

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL COURT
COMMERCIAL LIST – GARDE J**



No. S ECI 2025

Case: S ECI 2025 02613

Filed on: 13/11/2025 12:34 PM

BETWEEN

Lake Eildon Country Club Ltd ACN 005 642 937

Applicant

-and-

Marchelleen Pty Ltd (ACN 005 104 478)

and others

Defendants

AFFIDAVIT

Date of Document:		Solicitors Code:	
Filed on behalf of:	Applicant	DX:	
Prepared by:	McCullough Robertson Lawyers Level 11, 66 Eagle Street Brisbane QLD 4000	Telephone:	07 3233 8701
		Ref:	177936-4
		Email:	awrigley@mccullough.com.au

I, Bradley Tonks, of 755 Hunter Street, Newcastle West in the State of New South Wales, care of PKF (NS) BRI Holding Pty Ltd, make oath and say:

1. I am a registered liquidator and chartered accountant, a director of PKF (NS) BRI Holding Pty Ltd have been practising in the Australian insolvency industry for over 26 years. I have read the Applicant's application to the Victorian Civil and Administrative Tribunal (**VCAT**) and supporting affidavit material.
2. I consent to being appointed as trustee of a statutory trust if orders are made by this Honourable Court in terms of the Applicant's application to VCAT. I am not aware of any circumstances that would make it inappropriate for me to be so appointed.
3. Now produced and shown to me and marked '**BT-1**' is a true copy of my curriculum vitae and the schedule of rates which PKF (NS) BRI Holding Pty Ltd would charge, should I be appointed as a trustee.

The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offences of perjury.

Sworn at [place]

Sydney

in the State of New South Wales on [date]

20 October 2025

[signature of person swearing or affirming the affidavit contents, to be signed in front of the authorised affidavit taker]

Before me,

[signature of authorised affidavit taker]

on [date] 20 October 2025

[name, statement of the capacity in which the authorised affidavit taker has the authority to take the affidavit, and personal or professional address in legible writing, typing or stamp]

ANTHONY DOYLE
JUSTICE OF THE PEACE

A person authorised under section 19(1) of the **Oaths and Affirmations Act 2018** to take an affidavit.

[initials] * In accordance with section 27(1A) of the Oaths and Affirmations Act 2018, this affidavit was signed and sworn or affirmed by the deponent by audio visual link and the authorised affidavit taker has used a scanned or electronic copy of the affidavit and not the original in completing the jurat requirements.

*[*strike out this sentence if not applicable].*

ANTHONY DOYLE
JUSTICE OF THE PEACE
NO. 141110

FORM 43A

Rule 43.06(3)

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL COURT
COMMERCIAL LIST – GARDE J

No. S ECI 2025 02613

BETWEEN

Lake Eildon Country Club Ltd ACN 005 642 937

Plaintiff

-and-

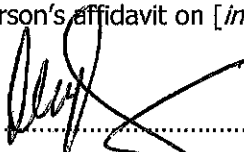
Marchelleen Pty Ltd (ACN 005 104 478)
and others

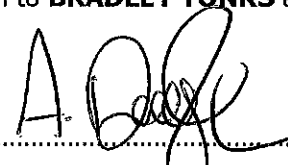
Defendants

CERTIFICATE IDENTIFYING EXHIBITS

Date of Document:		Solicitors Code:	
Filed on behalf of:	Applicant	DX:	
Prepared by:	McCullough Robertson Lawyers Level 11, 66 Eagle Street Brisbane QLD 4000	Telephone:	07 3233 8701
		Ref:	177936-4
		Email:	awrigley@mccullough.com.au

This is the exhibit marked "BT-1" now produced and shown to **BRADLEY TONKS** at the time of swearing the person's affidavit on *[insert date]*:


[Signature of deponent]


[Signature of person taking affidavit]

ANTHONY DOYLE [name, address and statement of
JUSTICE OF THE PEACE capacity of person taking affidavit]
NO. 141110

Level 8 10 Connel St
Sydney
Exhibit 'BT-1'

Curriculum vitae

Schedule of rates of PKF (NS) BRI Holding
Pty Ltd



CONTACT

T: 02 8346 6000

E: btunks@pkf.com.au

QUALIFICATIONS AND MEMBERSHIPS

Bachelor of Commerce (Accounting)

Fellow of the Institute of Chartered Accountants
Australia & New Zealand (CAANZ)

Member of the Australian Reconstruction
Insolvency & Turnaround Association (ARITA)

Registered Liquidator

Registered Trustee in Bankruptcy

OFFICE ADDRESS

PKF Sydney and Newcastle

Level 8, 1 O'Connell st
Sydney, NSW, 2000

AREAS OF SPECIALISATION

- External Administrations
- Court Receiverships
- Corporate restructuring and business turnaround
- Commercial Insolvency
- Personal Insolvency
- Section 66G Trusteeship

Brad Tonks

Partner

Business Recovery and Insolvency

"I enjoy delivering positive commercial outcomes from challenging situations. I particularly find being able to turnaround or restructure businesses that would have otherwise dissolved both professional and personally rewarding."

Brad has more than 25 years of experience in corporate and personal insolvency matters, covering a broad range of industry sectors.

During this time Brad has managed a large variety of external administrations and turnaround assignments, including complex Receiverships, Voluntary Administrations, Liquidations, Small Business Restructuring, Bankruptcies, Personal Insolvency Agreements and Safe Harbour engagements.

Brad regularly presents to various stakeholder groups and also consults to financiers, Government bodies, directors and creditors on business recovery insolvency related issues.

Brad has expertise in providing security appraisals, compliance audits and implementing exit strategies where required.

Recent examples of work include:

- Trading significant enterprises and publicly listed companies in industries such as mining, retail, manufacturing, construction, transport and hospitality
- Restructuring business and executing asset realisation programs, including negotiating going concern sales
- Turnaround assignments and monitoring programs on behalf of financiers, including reporting on compliance issues under various facilities
- Detailed investigations, public examinations and recovery actions under a range of insolvency administrations, including Bankrupt Estates.
- Brad is a Liquidator and Registered Trustee, a Fellow of Chartered Accountants Australia and New Zealand (CA ANZ), and also a Member of the Australian Restructuring and Turnaround Association (ARITA).

Insolvency and Business Turnaround Experience

I am a Partner with PKF Business Recovery and Insolvency Team with over 25 years' experience in all areas of external administrations, including corporate and personal insolvency matters.

During this time I have managed a large variety of administrations and turnaround assignments, including complex Receiverships, Voluntary Administrations, Deed Administrations, Liquidations, Small Business Restructuring, Bankruptcies, Personal Insolvency Agreements and Safe Harbour engagements in a broad range of industries.

My experience also includes large scale investigations, public examinations and recovery actions.

I regularly present to various stakeholder groups and also consult to financiers, Government bodies, directors, creditors and trade unions on business recovery and insolvency related issues.

I have expertise in providing security appraisals, compliance audits and developing exit strategies.

My major assignments have included:

- Detailed investigations, public examinations and recovery actions under a range of external administrations and insolvency matters, including foreign jurisdictions.
- Trading listed public companies and other significant enterprises in a variety of industries including:
 - Crypto Currency;
 - Construction, Property Development and Real Estate;
 - Orthopaedics;
 - Manufacturing;
 - Security, IT and Software Development;
 - Transport;
 - Hospitality and Retail; and
 - Education and Training.
- Preparing and executing asset realisation programs, including negotiating going concern sales; and
- Monitoring customers' trading activities on behalf of financiers and reporting on compliance issues under various facilities.

Professional Experience

Name of Firm	Period of Employment	Position in Firm
Lawler Partners (now PKF)	1998 – 2000	Reached Senior Level
Lawler Partners (now PKF)	2000 – 2008	Reached Principal Level
PKF	2008 – present	Partner



PKF Business Recovery & Insolvency Services Guide to Hourly Rates from 1 July 2024

Classification	Rate \$	Guide to Level of Insolvency Experience
Partner/Appointee	725.00 + 72.50 GST	Registered Liquidator/Trustee. Partner bringing his/her specialist skills to Administrations and/or Insolvency tasks.
Principal/Director	665.00 + 65.50 GST	Qualified. 10+ years experience. Specialist industry knowledge or Registered Liquidator/trustee who assists the appointee with all facets of Administrations and/or Insolvency tasks.
Senior Manager	620.00 + 62.00 GST	Qualified. 8+ years experience. Well developed technical and commercial skills, bringing additional specialist skills to Administrations and/or Insolvency tasks.
Manager	580.00 + 58.00 GST	Typically Qualified. 6-8 years experience. Well developed technical and commercial skills. Planning and control of all Administrations and/or Insolvency tasks.
Supervisor	520.00 + 52.00 GST	Typically Qualified. 4-7 years experience. Co-ordinates planning and control of medium to larger Administrations and/or Insolvency tasks.
Senior High Analyst	465.00 + 46.50 GST	Typically Graduate/Qualified: 2-4 years experience. Required to control the fieldwork on Administrations and/or Insolvency tasks.
Senior Analyst	420.00 + 42.00 GST	Typically Graduate: 1-2 years experience. Required to control the fieldwork on Administrations and/or Insolvency tasks.
Intermediate High Analyst	370.00 + 37.00 GST	Typically Graduate: Up to 2 years experience. Required to control the fieldwork on small Administrations and/or Insolvency tasks and assist with fieldwork on medium to large Administrations and/or Insolvency tasks.
Intermediate Analyst	345.00 + 34.50 GST	Typically Under Graduate: Up to 2 years experience. Required to assist in day to day fieldwork of Administrations and/or insolvency tasks under the supervision of more senior staff.
Executive/ Personal Assistant	265.00 + 26.50 GST	Appropriate skills including machine usage.
Clerk	210.00 + 21.00 GST	Appropriate skills.
Junior	160.00 + 16.00 GST	Appropriate skills.

Notes:

1. The Guide to Level of Insolvency Experience is intended only to be a guide as to the qualifications and experience of the staff engaged. It should be noted that in some instances staff may be engaged under an appropriate classification principally due to their experience.
2. Time spent on matters is recorded and charged in six (6) minute intervals.
3. The firm rates are effective as at 1 July 2024.