

**The Sunshine City Club (In Liquidation)
(the “Company”)****ACN 004 364 890
ABN 98 004 364 890****File details**

Name of Liquidators:	Nathan Deppeler and Matthew Kucianski
Date of Appointment:	5 June 2026
Is the Company still trading?	No
Directors Names:	Jake Warren Joanne Smart Lauren Rose Smarts Scott Hammond Shannon Hammond Vincent Patrick Smart
File Contact:	Amirah Atikah (03) 9613 5558 amirah.atikah@worrells.net.au

This advice should be read in conjunction with our previous advices, copies of which can be downloaded from the firm’s website (www.worrells.net.au). The following commentary presupposes that the reader is familiar with those circulars, in particular, our Advice to Creditors dated 10 June 2026.

Update

Since our last update to creditors dated 10 June 2026, there have been material developments in relation to the future of the Company.

Creditors will recall that following the second meeting of creditors held on 5 June 2026, the Company was placed into liquidation, as no proposal for a Deed of Company Arrangement (**DOCA**) had been received at that time.

Shortly after the second meeting we received a proposal from Deer Park Club Inc (**DPC**) for administrators to be re-appointed to the Company and for the Company to enter a DOCA (**Proposal**)

Court Application

Given the Proposal, we have made an application to the Federal Court of Australia (Proceeding No. VID704/2026) (**Application**).

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The Application is listed for the first case management hearing before the Federal Court of Australia at 305 William Street, Melbourne VIC 3000 on 17 July 2026. We have made an urgent application to the Duty Judge to seek to have the matter timetabled in accordance with the enclosed proposed orders.

In this notice, I provide you with information regarding the Application, including with respect to your ability to seek leave to appear in the Application (including the urgent application before the Duty Judge) should you choose.

Accessible on our file information [page](#) (password wp37765) are copies of the following documents

- Affidavit dated 26 June 2026
- Originating Process
- Application to the Duty Judge
- Submissions in support of the application to the Duty Judge

Proposal Received

The Proposal from DPC has the following key terms:

- DPC will provide a sufficient deed contribution to pay all creditors and costs of the liquidation and administration upon the DOCA being approved;
- DPC will recommence operations of "The Sunshine City Club" from the premises at 24 Talmage Street, Albion Victoria (**Property**);
- DPC will offer employment to the former employees of the Company; and
- DPC will offer members of the Company full membership rights to its social club venue which operates from 780 Ballarat Road, Deer Park.

We consider that it is in the best interests of the creditors and members of the Company that the creditors have an opportunity to consider and vote upon a DOCA proposal substantially in the form of the Proposal. That is because the Proposal, if effectuated:

- provides for payment in full of all debts in a way that is likely to result in quicker payment as opposed to a dividend paid in a liquidation;
- will avoid the sale of the Property; and
- maximises the chances of the Company, or its business, continuing in existence.

Accordingly, we have filed the Application by which we seek orders that:

- we are granted leave to be appointed as voluntary administrators of the Company and deed administrators of a DOCA approved by the Company's creditors and entered into by the Company;
- truncate and dispense with certain requirements of the Corporations Act 2001 (Cth) that apply to voluntary administrations; and
- stay the winding up of the Company during the term of a DOCA and terminate the winding up upon its effectuation.

If the Application is granted, and we are appointed as administrators, the Company will be placed in voluntary administration, and a meeting of creditors will be convened at which creditors admitted by us can vote as to whether the Company should execute a DOCA.

Leave to Appear

Pursuant to rule 2.13 of the Federal Court (Corporations) Rules 2000 (Cth), the Court may grant leave to any person who is, or who claims to be, a creditor or officer of a corporation, or any other interested person, to be heard in a proceeding.

Creditors and officers of the Company, along with any other interested persons, may seek leave to appear in the Application, for the purpose of (amongst other things) making submissions in opposition to the orders sought in the Application.

The Court will make directions regarding how interested persons may seek leave to be heard in the Application.

The proposed Court's orders provide that by 4:00pm on 13 July 2026 any interested parties file and serve on the plaintiffs (by email, care of my solicitors nathan@petersenwestbrook.com.au):

- any notice(s) of appearance (Form 4) by which they seek leave to be heard under rule 2.13 of the Federal Court (Corporations) Rules 2000; and
- any affidavit(s) on which they intend to rely.

If you wish to appear before the Court, you are required to file a notice of appearance with the Court.

You may wish to seek legal advice on the impact of the Application on you, and whether or not to seek leave to appear in the Application. My solicitors are unable to provide legal advice to you.

Next Update

We will provide a further update once the Court process has progressed and significant developments occur. This includes any updates regarding the urgent application before the Duty Judge.

Please direct all enquiries to Amirah Atikah on (03) 9613 5558 or amirah.atikah@worrells.net.au.



per
Nathan Deppeler
Liquidator



File information



Our [website](#) hosts up-to-the minute file information.

Enter: **THE SUNSHINE CITY CLUB**
Password: **wp37765**

An annual administration return was lodged with ASIC on 12 June 2026

Independence



We are independent and act in the interests of all creditors.

Our declaration of independence, relevant relationships and indemnities (DIRRI) can be found in our initial notice via the File Information page. There have been no changes to the DIRRI.

*Our declaration of relevant relationships and indemnities (DRRI) can be found in our initial notice via the File Information page. There have been no changes to the DRRI **OR** my updated DRRI is attached.*

Proof of debt



Lodge your proof of debt online from the File Information page. You'll receive a confirmation email with a copy of your proof of debt.

Email updates



Subscribe to email communication and regular updates via the File Information page. You can also ask file-specific questions within the File Information page.

The Corporations Act 2001 allows us to email reports and notices to creditors where we have an email address. We must nominate a physical address when we send electronic communications. Our nominated address is the physical address of my office as noted on my firm letterhead.

Please also notify us of any potential matters you believe we should investigate.

[ASIC](#) and [ARITA](#) have Guides to assist directors, shareholders, creditors, and employees of companies in external administration. We suggest creditors refer to these guides (and our factsheets) to understand more about insolvency processes and requirements and when considering resolutions for the approval of remuneration.

Enquiries:

Amirah Atikah

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