYLE & JONES  
Email: amk@abkj.com.au

3 Short Street Southport Qld Australia 4215 • PO Box 1016 Southport Qld 4215  
**Telephone (07) 5532 3199** • International +61 7 5532 3199  
Facsimile 07 5501 2102 • Email enquiries@abkj.com.au  
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**Partners**  
David Brown  
Anthony Kyle, LL.B. (BA) (Hons)  
Accredited Specialist - Business Law  
Andrew Kyle, LL.B. (BA) (Hons)  
Daniel Madden, LL.B. (BA) (Hons)

**Consultant**  
Michael Kyle, LL.B. (BA) (Hons)  
Notary Public

**Senior Associates**  
Ruth Jeffers, LL.B. (BA) (Hons)  
E. Trade, Ethics, JBA  
Accredited Specialist - Family Law  
Suzie Ferguson, LL.B.



SEMPLÉ  
Signed Transfer

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<image009.jpg>



image001.png  
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Geoffrey Heaton <heatong48@gmail.com>  
To: Tony Kyle <AMK@abkj.com.au>

Mon, Jan 10, 2022 at 1:48 PM

Thanks Tony,

Yes please hold until next week. The supreme court has authorised service of documents and we return to the court next week.

Also has Girke returned their documents?

I will send further information on the court action when received,

regards

Geoff Heaton  
[Quoted text hidden]