

IN THE SUPREME COURT OF NEW SOUTH WALES

No 122774 of 2026

DIVISION: Equity

REGISTRY: Sydney
Corporations List

IN THE MATTER OF IRONBARK HOLDINGS AUSTRALIA PTY LTD (provisional
liquidators appointed)

ACN: 168 385 699

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION
Plaintiff

**IRONBARK HOLDINGS AUSTRALIA PTY LTD (provisional liquidators
appointed)
(ACN 168 385 699)**
and others as listed in the Schedule
Defendants

INTERLOCUTORY PROCESS

A. DETAILS OF INTERLOCUTORY APPLICATION

This interlocutory application is made under rules 1.12, 2.1 and 6.24 of the *Uniform Civil Procedure Rules 2005* (NSW) (**UCPR**), s 67 of the *Supreme Court Act 1970* (NSW) and/or s 12 of the *Civil Proceedings Act 2011* (Qld).

On the facts stated in the supporting affidavit of James Rutherford Docherty affirmed 7 September 2026, the applicant, ASIC, applies for the following interlocutory relief:

Abridged Service Orders

1. An order that, in the first instance, service of this Interlocutory Process be dispensed with and prayers 1 to 3 of this Interlocutory Process be returnable *instante*.

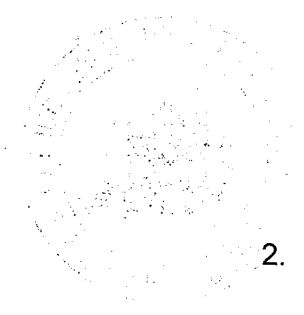
Filed on behalf of the Applicant, ASIC

File ref: 23003248

Prepared by: James Docherty
AGS lawyer within the meaning of s 551 of the *Judiciary Act*
1903

Address for Service:
The Australian Government Solicitor,
Level 34, 600 Bourke St, Melbourne, VIC 3000
James.Docherty@ags.gov.au

Telephone: 03 924 21214
Lawyer's Email:
James.Docherty@ags.gov.au

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2. Pursuant to Rule 1.12 of the UCPR an order that the time for service of this Interlocutory Process and the affidavit of James Rutherford Docherty affirmed on 7 September 2026 be abridged to 5pm on 8 September 2026.
 3. An order that prayers 4 to 10 of this Interlocutory Process be returnable before Justice Nixon at 9:30am on 9 September 2026 or such other time as convenient to the Court.

Other orders

4. Pursuant to Rule 6.24 of the UCPR, an order that Christopher Malcolm **Edwards** be joined as a party to the proceedings.
5. Leave be granted to the Plaintiff to file, by 5pm on 11 September 2026 an Amended Originating Process in the form of Annexure A.
6. An order that Orders 10 to 13 of the orders of Justice Nixon made 21 August 2026 be vacated and the following orders be made in substitution:
 - a. Pursuant to s 67 of the *Supreme Court Act 1970* (NSW) and/or s 12 of the *Civil Proceedings Act 2011* (Qld), the Provisional Liquidators be appointed, jointly and severally, as receivers and managers (**Interim Receivers**) over the property, business, assets and undertakings held by the current trustee or the former trustee for the Deckchair Trust pending determination of the Proceeding, with such appointment to take effect without prejudice to any prior encumbrance or charges on any part of the trust property or to the possession of any such encumbrancer.
 - b. The need for the Interim Receivers to file security under rule 26.3 of the *Uniform Civil Procedure Rules 2005* (NSW) and/or rule 268 of the *Uniform Civil Procedure Rules 1999* (Qld) be dispensed with.
 - c. An order that the Interim Receivers have, in respect of the property, business, assets and undertakings held by the current or former trustee for the Deckchair Trust, the powers that a receiver has in respect of the business and property of a company under s 420 of the Corporations Act (other than ss 420(2)(s), (t), (u), and (w) of the Corporations Act) as

if the reference in s 420 to 'the corporation' were a reference to the Deckchair Trust.

- d. The costs, expenses and remuneration incurred by the Provisional Liquidators, as Interim Receivers of the Deckchair Trust, without prejudice to the rights of any security holder that holds a prior encumbrance or charge of any part of the trust property, be paid in priority from the assets of the Deckchair Trust, or if those assets be insufficient from the assets of Great Northern Morayfield Pty Ltd (as former trustee)
- 7. Mr Edwards deliver up to the Interim Receivers forthwith, and by no later than 5pm on 11 September 2026, all property and assets of the Deckchair Trust, and all books and records relating to the property, business, unit holders, affairs or administration of the Deckchair Trust which are in his power, possession or control including but not limited to electronic records, passwords, access credentials and any other information reasonably necessary to access or obtain control of any such books or records.
- 8. The Interim Receivers shall, by 30 October 2026, provide to the Court, to the Plaintiff and to Mr Edwards a report as to the affairs of the Deckchair Trust, including:
 - a. the assets and liabilities of the Deckchair Trust, including:
 - i. the assets of the trust, the estimated value of the asset, and any issues associated with quantifying or verifying the assets of the Deckchair Trust;
 - ii. contingent liabilities, the value of any liabilities, the extent to which the liabilities are owed to Mr Edwards or related parties to Mr Edwards, and any issues associated with verifying or quantifying any liabilities;
 - b. an opinion as to whether any assets of the trust are recoverable, including whether enforcement or other action is being taken by any prior secured creditor of the trust;

- c. any other information that the Interim Receivers consider to be relevant for the Court to be aware of in determining whether receivers and managers should be appointed to the property, business, assets and undertakings of the trustee of the Deckchair Trust on a final basis; and
 - d. any information that the Interim Receivers are able to obtain regarding the purported change in trustee of the Deckchair Trust from Great Northern Morayfield Pty Ltd (prov liqs apptd) to Christopher Malcolm Edwards.
9. Mr Edwards pay the plaintiff's costs of this application.
10. Such further or other orders as the Court thinks fit.

Date: 7 September 2026



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Applicant's legal practitioner

James Docherty
An AGS lawyer within the meaning of s 55I of the Judiciary Act who has a statutory right to practice as a solicitor in the Supreme Court of NSW under s 55Q(1)(b) of the Judiciary Act.
Australian Government Solicitor

This interlocutory application will be heard by at
184 Phillip Street, Sydney NSW 2000 at *am/*pm on

B. NOTICE TO RESPONDENT(S) (IF ANY)

TO: Christopher Malcolm Edwards, 270 Terrace Road, North Richmond NSW 2754

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence.

Before appearing before the Court, you must, except if you have already done so or you are the plaintiff in this proceeding, file a notice of appearance, in the prescribed form, in the registry and serve a copy of it on the plaintiff in the originating process.

Note: Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. FILING

This interlocutory process is filed by James Docherty for the applicant.

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D. SERVICE

The applicant's address for service is:

Australian Government Solicitor
Level 10, 60 Martin Place
Sydney NSW 2000

It is intended to serve a copy of this interlocutory process on each respondent and on any person listed below:

1. Christopher Malcolm Edwards

The time by which a copy of this interlocutory process is to be served has been abridged by order made by _____ on ____ September 2026 to 4pm on _____ September 2026.

Schedule of Parties

IN THE SUPREME COURT OF NEW SOUTH WALES
DIVISION: Equity
REGISTRY: Sydney
Corporations List

No. 122774 of 2026

**IN THE MATTER OF IRONBARK HOLDINGS AUSTRALIA PTY LTD ACN 168 385
699**

Australian Securities and Investments Commission
Plaintiff

-and-

Ironbark Holdings Australia Pty Ltd (provisional liquidators appointed)

ACN 168 385 699

First Defendant

GND Construction Management Pty Ltd (provisional liquidators appointed)

ACN 124 969 973

Second Defendant

Great Northern Bundaberg Pty Ltd (provisional liquidators appointed)

ACN 131 779 863

Third Defendant

Great Northern Developments Pty Ltd (provisional liquidators appointed)

ACN 094 805 286

Fourth Defendant

Great Northern Investments Pty Ltd (provisional liquidators appointed)

ACN 089 933 933

Fifth Defendant

Great Northern Morayfield Pty Ltd (provisional liquidators appointed)

ACN 111 623 502

Sixth Defendant

Great Northern Phoenix Group Pty Ltd (provisional liquidators appointed)

ACN 117 597 869

Seventh Defendant

Great Northern Properties Pty Ltd (provisional liquidators appointed)
ACN 129 158 032
Eighth Defendant

Great Northern Victoria Pty Ltd (provisional liquidators appointed)
ACN 130 619 028
Ninth Defendant

Ironbark Energy Pty Ltd (provisional liquidators appointed)
ACN 168 385 671
Tenth Defendant

Knightsbridge Realty Pty Ltd (provisional liquidators appointed)
ACN 099 633 673
Eleventh Defendant

Richmond Corporation Pty Ltd (provisional liquidators appointed)
ACN 094 677 817
Twelfth Defendant

Christopher Malcom Edwards
Proposed Thirteenth Defendant, Respondent on the Interlocutory Process

Annexure A

IN THE SUPREME COURT OF NEW SOUTH WALES

No. 122774 of 2026

DIVISION: Equity

REGISTRY: Sydney

Corporations List

IN THE MATTER OF IRONBARK HOLDINGS AUSTRALIA PTY LTD

ACN: 168 385 699

Australian Securities and Investments Commission
Plaintiff

-and-

Ironbark Holdings Australia Pty Ltd ACN 168 385 699
and others as listed in the Schedule
Defendants

Amended Originating process

A. DETAILS OF APPLICATION

This application is made under ss 461(1)(k), 464(1), 466 and 472 of the **Corporations Act 2001** (Cth); s 67 of the *Supreme Court Act 1970* (NSW) and/or s 12 of the *Civil Proceedings Act 2011* (Qld); and s 60-16 of Schedule 2 to the Corporations Act (**Insolvency Practice Schedule**) for orders:

- a. to appoint provisional liquidators to each of the Defendant Companies;
- b. to appoint the provisional liquidators as receivers and managers of the trust property ~~where the Defendant Companies operate as corporate trustees of the~~ Deckchair Trust;
- c. to wind up each of the Defendant Companies; and
- d. in relation to the remuneration of the provisional liquidators, receivers, and liquidators.

On the facts stated in the supporting affidavits, the Plaintiff claims the following relief.

Interim relief

Appointment of provisional liquidators

1. ~~An order pursuant to s 472(2) of the Corporations Act that Kathryn Evans and Vaughan Strawbridge of FTI Consulting, Level 22, Gateway, 1 Macquarie Place Sydney NSW 2000 (the **Provisional Liquidators**) be appointed jointly and severally as provisional liquidators to each of the Defendants (together the **Companies**).~~
2. ~~The Plaintiff to provide to the Provisional Liquidators access to and (if requested) copies of:~~
 - a. ~~Exhibit YH 1 to the affidavit of Yu chiao Hsueh affirmed 25 March 2026 (**Hsueh Affidavit**); and~~
 - b. ~~the exhibits to the affidavit of Paola (Pauline) Martin sworn 16 March 2026.~~
3. ~~The Plaintiff to provide the Provisional Liquidators with access to and copies of such books and records relating to the Companies which have been obtained by the Plaintiff under Pt 3, Div 3 of the *Australian Securities and Investments Commission Act 2001* (Cth) (**ASIC Act**), that the Provisional Liquidator reasonably request in writing for the purpose of performing her or his duties.~~
4. ~~An order that the Provisional Liquidators shall, within 10 weeks or such other period as the Court considers appropriate of their appointment as Provisional Liquidator of each of the Companies, provide to the Court and to the Plaintiff a report as to the provisional liquidation of each Company including:~~
 - a. ~~the assets and liabilities for each of the Companies, including for each Company:~~
 - i. ~~any assets in which the Company has any legal or beneficial interest, the estimated value of each asset, and any issues associated with quantifying and/or verifying the assets; and~~
 - ii. ~~any contingent liabilities, the value of each Company's liabilities, the extent to which the liabilities are owed to related parties of the Company or to third parties, and any issues associated with verifying~~

~~and/or quantifying the liabilities, or determining to whom each liability is owed;~~

- ~~b. — an opinion as to whether the assets are likely to be recoverable;~~
- ~~c. — the creditors of each of the Companies and a preliminary estimate as to the amount owed to each creditor;~~
- ~~d. — an opinion as to the likely solvency of each of the Companies, and if determined to be insolvent, the likely date of insolvency;~~
- ~~e. — any likely return to creditors on winding up of each of the Companies;~~
- ~~f. — any additional information necessary to enable the financial position of each Company to be assessed;~~
- ~~g. — any information provided to the Provisional Liquidators by the director(s) and officer(s) of each of the Companies pursuant to s 475(1) of the Corporations Act or by any other person in answer to a notice served pursuant to s 475(2) of the Corporations Act;~~
- ~~h. — any information as to whether the director(s) of each of the Companies complies with any request(s) made pursuant to s 530A of the Corporations Act;~~
- ~~i. — the extent to which the Companies have complied with the order to deliver up the books and records as set out in prayer 5 below;~~
- ~~j. — an opinion as to whether the Companies should be returned to the control of the director(s), proceed to liquidation or another course adopted;~~
- ~~k. — any suspected contraventions of the Corporations Act or the ASIC Act by any of the Companies, director(s) or officer(s) of the Companies;~~
- ~~l. — any potential antecedent transaction that may require further investigation; and~~
- ~~m. — any other information that the Provisional Liquidators consider to be relevant for the Court to be aware of in determining whether each Company should be wound up on just and equitable grounds.~~

5. ~~An order that each Company is to deliver up to the Provisional Liquidators forthwith, all books, records and assets of that Company (and each of the Companies) and of any trust, partnership, entity or investment vehicle of any description controlled or managed by the Companies (or any of them) which are in the power, possession or control of the Companies.~~
6. ~~An order that, in addition to the powers conferred by the Corporations Act, including s 472 of the Corporations Act, the Provisional Liquidators shall have the power to investigate and to report on:~~
 - a. ~~the matters set out in prayer 4 above; and~~
 - b. ~~any other matter referred to in Section G (Activities of the Companies); Section H (Cash at Bank Position of the Companies); Section I (Financial Position of the Companies) and Section J (ASIC's Concerns) of the Hsueh Affidavit.~~
7. ~~An order that the Provisional Liquidators shall be entitled to such remuneration as is determined by the Court pursuant to section 60-16(1) of the Insolvency Practice Schedule.~~
8. ~~An order pursuant to section 472(6) of the Corporations Act that all things required and authorised by paragraphs 2, 3 and 4 above may be done by either or both Provisional Liquidators.~~
9. ~~The Parties and the Provisional Liquidators have liberty to apply on three days' notice.~~

Appointment of receivers and managers for assets where corporate trustees

10. ~~Pursuant to s 67 of the Supreme Court Act 1970 (NSW) and/or s 12 of the Civil Proceedings Act 2011 (Qld), the Provisional Liquidators be appointed, jointly and severally, as receivers and managers (**Receivers**) over the property, business, assets and undertakings held by Great Northern Morayfield Pty Ltd as trustee for the Deckchair Trust.~~
11. ~~The need for the Interim Receivers to file security under rule 26.3 of the Uniform Civil Procedure Rules 2005 (NSW) and/or rule 268 of the Uniform Civil Procedure Rules 1999 (Qld) be dispensed with.~~

- ~~12. An order that the Interim Receivers have, in respect of the property, business, assets and undertakings held by Great Northern Morayfield Pty Ltd as trustee for the Deckchair Trust, the powers that a receiver has in respect of the business and property of a company under s 420 of the Corporations Act (other than ss 420(2)(s), (t), (u), and (w) of the Corporations Act) as if the reference in s 420 to 'the corporation' were a reference to the Deckchair Trust.~~
- ~~13. The costs, expenses and remuneration incurred by the Provisional Liquidators, as Interim Receivers or as trustees of the Deckchair Trust, be paid in priority from the assets of the Deckchair Trust, or if those assets be insufficient from the assets of Great Northern Morayfield Pty Ltd.~~

~~Costs of interim relief~~

- ~~14. The Plaintiff's costs of the interim relief are costs in the cause of the Plaintiff's application for final relief.~~

~~Non-publication orders~~

- ~~15. Until further order and subject to revocation by the Court, there be an order pursuant to s 10(1) of the Court Suppression and Non-publication Orders Act 2010 (NSW) (**Suppression Act**) prohibiting the disclosure (by publication or otherwise) of certain evidence filed in the proceeding (and to be identified in the interim orders).~~
- ~~16. Order 15 does not operate to prevent the disclosure (by publication or otherwise) by:~~
- ~~a. any party to the proceedings to their legal representatives of the evidence for the purposes of seeking advice or in connection with the proceedings;~~
 - ~~or~~
 - ~~b. the Plaintiff to the Provisional Liquidators in accordance with prayer 2 or 3 above; or~~
 - ~~c. the Provisional Liquidators for the purposes of carrying out the investigations and reporting on the matters set out in prayer 4 above.~~

Final relief

Winding up orders

17. An order pursuant to s 461(1)(k) of the Corporations Act that each of the Defendant Companies be wound up on the basis that the Court is of the opinion that it is just and equitable that each of the Defendant Companies be wound up.
18. An order that the Provisional Liquidators jointly and severally be appointed as liquidators of the Companies (**Liquidators**).
19. An order pursuant to s 60-10 of the Insolvency Practice Schedule that the Liquidators shall be entitled to such remuneration as is determined by the Court.

Appointment of receivers and managers for assets where corporate trustees

20. An order pursuant to s 67 of the *Supreme Court Act 1970* (NSW) and/or s 12 of the *Civil Proceedings Act 2011* (Qld) the Liquidators be appointed, jointly and severally, as receivers and managers (**Receivers**) over the property, business, assets and undertakings held by ~~Great Northern Morayfield Pty Ltd~~ as the trustee for the Deckchair Trust, with such appointment to take effect without prejudice to any prior encumbrance or charge on any part of the trust property or to the possession of any such encumbrancer.
21. The need for the Receivers to file security under rule 26.3 of the *Uniform Civil Procedure Rules 2005* (NSW) and/or rule 268 of the *Uniform Civil Procedure Rules 1999* (Qld) be dispensed with.
22. An order that the Receivers have, in respect of the property, business, assets and undertakings held by ~~Great Northern Morayfield Pty Ltd~~ as the trustee for the Deckchair Trust, the powers that a receiver has in respect of the business and property of a company under s 420 of the Corporations Act (other than ss 420(2)(s), (t), (u), and (w) of the Corporations Act) as if the reference in s 420 to 'the corporation' were a reference to the Deckchair Trust.
23. The costs, expenses and remuneration incurred by the Liquidators, as Receivers ~~or as trustees~~ of the Deckchair Trust, without prejudice to the rights

of any prior encumbrance or charge on any part of the trust property be paid in priority from the assets of the Deckchair Trust, or if those assets be insufficient from the assets of Great Northern Morayfield Pty Ltd.

Costs

24. Unless the Plaintiff notifies the Provisional Liquidators, or Liquidators, as the case may be, in writing that the Plaintiff does not wish to be reimbursed its costs, the Plaintiff's costs of and incidental to this application, and the Proceeding, be costs in the winding up of the Companies (taxed or as agreed) and reimbursed in accordance with s 466(2) of the Corporations Act.

Non-publication orders

25. Pursuant to s 7 of the Suppression Act, on the basis of the grounds in ss 8(1)(a) and (e) of that Act:
- a. disclosure (by publication or otherwise) of all or part of certain affidavits and exhibits filed in the proceeding (with the affidavits, exhibits or parts thereof to be identified in the orders) (the **Protected Information**) and any information contained in the Protected Information be prohibited; and
 - b. the documents referred to in 25(a) above be retained in the Court file in an envelope marked '*Confidential: to be opened only by order of the Court*'.

Other

26. Such further or other orders as the Court thinks fit.

Date:

.....
Plaintiff's legal practitioner

James Docherty

*An AGS lawyer within the meaning of s 55I of the Judiciary Act who has a statutory right to practice as a solicitor in the Supreme Court of NSW under s 55Q(1)(b) of the Judiciary Act.
Australian Government Solicitor*

This application will be heard by the Supreme Court of New South Wales at the date and time set out in the 'Notice of filing and hearing' issued by the Court.

B. NOTICE TO DEFENDANTS

TO:

Ironbark Holdings Australia Pty Ltd (provisional liquidators appointed) (ACN 124 969 973), GND Construction Management Pty Ltd (provisional liquidators appointed) (ACN 124 969 973), Great Northern Developments Pty Ltd (provisional liquidators appointed) (ACN 094 805 286), Great Northern Investments Pty Ltd (provisional liquidators appointed) (ACN 089 933 933), Great Northern Morayfield Pty Ltd (provisional liquidators appointed) (ACN 111 623 502), Great Northern Phoenix Group Pty Ltd (provisional liquidators appointed) (ACN 117 597 869), Great Northern Properties Pty Ltd (provisional liquidators appointed) (ACN 129 158 032), Great Northern Victoria Pty Ltd (provisional liquidators appointed) (ACN 130 619 028), Ironbark Energy Pty Ltd (provisional liquidators appointed) (ACN 168 385 671), Knightsbridge Realty Pty Ltd (provisional liquidators appointed) (ACN 099 633 673) and Richmond Corporation Pty Ltd (provisional liquidators appointed) (ACN 094 677 817) of Suite/Shop 9, Park Mall, 209-211 Windsor Street, Richmond NSW 2753 and Great Northern Bundaberg Pty Ltd (provisional liquidators appointed) (ACN 131 779 863) of Shop 3, 209-211 Windsor Street, Richmond NSW 2753 and Christopher Malcolm Edwards of 270 Terrace Road, North Richmond NSW 2754.

If you or your legal practitioner do not appear before the Court at the date and time set out in the 'Notice of filing and hearing' issued by the Court, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given,
- (b) directions may be given for the future conduct of the proceeding,
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the Plaintiff.

Note.

Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. FILING

Date of filing:

This originating process is filed by Matthew Blunn, the Australian Government Solicitor, for the Plaintiff.

Contact name and telephone: Matthew Garey, 02 9581 7625

Contact email: matthew.garey@ags.gov.au

D. SERVICE

The Plaintiff's address for service is

Australian Government Solicitor
Level 10, 60 Martin Place
Sydney NSW 2000

It is intended to serve a copy of this originating process on each defendant.

Schedule of Parties

IN THE SUPREME COURT OF NEW SOUTH WALES No. 122774 of 2026
DIVISION: Equity
REGISTRY: Sydney
Corporations List

**IN THE MATTER OF IRONBARK HOLDINGS AUSTRALIA PTY LTD ACN 168 385
699**

Australian Securities and Investments Commission
Plaintiff

-and-

Ironbark Holdings Australia Pty Ltd ACN 168 385 699
First Defendant

GND Construction Management Pty Ltd ACN 124 969 973
Second Defendant

Great Northern Bundaberg Pty Ltd ACN 131 779 863
Third Defendant

Great Northern Developments Pty Ltd ACN 094 805 286
Fourth Defendant

Great Northern Investments Pty Ltd ACN 089 933 933
Fifth Defendant

Great Northern Morayfield Pty Ltd ACN 111 623 502
Sixth Defendant

Great Northern Phoenix Group Pty Ltd ACN 117 597 869
Seventh Defendant

Great Northern Properties Pty Ltd ACN 129 158 032
Eighth Defendant

Great Northern Victoria Pty Ltd ACN 130 619 028
Ninth Defendant

Ironbark Energy Pty Ltd ACN 168 385 671
Tenth Defendant

Knightsbridge Realty Pty Ltd ACN 099 633 673
Eleventh Defendant

Richmond Corporation Pty Ltd ACN 094 677 817
Twelfth Defendant

Christopher Malcolm Edwards
Thirteenth Defendant