



Grant Thornton

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To the Recipient as Addressed

19 December 2019

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**Grant Thornton Australia  
Limited**

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Brisbane QLD 4001  
T +61 7 3222 0200

Dear Sir / Madam

**Brien Brick and Blocklaying Pty Ltd (In Liquidation)  
ACN 602 984 574 (the “Company”)**

**Online Report Notification**

I advise that on 13 December 2019 Michael Gerard McCann and I were appointed Joint and Several Liquidators of the Company. Evidence of our appointment is attached.

According to the Company’s records, you may be a creditor of the Company.

We have issued our first notification to creditors and it is available for download from our firm’s website at: [www.granththornton.com.au/](http://www.granththornton.com.au/). Creditors are advised to search “*Brien Brick and Blocklaying Pty Ltd*” at the top of the webpage to easily navigate to the documents.

You will be able to download the following documents:

- Progress of the Liquidation;
- Likelihood of a dividend; and
- The costs of the Liquidation.

The Declaration of Independence, Relevant Relationships and Indemnities (DIRRI) assists you to understand any relevant relationships that we have, and any indemnities or upfront payments that have been provided to us. We have considered each relationship and it is our opinion that none of the relationships disclosed in the DIRRI result in a conflict of interest or duty or affect our independence.

ABN-41 127 556 389 ACN-127 556 389

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BBB - LTR - Online Report  
Notification for Creditors  
20191217

If you do not have access to the internet, you can request that a copy of the report be mailed to you.  
Please contact our office should you require further information.

Yours faithfully



**Graham Robert Killer**  
**Joint and Several Liquidator**

<b>Appointment date:</b>	13 December 2019
<b>Contact name:</b>	Benjamin Sanders
<b>Contact number:</b>	+61 7 3222 0429
<b>Email:</b>	benjamin.sanders@au.gt.com



Federal Court of Australia  
District Registry: Queensland  
Division: General

No: QUD696/2019

**DEPUTY COMMISSIONER OF TAXATION**  
Plaintiff

**BRIEN BRICK AND BLOCKLAYING PTY LTD ACN 602 984 574**  
Defendant

### ORDER

**REGISTRAR:** REGISTRAR BUCKINGHAM

**DATE OF ORDER:** 13 December 2019

**WHERE MADE:** Brisbane

#### THE COURT ORDERS THAT:

1. BRIEN BRICK AND BLOCKLAYING PTY LTD ACN 602 984 574 be wound up in insolvency under the provisions of the *Corporations Act 2001* (Cth).
2. Graham Robert KILLER and Michael Gerard McCANN, registered liquidators, be appointed liquidators of the company.
3. The plaintiff's costs be fixed in the sum of \$2,855.00 and reimbursed in accordance with section 466(2) of the *Corporations Act 2001* (Cth).

#### THE COURT DECLARES THAT:

Anything that is required or authorised by the *Corporations Act 2001* (Cth) to be done by the Liquidator is to be done by one or both of them.

Date that entry is stamped: 13 December 2019

  
Registrar

Subsection 35A (5) of the *Federal Court of Australia Act 1976* (the *Act*) provides that a party to proceedings in which a Registrar has exercised any of the powers of the Court under subsection 35A (1) of the Act may, within the time prescribed by the Rules of Court, or within any further time allowed in accordance with the Rules of Court, apply to the Court to review that exercise of power.

Rule 3.11 provides that a party may apply to the Court under subsection 35A (5) of the Act for review of the exercise of a power of the Court by a Registrar and that any application must be made within 21 days after the day on which the power was exercised. A party seeking a review can apply to the Court to dispense with any requirement of the Rules (Rule1.34).

## Declaration of Independence, Relevant Relationships and Indemnities

### Brien Brick Blocklaying Pty Ltd (In Liquidation) ACN 602 984 574 (the “Company”)

The purpose of this document is to assist creditors with understanding any relationships that the Liquidators have and any indemnities or upfront payments that have been provided to the Liquidators. None of the relationships disclosed in this document are such that the independence of the Liquidators is 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, Grant Thornton Australia Limited and any of the GTAL's associated entities.

#### A. Independence

We, Graham Robert Killer and Michael Gerard McCann of Grant Thornton Australia Limited have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Liquidators of Brien Brick and Blocklaying Pty Ltd 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.

#### B. Declaration of Relationships

##### B1. Circumstances of appointment

This appointment was referred to us by Australian Government Solicitor. We believe that this referral does not result in a conflict of interest or duty because:

We were approached by Australian Government Solicitor on 12 November 2019 and requested to provide a consent to act for the winding up of the Company. An internal conflict check was completed and a consent to act was provided on 14 November 2019. No prior communication regarding the Company was held.

We have provided no other information or advice to Brien Brick and Blocklaying Pty Ltd, the directors and its advisors prior to our appointment beyond that outlined in this DIRRI.

## B2 Prior Professional services to the Insolvent

Neither we, nor our firm, have provided any professional services to Brien Brick and Blocklaying Pty Ltd in the previous 24 months.

## B3. Relevant Relationships (excluding Professional Services to the Insolvent)

Neither we, nor our firm, have, or have had within the preceding 24 months, any relationships with Brien Brick and Blocklaying Pty Ltd, an associate of Brien Brick and Blocklaying Pty Ltd, a former insolvency practitioner appointed to Brien Brick and Blocklaying Pty Ltd or any person or entity that has security over the whole or substantially whole of Brien Brick and Blocklaying Pty Ltd's property.

We or a member of our firm, have, or have had within the preceding 24 months, a relationship with:

Name	Nature of relationship	Reasons
Australia Taxation Office ("ATO")	<p>Grant Thornton Australia LTD ("GTAL") has had past dealing with the ATO in its capacity as a creditor of past insolvency administrations conducted by us as insolvency practitioners.</p> <p>The ATO directly or indirectly refers engagements periodically to GTAL being engagements to act as Liquidators or for the provision of expert reports.</p>	<p>GTAL past involvement with the ATO will not influence our ability to fully comply with the statutory and fiduciary obligations associated with the conduct of the winding up of the Company in an objective and impartial manner.</p> <p>We believe that this relationship does not result in a conflict of interest or duty because:</p> <ul style="list-style-type: none"> <li>• Each professional engagement undertaken after referral by, or on instructions from, the ATO is conducted on an entirely separate basis, which has no connection with this appointment.</li> <li>• These engagements are only commenced after full regard is given to potential conflicts or interest in relation to all interested stakeholders.</li> <li>• GTAL has not undertaken any engagement for the Company.</li> </ul>
Australian Government Solicitor ("AGS")	<p>AGS acts as lawyers for the Petitioning Creditor, the ATO, and as noted above, approached GTAL to act as Liquidators.</p> <p>AGS periodically refers engagements to Grant Thornton.</p>	<p>We believe that this relationship does not result in a conflict of interest or duty because:</p> <ul style="list-style-type: none"> <li>• Each professional engagement undertaken after referral by, or on instructions from, AGS is conducted on an entirely separate basis, which has no connection with this appointment.</li> <li>• These engagements are only commenced after full regard is given to potential conflicts or interest in relation to all interested stakeholders.</li> <li>• GTAL has not undertaken any engagement for the Company.</li> <li>• The relationship with AGS will not influence our ability to fully comply with the statutory and fiduciary obligations associated with the Liquidation of the Company in an objective and impartial manner.</li> </ul>



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#### **B4. No other relevant relationships to disclose**

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

#### **C. Indemnities and up-front payments**

We have not been indemnified in relation to this administration, other than any indemnities that we may be entitled to under statute and we have not received any up-front payments in respect of our] remuneration or disbursements.

Dated: 19 December 2019

A handwritten signature in black ink, appearing to read 'Graham Killer'.

**Graham Killer**  
Joint and Several Liquidator

A handwritten signature in black ink, appearing to read 'Michael Gerard McCann'.

**Michael Gerard McCann**  
Joint and Several Liquidator

**Note:**

If circumstances change, or new information is identified, we are required under the Corporations Act 2001/Bankruptcy Act 1966 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with our next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent'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.