

Westpac Banking Corporation v Forum Finance Pty Ltd (in liquidation)
Federal Court of Australia NSD 616/2021

SECTION 50 EVIDENCE ACT SUMMARY

PAYMENTS TO, OR ON BEHALF OF, 8-12 NATALIA AVE OAKLEIGH PTY LTD

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "8-12 Natalia Ave Oakleigh Pty Ltd Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	07-Dec-18	FGFS xx8642	Internet Transfer Pymt-Id 128666849 Metier3 9513 bal	[Not recorded in Xero Loan Statement]	Metier3	\$31,056.80	\$31,056.80	\$0.00	\$0.00	\$0.00	\$0.00
2	18-Jan-19	FGFS xx8642	Internet Transfer Pymt-Id 130852685 Metier 9534, 9549	[Not recorded in Xero Loan Statement]	Metier3	\$102,153.70	\$34,327.32	\$27,433.02	\$40,393.36	\$0.00	\$0.00
3	25-Jun-19	FGFS xx8642	Internet Transfer Pymt-Id 140179199 Metier Inv 9661	[Not recorded in Xero Loan Statement]	Metier3	\$19,430.14	\$14,734.30	\$4,695.84	\$0.00	\$0.00	\$0.00
4	12-Sep-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 145161966 Metier 9694	[Not recorded in Xero Loan Statement]	Metier3	\$16,742.00	\$15,521.94	\$1,220.06	\$0.00	\$0.00	\$0.00
5	04-Oct-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 146567370 Metier Inv 9708	[Not recorded in Xero Loan Statement]	Metier3	\$47,378.48	\$38,894.21	\$8,484.27	\$0.00	\$0.00	\$0.00
6	08-Nov-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 148708483 Metier 9712	[Not recorded in Xero Loan Statement]	Metier3	\$45,348.65	\$2,782.48	\$42,566.17	\$0.00	\$0.00	\$0.00

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
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7	28-Nov-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 149940674 Metier Inv 9722	[Not recorded in Xero Loan Statement]	Metier3	\$42,651.34	\$39,835.63	\$2,815.71	\$0.00	\$0.00	\$0.00
8	19-Dec-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 151425123 Metier 9727	[Not recorded in Xero Loan Statement]	Metier3	\$44,000.00	\$37,491.61	\$6,508.39	\$0.00	\$0.00	\$0.00
9	19-Dec-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 151345975 Deposit 12 Natalia	12 Natalia - Deposit for 12 Natalia	Buxton Sales Trust	\$586,000.00	\$499,320.12	\$86,679.88	\$0.00	\$0.00	\$0.00
10	08-May-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159468383 Metier 9792	[Not recorded in Xero Loan Statement]	Metier3	\$11,191.13	\$9,788.69	\$1,402.44	\$0.00	\$0.00	\$0.00
11	08-May-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159468442 Metier 9744 Half	[Not recorded in Xero Loan Statement]	Metier3	\$44,000.00	\$38,486.04	\$5,513.96	\$0.00	\$0.00	\$0.00
12	14-May-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159782939 Metier 9744 9771	[Not recorded in Xero Loan Statement]	Metier3	\$132,000.00	\$115,458.13	\$16,541.87	\$0.00	\$0.00	\$0.00
13	09-Jun-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 161267269 Natalia Deposit	12 Natalia - Natalia Deposit	Buxton Sales Trust	\$586,000.00	\$580,408.47	\$5,591.53	\$0.00	\$0.00	\$0.00
14	16-Jun-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 161693895 Metier 9790	[Not recorded in Xero Loan Statement]	Metier3	\$88,000.00	\$81,576.56	\$6,423.44	\$0.00	\$0.00	\$0.00
15	08-Jul-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 163049400 Metier 9817	[Not recorded in Xero Loan Statement]	Metier3	\$44,000.00	\$43,397.96	\$602.04	\$0.00	\$0.00	\$0.00
16	29-Jul-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 164264032 Metier 9806	[Not recorded in Xero Loan Statement]	Metier3	\$88,000.00	\$87,987.40	\$12.60	\$0.00	\$0.00	\$0.00
17	04-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 164670895 Natalia Payment	12 Natalia - Internet Transfer PYMT-ID 164670895 Natalia Payment	Buxton Sales Trust	\$200,000.00	\$31,256.04	\$308.12	\$168,435.83	\$0.00	\$0.00
18	05-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 164769989 Metier 9825	[Not recorded in Xero Loan Statement]	Metier3	\$44,000.00	\$30,438.95	\$24.76	\$13,536.28	\$0.00	\$0.00

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19	11-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165102539 Mitchell Brandtman	Mitchell Brandtman - Professional fees for Quantity Surveying Services - 8-12 Natalia Avenue Inv 31844 [Note Xero Loan Statement records as \$7,000 on 3 Aug 2020]	Mitchell Brandtman with reference "Natalia 31844"	\$7,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,700.00
20	12-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165093509 Metier 9823	[Not recorded in Xero Loan Statement]	Metier3	\$37,046.63	\$22,990.89	\$25.91	\$14,029.83	\$0.00	\$0.00
21	27-Aug-20	FGFS xx8642	Batch - Edge Group Pty Ltd	Edge Group - Soil Contamination Assessment for Oakleigh South Inv 01001425 [Note recorded as \$7,905 and paid on 30 June 2020 in Xero Loan Statement]	Edge Group Pty Ltd with reference "FGFS 1001425"	\$8,695.50	\$517.86	\$287.78	\$3,629.14	\$0.00	\$4,260.72
22	27-Aug-20	FGFS xx8642	Batch - Wra[Enginerring Pty Ltd	WRAP Engineering Pty Ltd - Phase 1: Town Planning/Concept Design - 8-12 Natalia Aveune [sic] Inv 1706 [Note Xero Loan statement records as \$2,400 on 30 June 2020]	Wrap Engineering Pty Ltd with reference "FGFS 1706"	\$2,640.00	\$157.23	\$87.37	\$1,101.83	\$0.00	\$1,293.58
23	03-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 166576555 Metier 9832	[Not recorded in Xero Loan Statement]	Metier3	\$44,000.00	\$5,138.02	\$2,855.20	\$36,006.78	\$0.00	\$0.00
24	14-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 167151378 Nobelius 11387 06	Nobelius - Title Re-Establishment and Feature & Level Survey and preparation of the plan for 8-12 Natalia Avenue Inv11387-06 [Note recorded on Xero Loan Statement as \$3,800 on 19 Aug 2020]	Nobelius Land Surveyors Pty Ltd with reference "FGFS 11387 06"	\$4,180.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,180.00
25	15-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 167219455 Metier 9841	[Not recorded in Xero Loan Statement]	Metier3	\$42,542.50	\$26,615.75	\$1,170.14	\$14,756.61	\$0.00	\$0.00
26	16-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 167294637 Natalia 0124448	12 Natalia - Loan to 8-12 Natalia for Charter Keck Cramer 01244482	Charter Keck Cramer	\$16,500.00	\$10,322.85	\$453.84	\$5,723.32	\$0.00	\$0.00
27	29-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 168021435 Peopl Group 1211	PEOPL Group - Internet Transfer PYMT-ID 168021435 Peopl Group 1211	Peopl Group Pty Ltd	\$1,650.00	\$898.20	\$750.30	\$1.50	\$0.00	\$0.00

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28	07-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 168581819 Metier 9836 9875	[Not recorded in Xero Loan Statement]	Metier3	\$27,918.00	\$7,324.07	\$6,118.08	\$14,475.85	\$0.00	\$0.00
29	16-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 169181232 Metier 9859	[Not recorded in Xero Loan Statement]	Metier3	\$47,000.25	\$37,361.78	\$2,863.41	\$6,775.06	\$0.00	\$0.00
30	29-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 169904516 Loan to Natalia	8-12 Natalia Avenue Oakleigh Pty Ltd - Internet Transfer PYMT-ID 169904516 Loan to Natalia	8-12 Natalia Avenue xx9116	\$1,000.00	\$891.63	\$32.19	\$76.17	\$0.00	\$0.00
31	06-Nov-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 170450088 Metier 9862/9864	[Not recorded in Xero Loan Statement]	Metier3	\$31,891.75	\$29,367.05	\$2,317.40	\$207.30	\$0.00	\$0.00
32	21-Dec-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 173337577 Traffix G 135034	[Not recorded in Xero Loan Statement]	Traffix Group	\$7,150.00	\$3,805.87	\$2,704.84	\$639.29	\$0.00	\$0.00
33	03-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 175712180 loan to Natalia	8-12 Natalia Avenue Oakleigh Pty Ltd - loan to Natalia	8-12 Natalia Avenue xx9116	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
34	03-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 175715236 Metier 9881	[Not recorded in Xero Loan Statement]	Metier3	\$25,121.25	\$0.00	\$0.00	\$0.00	\$0.00	\$25,121.25
35	10-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 176124187 Metier9891/9890/89	[Not recorded in Xero Loan Statement]	Metier3	\$27,333.63	\$10,714.60	\$0.00	\$16,619.03	\$0.00	\$0.00
36	17-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 176534399 Traffix 135956	[Not recorded in Xero Loan Statement]	Traffix Group	\$2,475.00	\$1,697.25	\$0.00	\$777.75	\$0.00	\$0.00
37	03-Mar-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 177490953 Metier 9919/9920	[Not recorded in Xero Loan Statement]	Metier3	\$31,736.38	\$16,819.11	\$10,469.42	\$4,447.85	\$0.00	\$0.00
38	18-Mar-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 178513059 Metier 9918	[Not recorded in Xero Loan Statement]	Metier3	\$32,736.00	\$4,795.67	\$0.00	\$25,631.22	\$2,309.11	\$0.00
39	24-Mar-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 178806953 Metier 9921	[Not recorded in Xero Loan Statement]	Metier3	\$45,263.63	\$6,630.91	\$0.00	\$35,439.95	\$3,192.77	\$0.00
40	31-Mar-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 179258750 Metier 9923	[Not recorded in Xero Loan Statement]	Metier3	\$45,263.63	\$20,319.09	\$5,443.36	\$17,889.52	\$1,611.66	\$0.00
41	08-Apr-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 179737442 METIER 9932/9933	[Not recorded in Xero Loan Statement]	Metier3	\$22,741.13	\$10,208.62	\$2,734.83	\$8,987.96	\$809.72	\$0.00

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42	14-Apr-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 180094147 METIER 9934	[Not recorded in Xero Loan Statement]	Metier3	\$24,018.50	\$19,335.82	\$1,021.85	\$3,358.29	\$302.55	\$0.00
43	28-Apr-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 180948969 9964/65/68/89/91	[Not recorded in Xero Loan Statement]	Metier3	\$23,520.75	\$1,549.93	\$341.28	\$21,614.01	\$15.53	\$0.00
44	06-May-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 181578006 Metier 9966	[Not recorded in Xero Loan Statement]	Metier3	\$32,914.75	\$2,218.48	\$487.92	\$30,184.81	\$23.54	\$0.00
45	12-May-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 181933794 Metier 9967	[Not recorded in Xero Loan Statement]	Metier3	\$15,974.75	\$10,032.35	\$17.53	\$1,084.45	\$4,840.43	\$0.00
46	19-May-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 182377228 9990/9992/9993	[Not recorded in Xero Loan Statement]	Metier3	\$13,934.25	\$11,023.64	\$8.59	\$531.17	\$2,370.86	\$0.00
47	26-May-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 182799907 9994	[Not recorded in Xero Loan Statement]	Metier3	\$42,603.00	\$10,863.43	\$1.33	\$25,585.76	\$6,152.47	\$0.00
48	02-Jun-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 183343910 loan to Natalia	8-12 Natalia Avenue Oakleigh Pty Ltd - Internet Transfer PYMT-ID 183343910 loan to Natalia	8-12 Natalia Avenue xx9116	\$35,000.00	\$8,924.73	\$1.09	\$21,019.69	\$5,054.49	\$0.00
49	09-Jun-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 183808312 10030	[Not recorded in Xero Loan Statement]	Metier3	\$3,382.50	\$2,167.76	\$0.05	\$979.22	\$235.47	\$0.00
50	Total					<u>\$2,885,886.02</u>	\$2,015,455.23	\$257,017.80	\$533,938.85	\$26,918.59	\$52,555.55

Accounts
FGFS xx8642 is a reference to an account in the name Forum Group Financial Services Pty Ltd held with the National Australia Bank with the BSB 082-080 and account number 27-15-8642 8-12 Natalia Ave xx9116 is a reference to an account in the name of 8-12 Natalia Ave Oakleigh Pty Ltd held with the National Australia Bank with the BSB 082-080 and account number 20-581-9116