







14 April 2023

#### **To Creditors and Suppliers**

Dear Sir/Madam

Firstaction Group Pty Ltd ACN 139 666 247\*
Plumbfirst Pty Ltd ACN 606 165 173\*
Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd ACN 639 243 360\*
Elecfirst Pty Ltd ACN 606 391 048
Comfyfirst Pty Ltd ACN 152 881 135\*
Bblautofirst Pty Ltd ACN 647 331 262
(Administrators appointed) (the Companies)
\*Refer to Annexure A for the Company's Trading names

Glenn Livingstone and I were appointed Joint and Several Administrators of the Companies on 12 April 2023 pursuant to Section 436A of the Corporations Act 2001. We have commenced an urgent assessment of the financial position of the Companies.

As Administrators we act for all creditors. We are responsible for investigating the Companies' affairs, reporting and providing opinions to creditors and holding meetings of creditors to make decisions on the future of the Companies. We also now control the Companies business, assets and affairs.

Enclosed is our *Declaration of Independence, Relevant Relationships and Indemnities*. This has details about our independence.

Please read this circular and each of the documents enclosed carefully it provides you with information about the administration, your rights as a creditor and other important details, including where you have supplied goods or services to the Companies.

As the Companies are currently trading under our control, please note that we will not accept liability for payment for any goods or services supplied without the written authority of the specified authorised signatories, whose names and specimen signatures are shown on the schedule enclosed.

Would you please open a new account styled as whichever of the following are relevant:

- "Firstaction Group Pty Ltd (Administrators Appointed) ACN 139 666 247"
- "Plumbfirst Pty Ltd (Administrators Appointed) ACN 606 165 173"
- "Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd (Administrators Appointed) ACN 639 243 360"
- "Elecfirst Pty Ltd (Administrators Appointed) ACN 606 391 048"
- "Comfyfirst Pty Ltd (Administrators Appointed) ACN 152 881 135"
- "Bblautofirst Pty Ltd (Administrators Appointed) ACN 647 331 262"

Please charge future authorised orders to the relevant account as noted above. These accounts will be paid in accordance with your usual terms of credit provided that any security interests you have with the Companies prior to our appointment will not apply to collateral supplied as part of transactions on this new account unless specifically agreed to by us in writing and made the subject of a separate registration of the security interest on the Personal Property Security Register.

If there are any outstanding or uncompleted orders placed by the Companies prior to our appointment, please contact Billy Batbileg of this office to obtain written instructions concerning the orders.

#### 1. Effect of Administration

The effect of our appointment is to place a moratorium on the payment of unsecured creditors' accounts in relation to trading and other debts incurred up to the date of our appointment, until creditors make a decision about the Companies' future. Creditors with security interests including retention of title creditors will have their entitlements determined in accordance with relevant processes under applicable law. A decision as to the future of each entity will be made at a second meeting of creditors, to be held within 25 business days following our appointment. Creditors will receive notice of that meeting in due course.

#### 2. First meeting of creditors

The first meeting of creditors of the Companies will be held on **Monday 24 April 2023 at 10:00AM.** Details of the first meeting and its purpose are enclosed, including the Informal Proof of Debt and Proxy forms you will need to complete and return to us if you wish to attend.

Due to COVID-19 and in order to comply with the health, social distancing and Government policy on gatherings, creditors will be able to attend the first meeting of creditors either in-person or virtually via video conference facilities. Details and requirements on how to attend by video conference are included in the circular and in the enclosed Notice of Meeting of Creditors.

#### 3. Where can you get more information?

Key information about the Administration process is enclosed with this circular.

Information sheets *Insolvency information for directors, employees, creditors and shareholders* and other information on the voluntary administration process can be obtained from the Australian Securities & Investments Commission website at www.asic.gov.au (search for 'insolvency information sheets').

Other information on voluntary administration and insolvency generally is also available from www.arita.com.au/creditors.

# 4. Privacy

Any personal information obtained in connection with the administration is collected under, and for the purposes of, the *Corporations Act 2001* (Cth) or related legislation. This includes information relating to your debt/claim against the Companies.

#### 5. Questions and contact details

If you have any queries about the circular or the administration generally, please contact Deanne Lee of this office at dlee@wlpr.com.au.

Yours faithfully

Alan Walker

Joint and Several Administrator

# List of enclosures

- 1. Authorised Signatories Specimen Signatures
- 2. Notice of Meeting of Creditors
- 3. Formal Proof of Debt form & Appointment of Proxy form (Grouped by individual company)
- 4. A Declaration of Independence / Indemnities & Relevant Relationships (DIRRI)
- 5. Initial Remuneration Notice
- 6. Key Information Sheet
- 7. Info Sheet Creditor Rights in Voluntary Administrations (ARITA)
- 8. Annexure A: Trading Names

A further information sheet - A guide for creditors (ASIC) is available for download from the ASIC website.

Firstaction Group Pty Ltd ACN 139 666 247\*
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Bblautofirst Pty Ltd ACN 647 331 262
(Administrators appointed) ("the Companies")
\*Refer to Annexure A for the Company's Trading names

# **AUTHORISED SIGNATORIES**

### SPECIMEN SIGNATURES

NAME: ALAN WALKER	SIGNATURE:
NAME: GLENN LIVINGSTONE	SIGNATURE:
NAME: NEIL SMAIL	SIGNATURE:
NAME: JOHN THOMPSON	SIGNATURE:

# CORPORATIONS ACT 2001 Section 436E

Section 436E Insolvency Practice Rules (Corporations) 75-10, 75-15, 75-20

# NOTICE OF FIRST MEETING OF CREDITORS OF COMPANY UNDER ADMINISTRATION

Firstaction Group Pty Ltd ACN 139 666 247\*
Plumbfirst Pty Ltd ACN 606 165 173\*
Plumbfirst Elecfirst Comfyfirst NSW PTY Ltd ACN 639 243 360\*
Elecfirst Pty Ltd ACN 606 391 048
Comfyfirst Pty Ltd ACN 152 881 135\*
Bblautofirst Pty Ltd ACN 647 331 262
(Administrators appointed) ("the Companies")
\*Refer to Annexure A for list of Company's trading names

- 1. On 12 April 2023, the Companies under Section 436A of the Corporations Act 2001 appointed Alan Walker and Glenn Livingstone of WLP Restructuring, Suite 21.02, Level 21, Australia Square, 264 George Street, Sydney NSW 2000 as Joint and Several Administrators of the Companies.
- Notice is now given that a meeting of the creditors of the Companies will be held at Boulevard 3
  Room, View Melbourne Hotel, 562 St Kilda Rd, Melbourne VIC 3004 on 24 April 2023 at
  10:00AM. Additional details and requirements on how to attend by video conference are included in this notice.

#### Purpose for which the meeting has been convened:

The purpose of the meeting is to determine:

- a. whether to appoint a committee of inspection; and
- b. if so, who are to be the committee's members.

At the meeting, creditors may also, by resolution:

- a. remove the administrator(s) from office; and
- b. appoint someone else as administrator(s) of the Companies.

### Other agenda items:

- 3. Tabling of the administrators' declaration of independence, relevant relationships and indemnities.
- 4. If a committee of inspection is appointed, to consider a resolution that the members of the committee of inspection, or a related entity of those members, be permitted to deal with and provide goods and/or services to the Companies and/or its administrators in the ordinary course of business for the period of the administration.

Attendance at this meeting is not compulsory. Creditors may attend and vote in person, by proxy or by attorney\*. The appointment of a proxy must be in the approved form.

A special proxy can be lodged showing approval or rejection of each resolution. Proxy forms must be given to the Administrators or the person named as convening the meeting. An attorney of the creditor must show the instrument by which he or she is appointed to the Chairperson of the meeting, prior to the commencement of the meeting.

DATED this 14th day of April 2023.

Alan Walker Administrator

WLP Restructuring Pty Ltd Suite 21.02, Level 21 Australia Square, 264 George Street Sydney NSW 2000

Telephone: 0497 403 300

Creditors wishing to attend the meeting by electronic facilities are to contact Deanne Lee of this office on dlee@wlpr.com.au no later than 4pm on the day before the meeting to obtain access details.

# \*Voting at a Meeting the effect of Insolvency Practice Rules (Corporations) 75-85: Entitlement to vote at meetings of creditors

- (1) A person other than a creditor (or the creditor's proxy or attorney) is not entitled to vote at a meeting of creditors.
- (2) Subject to subsections (3), (4) and (5), each creditor is entitled to vote and has one vote.
- (3) A person is not entitled to vote as a creditor at a meeting of creditors unless:
  - (a) his or her debt or claim has been admitted wholly or in part by the external administrator; or (b) he or she has lodged, with the person presiding at the meeting, or with the person named in the notice convening the meeting as the person who may receive particulars of the debt or claim:
    - (i) those particulars; or
    - (ii) if required—a formal proof of the debt or claim.
- (4) A creditor must not vote in respect of:
  - (a) an unliquidated debt; or
  - (b) a contingent debt; or
  - (c) an unliquidated or a contingent claim; or
  - (d) a debt the value of which is not established;
  - unless a just estimate of its value has been made.
- (5) A creditor must not vote in respect of a debt or a claim on or secured by a bill of exchange, a promissory note or any other negotiable instrument or security held by the creditor unless he or she is willing to do the following:
  - (a) treat the liability to him or her on the instrument or security of a person covered by subsection (6) as a security in his or her hands;
  - (b) estimate its value;
  - (c) for the purposes of voting (but not for the purposes of dividend), to deduct it from his or her debt or claim.

- (6) A person is covered by this subsection if:
  - (a) the person's liability is a debt or a claim on, or secured by, a bill of exchange, a promissory note or any other negotiable instrument or security held by the creditor; and
  - (b) the person is either liable to the company directly, or may be liable to the company on the default of another person with respect to the liability; and
  - (c) the person is not an insolvent under administration or a person against whom a winding up order is in force

# FORM 535 CORPORATIONS ACT 2001

Section 600G Subregulation 5.6.49(2)

# FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrators of Firstaction Group Pty Ltd (Administrators Appointed) ACN 139 666 247 (Refer to Annexure A for list of Company's trading names)

1.	This is to state name):	e that the company was, o	n 12 Apri <b>l</b> 2023 <sup>(1)</sup> and	still is, justly	and truly	indebted to <sup>(2</sup>	) (full
	('Creditor'):						
	of (full addres	s)					
	for \$			dollars	and		cents.
Par	ticulars of the	debt are:					
D	ate	Consideration <sup>(3)</sup> state how the debt arose	Amount \$	GST included \$		(4) include details of	
	any manner o Insert particul	dge or belief the creditor he f satisfaction or security follars of all securities held. nose securities. If any bills form:	or the sum or any part Where the securities a	of it except are on the p	for the fol roperty of	lowing: the company	y, assess
D	ate	Drawer	Acceptor	Amoun	t <b>\$ c</b>	Due Date	
Т	I am r	not a related creditor of th	e Company <sup>(5)</sup>				
		related creditor of the Co onship:	mpany <sup>(5)</sup>				
If	the form is b	eing used for the purpos	e of voting at a mee	ting:			
Is	the debt you	are claiming assigned to y	ou?			No Yes	
H	<b>yes</b> , attach wi	ritten evidence of the debt	, the assignment and (	consideratio	n given.	Atta	ched
		ue of consideration did yo d you pay for the debt?)	u give for the assignm	ent		\$	
	that the de and belief, (6)* I am the c incurred a	oyed by the creditor and ace bet was incurred for the co still remains unpaid and c creditor's agent authorise and for the consideration s as unpaid and unsatisfied.	nsideration stated and unsatisfied. d to make this stater itated and that the de	d that the den	ebt, to the k	pest of my kn w that the d	ow <b>l</b> edge lebt was
DA	TED this	day of	2023				

Signature	of		Signatory			
NAME IN BLOCK LETTERS						
Occupation			••••••			
Address						
Email:	mail:					
OFFICE USE ONLY POD No:		ADMIT (Voting / Dividend) - Ordinary	\$			
Date Received:	1 1	ADMIT (Voting / Dividend) – Preferential	\$			
Entered into CORE IPS:		Reject ( <b>Voting / Dividend</b> )	\$			
Amount per ROCAP	\$	Object or H/Over for Consideration	\$			
Reason for Admitting / Rejection						
PREP BY/AUTHORISED		TOTAL PROOF	\$			
DATE AUTHORISED / /						

#### **Proof of Debt Form Directions**

- \* Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- (3) Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of ......", "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- (6) If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

#### **Annexures**

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
  - (a) have an identifying mark;
  - (b) and be endorsed with the words:
  - i) "This is the annexure of (insert number of pages) pages marked (insert an identifying mark) referred to in the (insert description of form) signed by me/us and dated (insert date of signing); and
  - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
  - (a) the identifying mark; and
  - (b) the number of pages.

A reference to an annexure includes a document that is with a form

# APPOINTMENT OF PROXY CREDITORS MEETING

# Firstaction Group Pty Ltd (Administrators Appointed) ACN 139 666 247 ("the Company") \*Refer to Annexure A for the list of Company trading names

* <b>I</b> /*We <sup>(1)</sup>					
Of					
being a creditor appoint <sup>(2)</sup> or in his or					
to vote for me/us on r or at any adjournmer	-	meeting of creditors	to be held on	24 April 2023	at 10:00AM,
Please mark any boxe: 	s with an X	_			
Proxy Type:	General	Special	For	Against	Abstain
Resolution 1 To appoint a commit be the committee's m	•	d, if so, who are to	FOI	Against	Abstain
(Note: if voting 'For' committee members	s of any proposed				
Resolution 2 To remove the Adr someone else as Adn		• •			
Resolution 3 That the members of related entity of those and provide goods at the Administrators in period of the administrators.	e members, be pern nd/or services to the the ordinary course	nitted to deal with Company and/or			
DATED this	day of	20	023.		
Signature					

Page **1** of **2** 

# **CERTIFICATE OF WITNESS**

This certificate is to be completed <u>only if the person giving the proxy is blind or incapable of writ</u> signature of the creditor, contributory, debenture holder or member must not be witnessed by th nominated as proxy.	
I, of	
certify that the above instrument appointing a proxy was completed by me in the presence of a request of the person appointing the proxy and read to him or her before he or she signed or mainstrument.	nd at the
Dated:	
Signature of Witness:	
Description:	
Place of Residence:	

- \* Strike out if inapplicable
- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.

# FORM 535 CORPORATIONS ACT 2001

Section 600G Subregulation 5.6.49(2)

# FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrators of Plumbfirst Pty Ltd (Administrators Appointed) ACN 606 165 173 (Refer to Annexure A for list of Company's trading names)

	nis is to state ame):	that the company was, o	n 12 April 2023 <sup>(1)</sup> and	still is, justly	y and truly i	ndebted t	co <sup>(2)</sup> (full
('C	reditor'):						
of	(full addres	5)					
				dollars	and		cents
	ulars of the		0 t	CCT	Remarks <sup>(</sup>	1) include detai	ils of
Dat	e	Consideration <sup>(3)</sup> state how the debt arose	Amount \$	GST included \$	voucher substa		
ar <b>I</b> n th	ny manner o sert particu <b>l</b>	dge or belief the creditor he satisfaction or security for ars of all securities held. ose securities. If any bills g form:	or the sum or any part Where the securities a	t of it except are on the p	t for the foll property of t	owing: the compa	any, assess
Dat	е	Drawer	Acceptor	Amoun	t\$c l	Due Date	
	l am n	ot a related creditor of th	e Company <sup>(5)</sup>	<u> </u>			
		related creditor of the Conship:	ompany <sup>(5)</sup>				
If th	e form is be	eing used for the purpos	e of voting at a mee	ting:			
ls th	ne debt you	are claiming assigned to y	ou?		١	۷o 🗌 ۲	es 🗌
If y	<b>es</b> , attach wr	itten evidence of the debt	, the assignment and	consideratio	on given.	A	ttached
		ue of consideration did yo d you pay for the debt?)	u give for the assignm	ient	4	5	
	that the de and belief, I am the c incurred a	yed by the creditor and and the was incurred for the constill remains unpaid and it reditor's agent authorise and for the consideration is unpaid and unsatisfied.	nsideration stated and unsatisfied. d to make this stater stated and that the de	d that the de	ebt, to the b ing. I know	est of my w that the	know <b>l</b> edge e debt was
DATE	D this	day of	2023				

Si	Signature				Signatory	
N	AME IN BLOCK LETTERS		•••••			
0	ccupation	•••••	••••••		•••••••••••••••••••••••••••••••••••••••	
 A	ddress		•••••		•••••	
 Eı	mail:					
•••						
	OFFICE USE ONLY POD No:			ADMIT ( <b>Voting / Dividend</b> ) - Ordinary	\$	
	Date Received:	/ /		ADMIT (Voting / Dividend) – Preferential	\$	
	Entered into CORE IPS:			Reject ( <b>Voting / Dividend</b> )	\$	
	Amount per ROCAP	\$		Object or H/Over for Consideration	\$	
	Reason for Admitting / Rejection					
	PREP BY/AUTHORISED			TOTAL PROOF	\$	
	DATE AUTHORISED / /					

#### **Proof of Debt Form Directions**

- \* Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- (3) Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of ......", "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- (6) If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

#### **Annexures**

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
  - (a) have an identifying mark;
  - (b) and be endorsed with the words:
  - i) "This is the annexure of (insert number of pages) pages marked (insert an identifying mark) referred to in the (insert description of form) signed by me/us and dated (insert date of signing); and
  - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
  - (a) the identifying mark; and
  - (b) the number of pages.

A reference to an annexure includes a document that is with a form

# APPOINTMENT OF PROXY CREDITORS MEETING

# Plumbfirst Pty Ltd (Administrators Appointed) ACN 606 165 173 ("the Company") \*Refer to Annexure A for the list of Company trading names

*I/*We <sup>(1)</sup>			
Of			
being a creditor of the Company, appoint <sup>(2)</sup> or in his or her absence			
to vote for me/us on my/our behalf at the meeting of creditors or at any adjournment of that meeting.	to be held on	24 April 2023	at 10:00AM,
Please mark any boxes with an X			
Proxy Type: General Special	For	Against	Abstain
Resolution 1  To appoint a committee of inspection and, if so, who are to be the committee's members.			
(Note: if voting 'For' please attach details of any proposed committee members)			
Resolution 2 To remove the Administrators from office and appoint someone else as Administrator(s) of the Company.			
Resolution 3  That the members of the committee of inspection, or a related entity of those members, be permitted to deal with and provide goods and/or services to the Company and/or the Administrators in the ordinary course of business for the period of the administration.			
DATED this day of 20	023.		

Signature

# **CERTIFICATE OF WITNESS**

This certificate is to be completed <u>only if the person giving the proxy is blind or incapable of writi</u> ng. The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.
, of
certify that the above instrument appointing a proxy was completed by me in the presence of and at the equest of the person appointing the proxy and read to him or her before he or she signed or marked the nstrument.
Dated:
Signature of Witness:
Description:
Place of Residence:

- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.

<sup>\*</sup> Strike out if inapplicable

# FORM 535 CORPORATIONS ACT 2001

Section 600G Subregulation 5.6.49(2)

# FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrators of Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd (Administrators Appointed) ACN 639 243 360 (Refer to Annexure A for list of Company's trading names)

	This is to state name):	e that the company was, o	n 12 Apri <b>l</b> 2023 <sup>(1)</sup> and	still is, justly	y and truly in	idebted to <sup>(2)</sup>	(full
(	('Creditor'):						
(	of (full addres	s)					•••••
				dollars	and		cents
Part	ticulars of the						
Da	nte	Consideration <sup>(3)</sup> state how the debt arose	Amount \$	GST included \$	Remarks <sup>(4)</sup> voucher substant	) include details of tiating payment	
;   	any manner o Insert particu <b>l</b>	dge or belief the creditor he f satisfaction or security follars of all securities held. nose securities. If any bills form:	or the sum or any part Where the securities a	t of it except are on the p	t for the follo property of th	owing: ne company,	assess
Da	ite	Drawer	Acceptor	Amoun	t\$c D	ue Date	
	I am r	not a related creditor of th	e Company <sup>(5)</sup>	<u> </u>			
		related creditor of the Co onship:	mpany <sup>(5)</sup>				
If t	the form is b	eing used for the purpos	e of voting at a mee	ting:			
ls	the debt you	are claiming assigned to y	ou?		N	o Yes [	
lf	<b>yes</b> , attach wr	ritten evidence of the debt	, the assignment and (	consideratio	on given.	Attac	hed
		ue of consideration did yo d you pay for the debt?)	u give for the assignm	nent	\$		
	that the de and belief, incurred a	oyed by the creditor and ace twas incurred for the constill remains unpaid and careditor's agent authorise and for the consideration suppaid and unsatisfied.	nsideration stated and unsatisfied. d to make this stater stated and that the de	d that the de	ebt, to the be ing. I know	est of my kno that the de	w <b>l</b> edge ebt was
DAT	ED this	day of	2023				

SI	gnature		OT	OI .				
N	NAME IN BLOCK LETTERS							
0	ccupation	••••••	••••••					
Α	ddress							
Email:								
•••		••••••	••••••					
	OFFICE USE ONLY POD No:			ADMIT (Voting / Dividend) - Ordinary	\$			
	Date Received:	/ /		ADMIT (Voting / Dividend) – Preferential	\$			
	Entered into CORE IPS:			Reject ( <b>Voting / Dividend</b> )	\$			
	Amount per ROCAP	\$		Object or H/Over for Consideration	\$			
	Reason for Admitting / Rejection							
	PREP BY/AUTHORISED			TOTAL PROOF	\$			
	DATE AUTHORISED / /							

#### **Proof of Debt Form Directions**

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- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
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- (4) Under "Remarks" include details of vouchers substantiating payment.
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  - (b) and be endorsed with the words:
  - i) "This is the annexure of (insert number of pages) pages marked (insert an identifying mark) referred to in the (insert description of form) signed by me/us and dated (insert date of signing); and
  - (c) be signed by each person signing the form to which the document is annexed.
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- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
  - (a) the identifying mark; and
  - (b) the number of pages.

A reference to an annexure includes a document that is with a form

# APPOINTMENT OF PROXY CREDITORS MEETING

# Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd (Administrators Appointed) ACN 639 243 360 ("the Company") \*Refer to Annexure A for the list of Company trading names

*I/*We <sup>(1)</sup>					
Of					
being a creditor appoint <sup>(2)</sup> or in his or					
to vote for me/us on or at any adjournme	my/our behalf at the interesting.	meeting of creditors	to be held on	24 April 2023	at 10:00AM,
Please mark any boxe	es with an <b>X</b>				
Proxy Type:	General	Special	For	Against	Abstain
Resolution 1 To appoint a commit be the committee's r	ttee of inspection and	d, if so, who are to		, sgamee	
(Note: if voting 'For' committee members	please attach details s)	s of any proposed			
	ministrators from o ministrator(s) of the C				
related entity of tho and provide goods a	of the committee of semembers, be perrended to the ordinary course stration.	mitted to deal with e Company and/or			
DATED this	day of	20	023.		

Signature

# **CERTIFICATE OF WITNESS**

This certificate is to be completed <u>only if the person giving the proxy is blind or incapable of writing</u> . The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.
of the state of th
I,
Dated:
Signature of Witness:
Description:
Place of Residence:

- \* Strike out if inapplicable
- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.

# FORM 535 CORPORATIONS ACT 2001

Section 600G Subregulation 5.6.49(2)

# FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrators of Elecfirst Pty Ltd (Administrators Appointed) ACN 606 391 048

	nis is to state ame):	that the company was, on	12 Apri <b>l</b> 2023 <sup>(1)</sup> and	still is, justly	and truly	/ indebted	d to <sup>(2)</sup> (full
('C	reditor'):						
of	(full addres	s)			•••••	•••••	
	r \$ culars of the	debt are:		dollars			
Dat	e	Consideration <sup>(3)</sup> state how the debt arose	Amount \$	GST included \$		<b>S<sup>(4)</sup> incl</b> ude de tantiating pay	
ar <b>I</b> n th	ny manner o sert particu <b>l</b>	dge or belief the creditor has f satisfaction or security for ars of all securities held. W ose securities. If any bills or g form:	the sum or any part here the securities a	of it except are on the p	for the for the formal formal for the formal formal for the formal	ollowing: f the com	ipany, assess
Dat	е	Drawer	Acceptor	Amoun	t\$c	Due Da	te
	l am n	ot a related creditor of the	Company <sup>(5)</sup>	<b>!</b>			
		related creditor of the Comonship:	pany <sup>(5)</sup>				
If th	e form is b	eing used for the purpose	of voting at a meet	ting:			
ls th	ne debt you	are claiming assigned to you	1?			No	Yes
If y	<b>es</b> , attach wr	itten evidence of the debt, t	he assignment and o	consideratio	n given.		Attached
		ue of consideration did you d you pay for the debt?)	give for the assignm	ent	-	\$	
	that the de and belief, I am the c incurred a	oyed by the creditor and auth bt was incurred for the cons still remains unpaid and un reditor's agent authorised and for the consideration sta as unpaid and unsatisfied.	sideration stated and satisfied. to make this staten	d that the den	ebt, to the ing. I kno	best of mow that t	ny know <b>l</b> edge the debt was
DATE	D this	day of	2023				

Si	gnature		of		Signatory	
N	AME IN BLOCK LETTERS	•••••	•••••			
0	ccupation				•••••	
 A	ddress				••••••	
E	Email:					
•••						
	OFFICE USE ONLY POD No:			ADMIT ( <b>Voting / Dividend</b> ) - Ordinary	\$	
	Date Received:	1 1		ADMIT (Voting / Dividend) – Preferential	\$	
	Entered into CORE IPS:			Reject ( <b>Voting / Dividend</b> )	\$	
	Amount per ROCAP	\$		Object or H/Over for Consideration	\$	
	Reason for Admitting / Rejection					
	PREP BY/AUTHORISED			TOTAL PROOF	\$	
	DATE AUTHORISED / /					

#### **Proof of Debt Form Directions**

- \* Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- (3) Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of ......", "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- (6) If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

#### **Annexures**

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
  - (a) have an identifying mark;
  - (b) and be endorsed with the words:
  - i) "This is the annexure of (insert number of pages) pages marked (insert an identifying mark) referred to in the (insert description of form) signed by me/us and dated (insert date of signing); and
  - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
  - (a) the identifying mark; and
  - (b) the number of pages.

A reference to an annexure includes a document that is with a form

# APPOINTMENT OF PROXY CREDITORS MEETING

# Elecfirst Pty Ltd (Administrators Appointed) ACN 606 391 048 ("the Company")

*I/*We <sup>(1)</sup>			
Of			
being a creditor of the Company, appoint <sup>(2)</sup> or in his or her absence			
to vote for me/us on my/our behalf at the meeting of creditors or at any adjournment of that meeting.	to be held on	24 April 2023	at 10:00AM,
Please mark any boxes with an X			
Proxy Type: General Special	For	Against	Abstain
<b>Resolution 1</b> To appoint a committee of inspection and, if so, who are to be the committee's members.			
(Note: if voting 'For' please attach details of any proposed committee members)			
Resolution 2  To remove the Administrators from office and appoint someone else as Administrator(s) of the Company.			
Resolution 3  That the members of the committee of inspection, or a related entity of those members, be permitted to deal with and provide goods and/or services to the Company and/or the Administrators in the ordinary course of business for the period of the administration.			
DATED this day of 2	023.		

Signature

# **CERTIFICATE OF WITNESS**

This certificate is to be completed <u>only if the person giving the proxy is blind or incapable of writing</u> . The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.
l,of
Dated:
Signature of Witness:
Description:
Place of Residence:

- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.

<sup>\*</sup> Strike out if inapplicable

# FORM 535 CORPORATIONS ACT 2001

Section 600G Subregulation 5.6.49(2)

# FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrators of Comfyfirst Pty Ltd (Administrators Appointed) ACN 152 881 135 (Refer to Annexure A for list of the Company's trading names)

	This is to state name):	that the company was, o	n 12 April 2023 <sup>(1)</sup> and	still is, justly	/ and truly ir	idebted to <sup>(2)</sup>	(full
(	('Creditor'):						
	of (full addres	s)		•••••			
				dollars	and		cents.
	iculars of the						
Da	ite	Consideration <sup>(3)</sup> state how the debt arose	Amount \$	GST included \$	Remarks <sup>(4</sup> voucher substan	) include details of tiating payment	
1	any manner o Insert particu <b>l</b>	dge or belief the creditor he f satisfaction or security for ars of all securities held. Hose securities. If any bills ag form:	or the sum or any par Where the securities	t of it except are on the p	for the follo	owing: he company	, assess
Da	ite	Drawer	Acceptor	Amoun	t\$c D	ue Date	
	I am r	ot a related creditor of th	e Company <sup>(5)</sup>		<u> </u>		
		related creditor of the Co onship:	ompany <sup>(5)</sup>				
lf 1	the form is b	eing used for the purpos	e of voting at a mee	ting:			
ls	the debt you	are claiming assigned to y	ou?		N	lo Yes	
lf	<b>yes</b> , attach wr	ritten evidence of the debt	, the assignment and	consideratio	n given.	Attac	hed
		ue of consideration did yo d you pay for the debt?)	u give for the assignm	nent	\$		
	that the de and belief, incurred a	oyed by the creditor and ace but was incurred for the co still remains unpaid and control treditor's agent authorise and for the consideration so as unpaid and unsatisfied.	nsideration stated and unsatisfied. d to make this stater stated and that the de	d that the de	ebt, to the be ing. I know	est of my kno that the de	owledge ebt was
DAT	ED this	day of	2023				

Signature	of	:	Signator			
NAME IN BLOCK LETTERS						
Occupation	•••••••••••••••••••••••••••••••••••••••		••••••			
Address						
Email:	Emai <b>l</b> :					
OFFICE USE ONLY POD No:		ADMIT (Voting / Dividend) - Ordinary	\$			
Date Received:	1 1	ADMIT (Voting / Dividend) – Preferential	\$			
Entered into CORE IPS:		Reject ( <b>Voting / Dividend</b> )	\$			
Amount per ROCAP	\$	Object or H/Over for Consideration	\$			
Reason for Admitting / Rejection						
PREP BY/AUTHORISED		TOTAL PROOF	\$			

#### **Proof of Debt Form Directions**

- Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- Under "Consideration" state how the debt arose, for example "goods sold and delivered to the (3)company between the dates of ....., "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, (6) for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

Signatory

#### **Annexures**

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
  - (a) have an identifying mark;
  - (b) and be endorsed with the words:
  - i) "This is the annexure of (insert number of pages) pages marked (insert an identifying mark) referred to in the (insert description of form) signed by me/us and dated (insert date of signing); and
  - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
  - (a) the identifying mark; and
  - (b) the number of pages.

A reference to an annexure includes a document that is with a form

# APPOINTMENT OF PROXY CREDITORS MEETING

# Comfyfirst Pty Ltd (Administrators Appointed) ACN 152 881 135 ("the Company") \*Refer to Annexure A for the list of Company trading names

*I/*We <sup>(1)</sup>							
Of							
being a creditor of the Company, appoint <sup>(2)</sup> or in his or her absence							
to vote for me/us on my/our behalf at the meeting of creditors to be held on 24 April 2023 at 10:00AM, or at any adjournment of that meeting.							
Please mark any boxes with an <b>X</b>							
Proxy Type: General	Special	For	Against	Abstain			
Resolution 1  To appoint a committee of inspection and be the committee's members.	d, if so, who are to		Against	Abstairi			
(Note: if voting 'For' please attach detail committee members)	s of any proposed						
Resolution 2 To remove the Administrators from o someone else as Administrator(s) of the Co							
Resolution 3  That the members of the committee of related entity of those members, be performed provide goods and/or services to the the Administrators in the ordinary course period of the administration.	mitted to deal with e Company and/or						
DATED this day of	20	023.					

Signature

# **CERTIFICATE OF WITNESS**

This certificate is to be completed <u>only if the person giving the proxy is blind or incapable of writing</u> . The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.
of the state of th
I,
Dated:
Signature of Witness:
Description:
Place of Residence:

- \* Strike out if inapplicable
- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.

# FORM 535 CORPORATIONS ACT 2001

Section 600G Subregulation 5.6.49(2)

# FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrators of Bblautofirst Pty Ltd (Administrators Appointed) ACN 647 331 262

	his is to state name):	that the company was, on	12 Apri <b>l</b> 2023 <sup>(1)</sup> and	still is, justly	and truly	y indebted	to <sup>(2)</sup> (full
('	Creditor'):						
C	f (full addres	s)			•••••		
				dollars	and		cents
Parti	culars of the						
Da	te	Consideration <sup>(3)</sup> state how the debt arose	Amount \$	GST included \$		(S <sup>(4)</sup> include deta	
a <b>l</b> i t	ny manner o nsert particu <b>l</b>	dge or belief the creditor has f satisfaction or security for ars of all securities held. W ose securities. If any bills or g form:	the sum or any part here the securities a	of it except are on the p	for the for the force to the force t	ollowing: f the comp	any, assess
Da		Drawer	Acceptor	Amoun	t \$	Due Date	e
	I am n	ot a related creditor of the	Company <sup>(5)</sup>			I	
		related creditor of the Com	pany <sup>(5)</sup>				
lf t	he form is b	eing used for the purpose	of voting at a mee	ting:			
ls t	he debt you	are claiming assigned to you	1?			No \	Yes
lfy	<b>/es</b> , attach wr	itten evidence of the debt, t	he assignment and o	consideratio	n given.		Attached
		ue of consideration did you a d you pay for the debt?)	give for the assignm	ent	-	\$	
	that the de and belief, * I am the c incurred a	oyed by the creditor and authobt was incurred for the consistill remains unpaid and un reditor's agent authorised for the consideration stans unpaid and unsatisfied.	ideration stated and satisfied.  to make this staten	d that the den	ebt, to the ing. Ikn	best of my ow that th	/ know <b>l</b> edge ne debt was
DAT	FD this	day of	2023				

Signature		of	Signatory		
NAME IN BLOCK LETTERS					
Occupation					
Address					
Email:	Emai <b>l</b> :				
OFFICE USE ONLY POD No:		ADMIT (Voting / Dividend) - O	rdinary \$		
Date Received:	1 1	ADMIT (Voting / Dividend) – Prefe	erential \$		
Entered into CORE IPS:		Reject ( <b>Voting / Dividend</b> )	\$		
Amount per ROCAP	\$	Object or H/Over for Considera	ation \$		
Reason for Admitting / Rejection					
PREP BY/AUTHORISED	TOTAL PROOF		\$		
DATE AUTHORISED / /					

#### **Proof of Debt Form Directions**

- \* Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- (3) Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of ......", "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- (6) If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

#### **Annexures**

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
  - (a) have an identifying mark;
  - (b) and be endorsed with the words:
  - i) "This is the annexure of (insert number of pages) pages marked (insert an identifying mark) referred to in the (insert description of form) signed by me/us and dated (insert date of signing); and
  - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
  - (a) the identifying mark; and
  - (b) the number of pages.

A reference to an annexure includes a document that is with a form

# APPOINTMENT OF PROXY CREDITORS MEETING

# Bblautofirst Pty Ltd (Administrators Appointed) ACN 647 331 262 ("the Company")

*I/*We <sup>(1)</sup>					
Of					
being a creditor appoint <sup>(2)</sup> or in his or	of the Company, her absence				
to vote for me/us on or at any adjournme	my/our behalf at the r ent of that meeting.	neeting of creditors	to be held on	24 April 2023	at 10:00AM,
Please mark any boxe Proxy Type:	es with an X	Special			
Troxy Type.	General	Jopeciai	For	Against	Abstain
be the committee's r	please attach details				
committee members	s)				
	ministrators from of ministrator(s) of the C				
related entity of tho and provide goods a	of the committee of se members, be pernand/or services to the ordinary course sistration.	nitted to deal with Company and/or			
DATED this	day of	20	023.		
Signature					

#### **CERTIFICATE OF WITNESS**

This certificate is to be completed <u>only if the person giving the proxy is blind or incapable of writing</u> . The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.
of .
I,
Dated:
Signature of Witness:
Description:
Place of Residence:

- \* Strike out if inapplicable
- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.

Section 436DA

## Declaration of Independence, Relevant Relationships and Indemnities

## FIRSTACTION GROUP PTY LIMITED ACN 139 666 247 (the Company)

The purpose of this declaration is to assist creditors with understanding any relationships that the Joint and Several Administrators (**Administrators**) have and any indemnities or upfront payments that have been provided to the Administrators. None of the relationships disclosed in this document are such that the independence of the Administrators are affected.

This information is provided to you to enable you to make an informed assessment on any independence concerns, so you have trust and confidence in our independence and, if not, can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, staff and WLP Restructuring.

Glenn Livingstone is a professional member of ARITA – Australian Restructuring Insolvency and Turnaround Association. Alan Walker is a professional member of the Turnaround Management Association. We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. Independence

We, Glenn Ian Livingstone and Alan Lee Walker, of WLP Restructuring have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Administrators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

There are no other relevant relationships, including personal, business and professional relationships that should be disclosed beyond those that we have disclosed in this document.

#### B. Circumstances of appointment

B1. How we were referred this appointment

This appointment was referred to us by one of the Company's Directors, James Hetherington. The Director was provided our contact details by Strategic Accounting, an unrelated accounting firm. Strategic Accounting does not provide any accounting services to the Company or its Directors. This is the first referral provided by the Director to us and he was not previously known to us.

We believe that this referral does not result in a conflict of interest or duty because:

- WLP Restructuring has never undertaken any work for the Directors in respect of the Company and/or its related entities.
- B2. Did we meet with the Company or the directors or the Company advisors before we were appointed?

#### Details are as follows;

- On 23 March 2023, Neil Smail of our office was contacted by one of the Company's Directors, James Hetherington requesting a meeting to discuss the Company's affairs and the options available to the Company.
- On 30 March 2023, Neil Smail and Alan Walker had a meeting with the Company's Directors to provide further information on the administration process and the options available to the Company.
- On 31 March 2023, Neil Smail issued an email to the Directors requesting further information on the Company's financial position.
- On 31 March 2023, Neil Smail received several emails from James Hetherington providing information on the Company's affairs.
- On 4 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to discuss the Companies affairs and current financial position.
- On 5 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to make to make arrangements for the appointment of the Administrators.
- Between 5 April 2023 and 11 April 2023, several calls took place between Neil Smail and James Hetherington in respect to an update on the timing of the proposed voluntary administration.
- On 11 April 2023, Neil Smail issued an email to James Hetherington requesting further information that will be required upon the appointment of the Administrators.

We did not receive any remuneration for any of these meetings or provide any advice to the Directors or the Company beyond that outlined in the DIRRI. There is no expectation, agreement or understanding between the Administrators, the Directors/Former Directors regarding the conduct of the Administration.

#### C. Declaration of relationships

C1.

Within the previous two years, we, or WLP Restructuring, had a relationship with:		
The Company?	☐ Yes ☒ No	
The directors?	☐ Yes ☒ No	
Any associates of the Company?	☐ Yes ☒ No	
A former insolvency practitioner appointed to the Company?	☐ Yes ☒ No	
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	☐ Yes ☒ No	

-			
⊠ Yes □ No			
	Nature of relationship	Reasons	
	These parties may be unsecured creditors in the Administration.	We believe that this relationship does not result in a conflict of interest or duty because:	
Unsecured creditors:  — Deputy Commissioner of Taxation — icare	Various Practitioners at WLP Restructuring are members of panels for appointments as liquidators and bankruptcy trustees.	<u>•</u> '	

#### C3. Group Engagement

C3 - Is this engagement, part of a group appointment?			
⊠ Yes □ No	⊠ Yes □ No		
Name	Nature of relationship	Reasons no impediment or conflict of interest or duty	
Plumbfirst Pty Limited	These entities are related the Company. There are common Directors and owners across the Group.	These Companies are operating as part of a Group and were placed into administration at the same time as the Company.	
Comfyfirst Pty Limited  Elecfirst Pty Limited		The nature of the business operation mean that the administrations can be conducted more efficiently by the same external administrator.	
Bblautofirst Pty Limited		At the time of our appointment, we are not aware of any conflicts of interest between the group companies.	
Plumbfirst Elecfirst Comfyfirst NSW Pty Limited		If a conflict arises, we will inform creditors and take appropriate action to resolve the conflict.	

#### C4. No other relevant relationships

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

#### D. Indemnities and up-front payments

We have not been provided with any indemnities in relation to the Administration of the Company.

Immediately prior to our appointment, the Group's available cash totalling \$659,000 was transferred to the WLP Restructuring Trust Account to cover the costs of the adminstrations and to ensure the business could continue to operate.

Dated: 14 April 2023

Alan Lee Walker ADMINISTRATOR Glenn lan Livingstone ADMINISTRATOR

#### NOTE:

- 1. If circumstances change, or new information is identified, I am/we are required under the Corporations Act 2001 and the ARITA Code of Professional Practice to update this Declaration and provide a copy to creditors with my/our next communication as well as table a copy of any replacement declaration at the next meeting of the company's creditors. For Creditors' Voluntary Liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.
- 2. Pursuant to Section 436DA of the Corporations Act 2001 I am required to make a replacement declaration of relevant relationships if:
  - i. The declaration becomes out-of-date; or
  - ii. The Administrator becomes aware of an error in the declaration.

I am also required to table a copy of any replacement declaration at the next meeting of the company's creditors.

Section 436DA

## Declaration of Independence, Relevant Relationships and Indemnities

## PLUMBFIRST PTY LIMITED ACN 606 165 173 (the Company)

The purpose of this declaration is to assist creditors with understanding any relationships that the Joint and Several Administrators (**Administrators**) have and any indemnities or upfront payments that have been provided to the Administrators. None of the relationships disclosed in this document are such that the independence of the Administrators are affected.

This information is provided to you to enable you to make an informed assessment on any independence concerns, so you have trust and confidence in our independence and, if not, can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, staff and WLP Restructuring.

Glenn Livingstone is a professional member of ARITA – Australian Restructuring Insolvency and Turnaround Association. Alan Walker is a professional member of the Turnaround Management Association. We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. Independence

We, Glenn Ian Livingstone and Alan Lee Walker, of WLP Restructuring have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Administrators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

There are no other relevant relationships, including personal, business and professional relationships that should be disclosed beyond those that we have disclosed in this document.

#### B. Circumstances of appointment

B1. How we were referred this appointment

This appointment was referred to us by one of the Company's Directors, James Hetherington. The Director was provided our contact details by Strategic Accounting, an unrelated accounting firm. Strategic Accounting does not provide any accounting services to the Company or its Directors. This is the first referral provided by the Director to us and he was not previously known to us.

We believe that this referral does not result in a conflict of interest or duty because:

- WLP Restructuring has never undertaken any work for the Directors in respect of the Company and/or its related entities.
- B2. Did we meet with the Company or the directors or the Company advisors before we were appointed?

#### Details are as follows;

- On 23 March 2023, Neil Smail of our office was contacted by one of the Company's Directors, James Hetherington requesting a meeting to discuss the Company's affairs and the options available to the Company.
- On 30 March 2023, Neil Smail and Alan Walker had a meeting with the Company's Directors to provide further information on the administration process and the options available to the Company.
- On 31 March 2023, Neil Smail issued an email to the Directors requesting further information on the Company's financial position.
- On 31 March 2023, Neil Smail received several emails from James Hetherington providing information on the Company's affairs.
- On 4 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to discuss the Company's affairs and current financial position.
- On 5 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to make to make arrangements for the appointment of the Administrators.
- Between 5 April 2023 and 11 April 2023, several calls took place between Neil Smail and James Hetherington in respect to an update on the timing of the proposed voluntary administration.
- On 11 April 2023, Neil Smail issued an email to James Hetherington requesting further information that will be required upon the appointment of the Administrators.

We did not receive any remuneration for any of these meetings or provide any advice to the Directors or the Company beyond that outlined in the DIRRI. There is no expectation, agreement or understanding between the Administrators, the Directors/Former Directors regarding the conduct of the Administration.

#### C. Declaration of relationships

C1.

Within the previous two years, we, or WLP Restructuring, had a relationship with:			
The Company?	☐ Yes ☒ No		
The directors?	☐ Yes ☒ No		
Any associates of the Company?	☐ Yes ☒ No		
A former insolvency practitioner appointed to the Company?	☐ Yes ☒ No		
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	□ Yes ⊠ No		

Do we, or WLP Restructuring, have any other relationships that we consider are relevant to creditors assessing our independence?

assessing our macpen	uciice:		
⊠ Yes □ No			
	Nature of relationship	Reasons	
	These parties may be unsecured creditors in the Administration.	We believe that this relationship does not result in a conflict of interest or duty because:	
Unsecured creditors:  — Deputy Commissioner of Taxation — icare	Various Practitioners at WLP Restructuring are members of panels for appointments as liquidators and bankruptcy trustees.	•	

#### C3. Group Engagement

C3 - Is this engagement, part of a group appointment?			
⊠ Yes □ No	⊠ Yes □ No		
Name	Nature of relationship	Reasons no impediment or conflict of interest or duty	
Firstaction Group Pty Limited	These entities are related the Company. There are common Directors and owners across the Group.	These Companies are operating as part of a Group and were placed into administration at the same time as the Company.	
Comfyfirst Pty Limited		The nature of the business operation mean that the administrations can be conducted more efficiently by the same external administrator.	
Bblautofirst Pty Limited		At the time of our appointment, we are not aware of any conflicts of interest between the group companies.	
Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd		If a conflict arises, we will inform creditors and take appropriate action to resolve the conflict.	

#### C4. No other relevant relationships

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

#### D. Indemnities and up-front payments

We have not been provided with any indemnities in relation to the Administration of the Company.

Immediately prior to our appointment, the Group's available cash totalling \$659,000 was transferred to the WLP Restructuring Trust Account to cover the costs of the adminstrations and to ensure the business could continue to operate.

Dated: 14 April 2023

Alan Lee Walker ADMINISTRATOR Glenn lan Livingstone ADMINISTRATOR

#### NOTE:

- 1. If circumstances change, or new information is identified, I am/we are required under the Corporations Act 2001 and the ARITA Code of Professional Practice to update this Declaration and provide a copy to creditors with my/our next communication as well as table a copy of any replacement declaration at the next meeting of the company's creditors. For Creditors' Voluntary Liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.
- 2. Pursuant to Section 436DA of the Corporations Act 2001 I am required to make a replacement declaration of relevant relationships if:
  - i. The declaration becomes out-of-date; or
  - ii. The Administrator becomes aware of an error in the declaration.

I am also required to table a copy of any replacement declaration at the next meeting of the company's creditors.

Section 436DA

## Declaration of Independence, Relevant Relationships and Indemnities

## PLUMBFIRST ELECFIRST COMFYFIRST NSW PTY LIMITED ACN 639 243 360 (the Company)

The purpose of this declaration is to assist creditors with understanding any relationships that the Joint and Several Administrators (**Administrators**) have and any indemnities or upfront payments that have been provided to the Administrators. None of the relationships disclosed in this document are such that the independence of the Administrators are affected.

This information is provided to you to enable you to make an informed assessment on any independence concerns, so you have trust and confidence in our independence and, if not, can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, staff and WLP Restructuring.

Glenn Livingstone is a professional member of ARITA – Australian Restructuring Insolvency and Turnaround Association. Alan Walker is a professional member of the Turnaround Management Association. We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. Independence

We, Glenn Ian Livingstone and Alan Lee Walker, of WLP Restructuring have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Administrators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

There are no other relevant relationships, including personal, business and professional relationships that should be disclosed beyond those that we have disclosed in this document.

#### B. Circumstances of appointment

B1. How we were referred this appointment

This appointment was referred to us by one of the Company's Directors, James Hetherington. The Director was provided our contact details by Strategic Accounting, an unrelated accounting firm. Strategic Accounting does not provide any accounting services to the Company or its Directors. This is the first referral provided by the Director to us and he was not previously known to us.

We believe that this referral does not result in a conflict of interest or duty because:

- WLP Restructuring has never undertaken any work for the Directors in respect of the Company and/or its related entities.
- B2. Did we meet with the Company or the directors or the Company advisors before we were appointed?

#### Details are as follows;

- On 23 March 2023, Neil Smail of our office was contacted by one of the Company's Directors, James Hetherington requesting a meeting to discuss the Company's affairs and the options available to the Company.
- On 30 March 2023, Neil Smail and Alan Walker had a meeting with the Company's Directors to provide further information on the administration process and the options available to the Companies.
- On 31 March 2023, Neil Smail issued an email to the Directors requesting further information on the Companies financial position.
- On 31 March 2023, Neil Smail received several emails from James Hetherington providing information on the Company's affairs.
- On 4 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to discuss the Companies affairs and current financial position.
- On 5 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to make to make arrangements for the appointment of the Administrators.
- Between 5 April 2023 and 11 April 2023, several calls took place between Neil Smail and James Hetherington in respect to an update on the timing of the proposed voluntary administration.
- On 11 April 2023, Neil Smail issued an email to James Hetherington requesting further information that will be required upon the appointment of the Administrators.

We did not receive any remuneration for any of these meetings or provide any advice to the Directors or the Company beyond that outlined in the DIRRI. There is no expectation, agreement or understanding between the Administrators, the Directors/Former Directors regarding the conduct of the Administration.

#### C. Declaration of relationships

C1.

Within the previous two years, we, or WLP Restructuring, had a relationship with:			
The Company?	☐ Yes ☒ No		
The directors?	☐ Yes ☒ No		
Any associates of the Company?	☐ Yes ☒ No		
A former insolvency practitioner appointed to the Company?	☐ Yes ☒ No		
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	☐ Yes ☒ No		

Do we, or WLP Restructuring, have any other relationships that we consider are relevant to creditors assessing our independence?

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⊠ Yes □ No			
	Nature of relationship	Reasons	
	These parties may be unsecured creditors in the Administration.  Various Practitioners at WLP	We believe that this relationship does not result in a conflict of interest or duty because:	
Unsecured creditors:  — Deputy Commissioner of Taxation — icare	Various Practitioners at WLP Restructuring are members of panels for appointments as liquidators and bankruptcy trustees.	•	

#### C3. Group Engagement

C3 - Is this engagement, part of a group appointment?		
⊠ Yes □ No		
Name	Nature of relationship	Reasons no impediment or conflict of interest or duty
Plumbfirst Pty Limited	These entities are related the Company. There are common Directors and owners across the Group.	These Companies are operating as part of a Group and were placed into administration at the same time as the Company.
Firstaction Group Pty Limited		The nature of the business operation mean that the administrations can be conducted more efficiently by the same external
Comfyfirst Pty Limited		At the time of our appointment, we are not
Elecfirst Pty Limited		aware of any conflicts of interest between the group companies.
Bblautofirst Pty Limited		If a conflict arises, we will inform creditors and take appropriate action to resolve the conflict.

#### C4. No other relevant relationships

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

#### D. Indemnities and up-front payments

We have not been provided with any indemnities in relation to the Administration of the Company.

Immediately prior to our appointment, the Group's available cash totalling \$659,000 was transferred to the WLP Restructuring Trust Account to cover the costs of the adminstrations and to ensure the business could continue to operate.

Dated: 14 April 2023

Alan Lee Walker ADMINISTRATOR

Glenn lan Livingstone ADMINISTRATOR

#### NOTE:

- 1. If circumstances change, or new information is identified, I am/we are required under the Corporations Act 2001 and the ARITA Code of Professional Practice to update this Declaration and provide a copy to creditors with my/our next communication as well as table a copy of any replacement declaration at the next meeting of the company's creditors. For Creditors' Voluntary Liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.
- 2. Pursuant to Section 436DA of the Corporations Act 2001 I am required to make a replacement declaration of relevant relationships if:
  - i. The declaration becomes out-of-date; or
  - ii. The Administrator becomes aware of an error in the declaration.

I am also required to table a copy of any replacement declaration at the next meeting of the company's creditors.

Section 436DA

## Declaration of Independence, Relevant Relationships and Indemnities

## COMFYFIRST PTY LIMITED ACN 152 881 135 (the Company)

The purpose of this declaration is to assist creditors with understanding any relationships that the Joint and Several Administrators (**Administrators**) have and any indemnities or upfront payments that have been provided to the Administrators. None of the relationships disclosed in this document are such that the independence of the Administrators are affected.

This information is provided to you to enable you to make an informed assessment on any independence concerns, so you have trust and confidence in our independence and, if not, can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, staff and WLP Restructuring.

Glenn Livingstone is a professional member of ARITA – Australian Restructuring Insolvency and Turnaround Association. Alan Walker is a professional member of the Turnaround Management Association. We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. Independence

We, Glenn Ian Livingstone and Alan Lee Walker, of WLP Restructuring have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Administrators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

There are no other relevant relationships, including personal, business and professional relationships that should be disclosed beyond those that we have disclosed in this document.

#### B. Circumstances of appointment

B1. How we were referred this appointment

This appointment was referred to us by one of the Company's Directors, James Hetherington. The Director was provided our contact details by Strategic Accounting, an unrelated accounting firm. Strategic Accounting does not provide any accounting services to the Company or its Directors. This is the first referral provided by the Director to us and he was not previously known to us.

We believe that this referral does not result in a conflict of interest or duty because:

- WLP Restructuring has never undertaken any work for the Directors in respect of the Company and/or its related entities.
- B2. Did we meet with the Company or the directors or the Company advisors before we were appointed?

#### Details are as follows;

- On 23 March 2023, Neil Smail of our office was contacted by one of the Company's Directors, James Hetherington requesting a meeting to discuss the Company's affairs and the options available to the Company.
- On 30 March 2023, Neil Smail and Alan Walker had a meeting with the Company's Directors to provide further information on the administration process and the options available to the Companies.
- On 31 March 2023, Neil Smail issued an email to the Directors requesting further information on the Companies financial position.
- On 31 March 2023, Neil Smail received several emails from James Hetherington providing information on the Company's affairs.
- On 4 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to discuss the Companies affairs and current financial position.
- On 5 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to make to make arrangements for the appointment of the Administrators.
- Between 5 April 2023 and 11 April 2023, several calls took place between Neil Smail and James Hetherington in respect to an update on the timing of the proposed voluntary administration.
- On 11 April 2023, Neil Smail issued an email to James Hetherington requesting further information that will be required upon the appointment of the Administrators.

We did not receive any remuneration for any of these meetings or provide any advice to the Directors or the Company beyond that outlined in the DIRRI. There is no expectation, agreement or understanding between the Administrators, the Directors/Former Directors regarding the conduct of the Administration.

#### C. Declaration of relationships

C1.

Within the previous two years, we, or WLP Restructuring, had a relationship with:			
The Company?	☐ Yes ☒ No		
The directors?	☐ Yes ☒ No		
Any associates of the Company?	☐ Yes ☒ No		
A former insolvency practitioner appointed to the Company?	☐ Yes ☒ No		
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	□ Yes ⊠ No		

Do we, or WLP Restructuring, have any other relationships that we consider are relevant to creditors assessing our independence?

assessing our independence:			
Yes □ No			
	Nature of relationship	Reasons	
	These parties may be unsecured creditors in the Administration.	We believe that this relationship does not result in a conflict of interest or duty because:	
Unsecured creditors:	Various Practitioners at WLP Restructuring are members of panels for appointments as liquidators and bankruptcy trustees.	· · · · · · · · · · · · · · · · · · ·	
Deputy     Commissioner of     Taxation	Sammaphoy dadicoon	relation to the Company and/or the directors, or related parties of the Company and/or the director.	
— icare		<ul> <li>We have a wide referral base, and the unsecured creditors are one of many referrers of work in the past 24 months.</li> </ul>	
		Referrals from solicitors, business advisors, creditors or accountants are commonplace and do not impact our independence in carrying out our duties as Administrators.	

#### C3. Group Engagement

C3 - Is this engagemen	t, part of a group appointment?	
⊠ Yes □ No		
Name	Nature of relationship	Reasons no impediment or conflict of interest or duty
Plumbfirst Pty Limited	These entities are related the Company. There are common Directors and owners across the Group.	These Companies are operating as part of a Group and were placed into administration at the same time as the Company.
Firstaction Group Pty Limited Elecfirst Pty Limited		The nature of the business operation mean that the administrations can be conducted more efficiently by the same external administrator.
Bblautofirst Pty Limited		At the time of our appointment, we are not aware of any conflicts of interest between the group companies.
Plumbfirst Elecfirst Comfyfirst NSW Pty Limited		If a conflict arises, we will inform creditors and take appropriate action to resolve the conflict.

#### C4. No other relevant relationships

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

#### D. Indemnities and up-front payments

We have not been provided with any indemnities in relation to the Administration of the Company.

Immediately prior to our appointment, the Group's available cash totalling \$659,000 was transferred to the WLP Restructuring Trust Account to cover the costs of the adminstrations and to ensure the business could continue to operate.

Dated: 14 April 2023

Alan Lee Walker ADMINISTRATOR

Glenn lan Livingstone ADMINISTRATOR

#### NOTE:

- 1. If circumstances change, or new information is identified, I am/we are required under the Corporations Act 2001 and the ARITA Code of Professional Practice to update this Declaration and provide a copy to creditors with my/our next communication as well as table a copy of any replacement declaration at the next meeting of the company's creditors. For Creditors' Voluntary Liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.
- 2. Pursuant to Section 436DA of the Corporations Act 2001 I am required to make a replacement declaration of relevant relationships if:
  - i. The declaration becomes out-of-date; or
  - ii. The Administrator becomes aware of an error in the declaration.

I am also required to table a copy of any replacement declaration at the next meeting of the company's creditors.

Section 436DA

## Declaration of Independence, Relevant Relationships and Indemnities

## ELECFIRST PTY LIMITED ACN 606 391 048 (the Company)

The purpose of this declaration is to assist creditors with understanding any relationships that the Joint and Several Administrators (**Administrators**) have and any indemnities or upfront payments that have been provided to the Administrators. None of the relationships disclosed in this document are such that the independence of the Administrators are affected.

This information is provided to you to enable you to make an informed assessment on any independence concerns, so you have trust and confidence in our independence and, if not, can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, staff and WLP Restructuring.

Glenn Livingstone is a professional member of ARITA – Australian Restructuring Insolvency and Turnaround Association. Alan Walker is a professional member of the Turnaround Management Association. We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. Independence

We, Glenn Ian Livingstone and Alan Lee Walker, of WLP Restructuring have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Administrators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

There are no other relevant relationships, including personal, business and professional relationships that should be disclosed beyond those that we have disclosed in this document.

#### B. Circumstances of appointment

B1. How we were referred this appointment

This appointment was referred to us by one of the Company's Directors, James Hetherington. The Director was provided our contact details by Strategic Accounting, an unrelated accounting firm. Strategic Accounting does not provide any accounting services to the Company or its Directors. This is the first referral provided by the Director to us and he was not previously known to us.

We believe that this referral does not result in a conflict of interest or duty because:

- WLP Restructuring has never undertaken any work for the Directors in respect of the Company and/or its related entities.
- B2. Did we meet with the Company or the directors or the Company advisors before we were appointed?

#### Details are as follows;

- On 23 March 2023, Neil Smail of our office was contacted by one of the Company's Directors, James Hetherington requesting a meeting to discuss the Company's affairs and the options available to the Company.
- On 30 March 2023, Neil Smail and Alan Walker had a meeting with the Company's Directors to provide further information on the administration process and the options available to the Companies.
- On 31 March 2023, Neil Smail issued an email to the Directors requesting further information on the Companies financial position.
- On 31 March 2023, Neil Smail received several emails from James Hetherington providing information on the Company's affairs.
- On 4 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to discuss the Companies affairs and current financial position.
- On 5 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to make to make arrangements for the appointment of the Administrators.
- Between 5 April 2023 and 11 April 2023, several calls took place between Neil Smail and James Hetherington in respect to an update on the timing of the proposed voluntary administration.
- On 11 April 2023, Neil Smail issued an email to James Hetherington requesting further information that will be required upon the appointment of the Administrators.

We did not receive any remuneration for any of these meetings or provide any advice to the Directors or the Company beyond that outlined in the DIRRI. There is no expectation, agreement or understanding between the Administrators, the Directors/Former Directors regarding the conduct of the Administration.

#### C. Declaration of relationships

C1.

Within the previous two year	rs, we, or WLP Restructuring, had a relationship with:
The Company?	☐ Yes ☒ No
The directors?	☐ Yes ☒ No
Any associates of the Company?	☐ Yes ☒ No
A former insolvency practitioner appointed to the Company?	☐ Yes ☒ No
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	☐ Yes ☒ No

Do we, or WLP Restructuring, have any other relationships that we consider are relevant to creditors assessing our independence? Nature of relationship Reasons These parties may be unsecured We believe that this relationship does creditors in the Administration. not result in a conflict of interest or duty because: Practitioners WLP Various at Restructuring are members of panels Our relationships with the for appointments as liquidators and unsecured creditors were not in Unsecured creditors: bankruptcy trustees. relation to the Company and/or the directors, or related parties of Deputy Commissioner of the Company and/or the director. Taxation We have a wide referral base, icare and the unsecured creditors are one of many referrers of work in the past 24 months. Referrals from solicitors, business advisors, creditors or accountants are commonplace and do not impact our independence in carrying out our duties as Administrators.

#### C3. Group Engagement

C3 - Is this engage	gemen	t, part of a group appointment?	
⊠ Yes □ No			
Name		Nature of relationship	Reasons no impediment or conflict of interest or duty
Plumbfirst Limited	Pty	These entities are related the Company. There are common Directors and owners across the Group.	These Companies are operating as part of a Group and were placed into administration at the same time as the Company.
Firstaction Grou Limited	p Pty		The nature of the business operation mean that the administrations can be conducted
Comfyfirst Limited	Pty		more efficiently by the same external administrator.
Bblautofirst Limited	Pty		At the time of our appointment, we are not aware of any conflicts of interest between the group companies.
Plumbfirst Ele Comfyfirst NSW Limited			If a conflict arises, we will inform creditors and take appropriate action to resolve the conflict.

#### C4. No other relevant relationships

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

#### D. Indemnities and up-front payments

We have not been provided with any indemnities in relation to the Administration of the Company.

Immediately prior to our appointment, the Group's available cash totalling \$659,000 was transferred to the WLP Restructuring Trust Account to cover the costs of the adminstrations and to ensure the business could continue to operate.

Dated: 14 April 2023

Alan Lee Walker ADMINISTRATOR Glenn lan Livingstone ADMINISTRATOR

#### NOTE:

- 1. If circumstances change, or new information is identified, I am/we are required under the Corporations Act 2001 and the ARITA Code of Professional Practice to update this Declaration and provide a copy to creditors with my/our next communication as well as table a copy of any replacement declaration at the next meeting of the company's creditors. For Creditors' Voluntary Liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.
- 2. Pursuant to Section 436DA of the Corporations Act 2001 I am required to make a replacement declaration of relevant relationships if:
  - i. The declaration becomes out-of-date; or
  - ii. The Administrator becomes aware of an error in the declaration.

I am also required to table a copy of any replacement declaration at the next meeting of the company's creditors.

Section 436DA

## Declaration of Independence, Relevant Relationships and Indemnities

## BBLAUTOFIRST PTY LIMITED ACN 647 331 262 (the Company)

The purpose of this declaration is to assist creditors with understanding any relationships that the Joint and Several Administrators (**Administrators**) have and any indemnities or upfront payments that have been provided to the Administrators. None of the relationships disclosed in this document are such that the independence of the Administrators are affected.

This information is provided to you to enable you to make an informed assessment on any independence concerns, so you have trust and confidence in our independence and, if not, can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, staff and WLP Restructuring.

Glenn Livingstone is a professional member of ARITA – Australian Restructuring Insolvency and Turnaround Association. Alan Walker is a professional member of the Turnaround Management Association. We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. Independence

We, Glenn Ian Livingstone and Alan Lee Walker, of WLP Restructuring have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Administrators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

There are no other relevant relationships, including personal, business and professional relationships that should be disclosed beyond those that we have disclosed in this document.

#### B. Circumstances of appointment

B1. How we were referred this appointment

This appointment was referred to us by one of the Company's Directors, James Hetherington. The Director was provided our contact details by Strategic Accounting, an unrelated accounting firm. Strategic Accounting does not provide any accounting services to the Company or its Directors. This is the first referral provided by the Director to us and he was not previously known to us.

We believe that this referral does not result in a conflict of interest or duty because:

- WLP Restructuring has never undertaken any work for the Directors in respect of the Company and/or its related entities.
- B2. Did we meet with the Company or the directors or the Company advisors before we were appointed?

#### Details are as follows;

- On 23 March 2023, Neil Smail of our office was contacted by one of the Company's Directors, James Hetherington requesting a meeting to discuss the Company's affairs and the options available to the Company.
- On 30 March 2023, Neil Smail and Alan Walker had a meeting with the Company's Directors to provide further information on the administration process and the options available to the Companies.
- On 31 March 2023, Neil Smail issued an email to the Directors requesting further information on the Companies financial position.
- On 31 March 2023, Neil Smail received several emails from James Hetherington providing information on the Company's affairs.
- On 4 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to discuss the Company's affairs and current financial position.
- On 5 April 2023, Neil Smail and Alan Walker had a further call with James Hetherington to make to make arrangements for the appointment of the Administrators.
- Between 5 April 2023 and 11 April 2023, several calls took place between Neil Smail and James Hetherington in respect to an update on the timing of the proposed voluntary administration.
- On 11 April 2023, Neil Smail issued an email to James Hetherington requesting further information that will be required upon the appointment of the Administrators.

We did not receive any remuneration for any of these meetings or provide any advice to the Directors or the Company beyond that outlined in the DIRRI. There is no expectation, agreement or understanding between the Administrators, the Directors/Former Directors regarding the conduct of the Administration.

#### C. Declaration of relationships

C1.

Within the previous two year	s, we, or WLP Restructuring, had a relationship with:
The Company?	☐ Yes ☒ No
The directors?	☐ Yes ☒ No
Any associates of the Company?	☐ Yes ☒ No
A former insolvency practitioner appointed to the Company?	☐ Yes ☒ No
A secured creditor entitled to enforce a security over the whole or substantially the whole of the Company's property?	☐ Yes ☒ No

Do we, or WLP Restructuring, have any other relationships that we consider are relevant to creditors assessing our independence?

⊠ Yes □ No		
	Nature of relationship	Reasons
	These parties may be unsecured creditors in the Administration.	We believe that this relationship does not result in a conflict of interest or duty because:
Unsecured creditors:  — Deputy Commissioner of Taxation — icare	Various Practitioners at WLP Restructuring are members of panels for appointments as liquidators and bankruptcy trustees.	

#### C3. Group Engagement

C3 - Is this engagemen	t, part of a group appointment?	
⊠ Yes □ No		
Name	Nature of relationship	Reasons no impediment or conflict of interest or duty
Plumbfirst Pty Limited	These entities are related the Company. There are common Directors and owners across the Group.	These Companies are operating as part of a Group and were placed into administration at the same time as the Company.
Firstaction Group Pty Limited  Comfyfirst Pty		The nature of the business operation mean that the administrations can be conducted more efficiently by the same external administrator.
Limited  Elecfirst Pty Limited		At the time of our appointment, we are not aware of any conflicts of interest between the group companies.
Plumbfirst Elecfirst Comfyfirst NSW Pty Limited		If a conflict arises, we will inform creditors and take appropriate action to resolve the conflict.

#### C4. No other relevant relationships

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

#### D. Indemnities and up-front payments

We have not been provided with any indemnities in relation to the Administration of the Company.

Immediately prior to our appointment, the Group's available cash totalling \$659,000 was transferred to the WLP Restructuring Trust Account to cover the costs of the adminstrations and to ensure the business could continue to operate.

Dated: 14 April 2023

Alan Lee Walker ADMINISTRATOR

Glenn lan Livingstone ADMINISTRATOR

#### NOTE:

- 1. If circumstances change, or new information is identified, I am/we are required under the Corporations Act 2001 and the ARITA Code of Professional Practice to update this Declaration and provide a copy to creditors with my/our next communication as well as table a copy of any replacement declaration at the next meeting of the company's creditors. For Creditors' Voluntary Liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.
- 2. Pursuant to Section 436DA of the Corporations Act 2001 I am required to make a replacement declaration of relevant relationships if:
  - i. The declaration becomes out-of-date; or
  - ii. The Administrator becomes aware of an error in the declaration.

I am also required to table a copy of any replacement declaration at the next meeting of the company's creditors.









#### **INITIAL REMUNERATION NOTICE**

Insolvency Practice Schedule (Corporations) 70-50 Insolvency Practice Rules (Corporations) 70-35

Firstaction Group Pty Ltd ACN 139 666 247\*
Plumbfirst Pty Ltd ACN 606 165 173\*
Plumbfirst Elecfirst Comfyfirst NSW PTY Ltd ACN 639 243 360\*
Elecfirst Pty Ltd ACN 606 391 048
Comfyfirst Pty Ltd ACN 152 881 135\*
Bblautofirst Pty Ltd ACN 647 331 262
(All Administrators appointed) ("the Companies")
\*Refer to Annexure A for the list of Company's Trading names

The purpose of the Initial Remuneration Notice is to provide you with information about how our remuneration for undertaking the Administration will be set.

#### A. Remuneration Methods

There are four basic methods that can be used to calculate the remuneration charged by an insolvency Practitioner. They are:

#### 1. Time based / hourly rates

This is the most common method. The total fee charged is based on the hourly rate charged for each person who carried out the work multiplied by the number of hours spent by each person on each of the tasks performed.

#### 2. Fixed Fee

The total fee charged is normally quoted at the commencement of the administration and is the total cost for the administration. Sometimes a Practitioner will finalise an administration for a fixed fee.

#### 3. Percentage

The total fee charged is based on a percentage of a particular variable, such as the gross proceeds of assets realisations.

#### 4. Contingency

The practitioner's fee is structured to be contingent on a particular outcome being achieved.

#### B. Method chosen

Given the nature of this administration, we propose that our remuneration be calculated on Time based / hourly rates basis due to the following:

- Given the size of the Companies and given that they are continuing to trade, it is appropriate to charge on an hourly basis and only when tasks are required to be completed by a Team Member.
- We will only be paid for work if sufficient realisations are made from the Companies' assets.
- We have a time recording system that can produce a detailed analysis of time spent on each task by each team member enabling creditors to better understand what time has been spent completing each Task providing full accountability.
- It is not appropriate to consider a Fixed Fee method as there are numerous elements that make it difficult to estimate what the time costs will be.

#### C. Explanation of Hourly Rates

The rates for our remuneration calculation are set out in the following table together with a general guide showing the qualifications and experience of staff engaged in the administration and the role they take in the administration. The hourly rates charged encompass the total cost of providing professional services and should not be compared to an hourly wage. Time is charged in 6-minute increments.

Title	Rate \$/hour	Experience
Appointee	\$685	Registered Liquidator. Appointee bringing his or her specialist skills to the administration or insolvency task.
Director	\$635	More than 9 years insolvency experience. Answerable to the appointee but otherwise responsible for all aspects of administration. Very competent. Control staff and their training.
Senior Manager	\$575	More than 7 years insolvency experience, more than 3 years as a manager, qualified accountant. Answerable to the appointee but otherwise responsible for all aspects of administration. Experienced at all levels and considered very competent. Control staff and their training.
Manager	\$500	6-7 years, qualified accountant, with well-developed technical and commercial skills. Self-sufficiently conducts small insolvency appointments and takes a supervisory role on work streams in larger matters.
Assistant Manager	\$450	4-6 years. Chartered Accountant (CA) program or equivalent complete. Will have had conduct of minor administrations and experience in control of 1-3 staff. Assists planning and control of medium to larger jobs.

Title	Rate \$/hour	Experience
Senior Accountant	\$415	Post graduate qualification (or equivalent) would normally be completed within this period. Assists planning and control of small to medium sized jobs as well as performing some of the more difficult work on larger jobs.
Intermediate	\$375	Undertaking or about to undertake Chartered Accountant's qualification or comparable relevant qualification with less than one year of experience. Assists with tasks within work streams and appointments under supervision.
Junior Accountant	\$275	Undertaking university degree, but not yet qualified. Assist with tasks within work stream and appointments under supervision.
Administration	\$250	Appropriate skills, including books and records management and accounts processing particular to the administration.

#### D. Estimated remuneration

We estimate that the administration of the Companies will cost approximately the following:

Company	High Case (\$)	Low Case (\$)
Firstaction Group Pty Ltd	200,000	150,000
Plumbfist Pty Ltd	250,000	200,000
Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd	75,000	50,000
Elecfirst Pty Ltd	150,000	100,000
Comfyfirst Pty Ltd	150,000	100,000
Bblautofirst Pty Ltd	75,000	50,000

The above estimates are subject to the following variables which may have a significant effect on this estimate and that we are unable to determine at this early stage:

- How complicated the sale of business program is and how long it takes
- Continued trading of the business may be more complicated if more resources are required
- Any litigation that may be on foot

#### E. Disbursements

Disbursements are divided into three types:

- External professional services these are recovered at cost. An example of an externally provided professional service is legal fees. It does not include insolvency services, as insolvency services are claimed as remuneration.
- **External non-professional costs** these are recovered at cost. Examples of external non-professional expenses include travel, accommodation and search fees.
- **Firm non-professional costs -** such as photocopying, printing and postage. These costs, if charged to the Administration, would generally be charged at cost; though some expenses such as telephone calls, photocopying and printing may be charged at a rate which recoups both variable and fixed costs. The recovery of these costs must be on a reasonable commercial basis.

We are not required to seek creditor approval for expenses paid to third parties or for disbursements where we are recovering a cost incurred on behalf of the administration, but we must account to creditors. We must be satisfied that these expenses and disbursements are appropriate, justified and reasonable.

We are required to obtain creditor's consent for the payment of a disbursement where we, or a related entity of ourselves, may directly or indirectly obtain a profit. In these circumstances, creditors will be asked to approve our disbursements prior to these disbursements being paid from the administration.

Details of the basis of recovering disbursements in this administration are provided below.

#### Basis of disbursement claim

Disbursement	Rate (Excl GST)
External professional services	At Cost
External non-professional services	At Cost

Dated this 14th day of April 2023

Alan Walker

Joint and Several Administrator

#### Key information about the Administration Process

What you should know	Details
What is voluntary administration?	Administration is a process usually initiated by the directors of a company when they believe that the company is, or is likely to become, insolvent. This means that the company is unable to pay its debts or is likely to become unable to pay its debts.
	<ul> <li>Administration gives the company an opportunity to consider its financial position and its future. It is the creditors of the company who decide the company's future.</li> </ul>
The Company is trading in a limited capacity during the	<ul> <li>Please contact us immediately if you have any supply agreements or contracts with the Company, any pending orders or deliveries, or if you otherwise provide ongoing services to the Company.</li> </ul>
administration.	<ul> <li>Please note that no liability for existing orders will be accepted unless we have agreed in writing.</li> </ul>
Will you get paid the	Unfortunately, we cannot provide any reliable estimates at this time.
money you are owed by the Company?	<ul> <li>The ability of the Company to pay any money owed to you will depend upon the outcome of the administration. Details will be included in our forthcoming report to creditors.</li> </ul>
	<ul> <li>As Administrators, we are not responsible for paying any debts or claims of creditors that relate to circumstances occurring before our appointment.</li> </ul>
Second meeting of creditors to decide the	In addition to the first meeting, a second meeting of creditors will be held, typically around 5 weeks following our appointment.
Company's future and report by the	Creditors who attend this meeting will vote on the Company's future.
Administrators	<ul> <li>About a week before the meeting, you will be sent formal notice of the meeting and a detailed report to creditors which will set out the available options for the Company's future for you to consider.</li> </ul>
	<ul> <li>Our report will include our opinion as to what option we think is in the best interests of creditors. Our report will also include details about whether the Company can pay any of the money that it owes you.</li> </ul>
What if you have a	Please send us details of all your registrations.
Personal Property Security registration over goods supplied to	<ul> <li>Include a description of the goods you have supplied to the Company that remain unpaid and describe how to identify these goods.</li> </ul>
the Company?	<ul> <li>Please also send copies of all supporting documents (such as invoices, contracts, security agreements and any applicable terms of trade).</li> </ul>
Specific circumstances where you should contact the Administrators	<ul> <li>Please contact us if any of the following circumstances apply to you:</li> <li>you are involved in legal proceedings or disputes with the Company</li> <li>the Company is in possession of property owned by you</li> </ul>

What you should know Deta
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- you lease or hire property to the Company
- you are claiming a lien or have some other claim over any property owned by the Company, in its possession or under its control.

## What happens if you are • an employee?

Where applicable, employees will receive separate correspondence about their employment and entitlements.

## What are your rights as a • creditor?

- An information sheet *Creditor Rights in Voluntary Administrations* is available via the ASIC website. It has information about your rights, including the right to:
  - make reasonable requests for information
  - give directions to the Administrators
  - appoint a reviewing liquidator
  - replace me as Administrators of the Company.

## How are the Administrators paid for their work?

- Please read the *Initial remuneration notice* enclosed. This document contains details about how we propose to be paid remuneration for acting as Administrators, including an estimate of our remuneration.
- As Administrators we are paid from the Company's assets. Our remuneration needs to be approved before being paid to us. Usually we will seek approval from creditors at the second meeting of creditors. Details of our remuneration will be included with our report to creditors.

# What if you are interested in the Company's business or assets?

• Please contact us immediately if you have an interest in acquiring the Company's business and/or assets or if you are interested in making some other offer or proposal.

# What if you have information that may assist the Administrators?

• We would appreciate you providing any information that may help us with our investigations into the Company's history and business affairs. Please contact our office where applicable.



### Creditor Rights in Voluntary Administrations

As a creditor, you have rights to request meetings and information or take certain actions:



#### Right to request information

Information is communicated to creditors in a voluntary administration through reports and meetings.

In a voluntary administration, two meetings of creditors are automatically held. You should expect to receive reports and notice of these meetings:

- The first meeting is held within 8 business days of the voluntary administrator's appointment. A notice of meeting and other information for this meeting will be issued to all known creditors.
- The second, or decision, meeting is usually held within 6 weeks of the appointment, unless an extension is granted. At this meeting, creditors will get to make a decision about the company's future. Prior to this meeting the voluntary administrator will provide creditors with a notice of the meeting and a detailed report to assist in making your decision.

Important information will be communicated to creditors prior to and during these meetings. Creditors are unable to request additional meetings in a voluntary administration.

Creditors have the right to request information at any time. A voluntary administrator must provide a creditor with the requested information if their request is 'reasonable', the information is relevant to the voluntary administration, and the provision of the information would not cause the voluntary administrator to breach their duties.

A voluntary administrator must provide this information to a creditor within 5 business days of receiving the request, unless a longer period is agreed. If, due to the nature of the information requested, the voluntary administrator requires more time to comply with the request, they can extend the period by notifying the creditor in writing.

#### Requests must be reasonable.

#### They are not reasonable if:

- (a) complying with the request would prejudice the interests of one or more creditors or a third party
- (b) the information requested would be privileged from production in legal proceedings
- (c) disclosure would found an action for breach of confidence
- (d) there is not sufficient available property to comply with the request
- (e) the information has already been provided
- (f) the information is required to be provided under law within 20 business days of the request
- (g) the request is vexatious

If a request is not reasonable due to (d), (e) or (f) above, the voluntary administrator must comply if the creditor meets the cost of complying with the request.

Otherwise, a voluntary administrator must inform a creditor if their information request is not reasonable and the reason why.



#### Right to give directions to voluntary administrator

Creditors, by resolution, may give a voluntary administrator directions in relation to a voluntary administration. A voluntary administrator must have regard to these directions, but they are not required to comply with the directions.

If a voluntary administrator chooses not to comply with a direction given by a resolution of the creditors, they must document their reasons for not complying.

An individual creditor cannot provide a direction to a voluntary administrator.

#### Right to appoint a reviewing liquidator

Creditors, by resolution, may appoint a reviewing liquidator to review a voluntary administrator's remuneration or a cost or expense incurred in a voluntary administration. The review is limited to:

- remuneration approved within the six months prior to the appointment of the reviewing liquidator, and
- expenses incurred in the 12 months prior to the appointment of the reviewing liquidator.

The cost of the reviewing liquidator is paid from the assets of the voluntary administration, in priority to creditor claims.

An individual creditor can appoint a reviewing liquidator with the voluntary administrator's consent, however the cost of this reviewing liquidator must be met personally by the creditor making the appointment.

#### Right to replace voluntary administrator

At the first meeting, creditors have the right to remove a voluntary administrator and appoint another registered liquidator to act as voluntary administrator.

A creditor must ensure that they have a consent from another registered liquidator prior to the first meeting if they wish to seek the removal and replacement of a voluntary administrator.

Creditors also have the opportunity to replace a voluntary administrator at the second meeting of creditors:

- If creditors vote to accept a proposed deed of company arrangement, they can appoint a different registered liquidator as the deed administrator.
- If creditors vote to place the company into liquidation, they can appoint a different registered liquidator as the liquidator.

It is however usual for the voluntary administrator to act as deed administrator or liquidator. It would be expected that additional costs would be incurred by an alternate deed administrator or liquidator to gain the level of knowledge of the voluntary administrator.

Like with the first meeting, a creditor must ensure that they have a consent from another registered liquidator prior to the second meeting if they wish to seek to appoint an alternative registered liquidator as deed administrator or liquidator.

#### For more information, go to www.arita.com.au/creditors

Specific queries about the voluntary administration should be directed to the voluntary administrator's office.

Version: June 2018 12142 (VA) - INFO - CREDITOR RIGHTS INFORMATION SHEET V2\_0

#### **Annexure A: Trading Names**

#### **Firstaction Group Pty Ltd**

ACN 139 666 247

Trading as: MAD Electrical and HVAC

MAD Heating and Air Conditioning

**MAD Plumbing** 

**HOMEFIRST SERVICES** 

Home Care Trades First

ComfyFirstHomeCare

ElecFirstHomeCare

PlumbFirstHomeCare

SolarFirstHomeCare

Adelaide Home Assist

Brisbane Home Assist

Melbourne Home Assist

Perth Home Assist

Sydney Home Assist

HydronicFirst

**RENOFIRST** 

**SOLARFIRST** 

**ELECFIRST** 

**HOT WATER DIRECT** 

#### **Plumbfirst Pty Ltd**

ACN 606 165 173

Trading as: ComfyFirst Heating and Cooling

plumbfirst

#### **Plumbfirst Elecfirst Comfyfirst NSW Pty Ltd**

ACN 639 243 360

Trading as: ComfyFirst NSW

**Drains Direct NSW** 

ElecFirst NSW

MAD Electrical Heating & Cooling NSW

MAD Plumbing NSW

PlumbFirst NSW

#### **Comfyfirst Pty Ltd**

ACN 152 881 135

Trading as: Electrical Medics

Plumbing Medics

Hot Water Medics