

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, 31 ELLERMAN STREET DIMBOOLA PTY LTD

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "31 Ellerman Street, Dimboola Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	15-Nov-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 149155200 NV Finance Broker	[Not recorded in Xero Loan Statement]	NV Finance Group	\$11,000.00	\$8,742.35	\$2,257.65	\$0.00	\$0.00	\$0.00
2	10-Jul-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 163264166 31 Ellerman Street	Property Exchange Australia - Internet Transfer PYMT-ID 163264166 31 Ellerman Street	Property Exchange Australia	\$49,778.53	\$49,097.42	\$681.11	\$0.00	\$0.00	\$0.00
3	10-Jul-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 163266359 31 Ellerman Street	Property Exchange Australia - Internet Transfer PYMT-ID 163266359 31 Ellerman Street	Property Exchange Australia	\$57,750.00	\$56,959.82	\$790.18	\$0.00	\$0.00	\$0.00
4	17-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165393116 Loan to Dimboola	31 Ellerman Rd Dimboola - Internet Transfer PYMT-ID 165393116 Loan to Dimboola	31 Ellerman St xx8137	\$2,000.00	\$1,224.30	\$680.34	\$95.36	\$0.00	\$0.00
5	19-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165595186 Loan to Dimboola	31 Ellerman Rd Dimboola - Internet Transfer PYMT-ID 165595186 Loan to Dimboola	NV Finance Group	\$2,772.00	\$1,696.88	\$942.95	\$132.17	\$0.00	\$0.00
6	25-Aug-20	FGFS xx8642	TRANSFER DEBITS INTERNET BPAY PMT 000165854129 GWM WATER AUTH	GWM Water - INTERNET BPAY PMT 000165854129 GWM WATER AUTH	GWM Water Authority	\$272.05	\$0.00	\$0.00	\$0.00	\$0.00	\$272.05
7	16-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 167264948 Loan to Dimboola	31 Ellerman Rd Dimboola - Loan to Dimboola ANZ	31 Ellerman St xx8137	\$3,000.00	\$1,876.88	\$82.52	\$1,040.60	\$0.00	\$0.00

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
Prepared by (name of person/lawyer)	Caitlin Murray		
Law firm (if applicable)	MinterEllison		
Tel	(02) 9921 4279	Fax	(02) 9921 8123
Email	caitlin.murray@minterellison.com		
Address for service	Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000		
(include state and postcode)	Our reference: 1353397		

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	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "31 Ellerman Street, Dimboola Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
8	01-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 [Note see below additional information concerning transaction]	Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Dimboola	Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
9	01-Oct-20	FGFS xx8642	TRANSFER DEBITS INTERNET BPAY PMT 000168153517 Hindmarsh Shire	Hindmarsh Shire Council - INTERNET BPAY PMT 000168153517 Hindmarsh Shire	Hindmarsh Shire Council	\$749.64	\$196.66	\$164.28	\$388.70	\$0.00	\$0.00
10	24-Nov-20	FGFS xx8642	TRANSFER DEBITS INTERNET BPAY PMT 000171454254 GWM WATER AUTH	31 Ellerman Rd Dimboola - INTERNET BPAY PMT 000171454254 GWM WATER AUTH	GWM Water Authority	\$266.31	\$0.00	\$0.00	\$0.00	\$0.00	\$266.31
11	04-Dec-20	FGFS xx8642	TRANSFER DEBITS INTERNET BPAY PMT 000172239875 TAX OFFICE PAYMENTS	31 Ellerman Rd Dimboola - Loan for ATO BAS QE Sep20	ATO	\$832.00	\$0.00	\$0.00	\$0.00	\$0.00	\$832.00
12	11-Jan-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L174234091 Aksara Petrol T2 [Note see below additional information concerning transaction]	Aksara - Aksara Petrol T2	Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
13	06-Apr-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L179527358 Aksara Petrol T2 [Note see below additional information concerning transaction]	Aksara - Aksara Petrol T2	Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
14	Total ¹					<u>\$139,445.53</u>	\$119,794.31	\$5,599.03	\$1,656.83	\$0.00	\$12,395.36

¹ The tracing split between Financier and Other Funds for the Aksara transactions is drawn from the percentage split in the bulk transaction as shown below.

ADDITIONAL INFORMATION ABOUT "VT PETROL TRANCHE 1" PAYMENT

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statements	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
8	01-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 168127071 Aksara Petrol T2		Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$22,722.77	\$0.00	\$0.00	\$0.00	\$0.00	\$22,722.77
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Mallacoota	[Allocation based on Xero]	\$3,978.40	\$0.00	\$0.00	\$0.00	\$0.00	\$3,978.40
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Morwell	[Allocation based on Xero]	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Lake Boga	[Allocation based on Xero]	\$6,234.37	\$0.00	\$0.00	\$0.00	\$0.00	\$6,234.37
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Dimboola	[Allocation based on Xero]	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Maryborough	[Allocation based on Xero]	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00

12	11-Jan-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L174234091 Aksara Petrol T2		Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$22,722.77	\$0.00	\$0.00	\$0.00	\$0.00	\$22,722.77
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,978.40	\$0.00	\$0.00	\$0.00	\$0.00	\$3,978.40
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$6,234.37	\$0.00	\$0.00	\$0.00	\$0.00	\$6,234.37
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00

13	06-Apr-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L179527358 Aksara Petrol T2		Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$22,722.77	\$0.00	\$0.00	\$0.00	\$0.00	\$22,722.77
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,978.40	\$0.00	\$0.00	\$0.00	\$0.00	\$3,978.40
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$6,234.37	\$0.00	\$0.00	\$0.00	\$0.00	\$6,234.37
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00

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 31 Ellerman St xx8137 is a reference to an account in the name 31 ELLERMAN STREET DIMBOOLA PTY LTD ATF 31 ELLERMAN STREET DIMBOOLA UNIT TRUST held with ANZ with the BSB 013-405 and account number 3202-68137											
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