

Melbourne Office
Our Ref: VIC073212

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The Committee of Owners Corporation No. 1 Plan No. 435322B
C/- Ms Julie McLean
Owners Corporation Manager
Ace Body Corporate Consulting
PO Box 5583
MORDIALLOC VIC 3195

7 March 2018

VCAT Directions Hearing on 7 March 2018
David Geoffrey Flew

v

Owners Corporation No. 1 Plan PS 435322B, Patrick Lum & Stephen Bardsley

Dear Sir or Madam,

We write to report to you regarding the Directions Hearing which occurred at VCAT today.

This matter was heard by Senior Member Smithers. Ms Jenny Wang, director of our firm, appeared on behalf of the Owners Corporation together with representatives from the Owners Corporation. Mr Flew appeared in person.

The background of this case was explained to the VCAT together with the Owners Corporation's desire to have a determination by VCAT as to whether the services in dispute can be provided in these circumstances.

Mr Patrick Lum and Mr Stephen Bardsley, lot owners at Waterways, were also in attendance and were heard by Senior Member Smithers. Objections were raised in relation to the proposed resolutions and to these VCAT proceedings. The Tribunal joined both Mr Lum and Mr Bardsley as respondents to the proceeding.

Ultimately, the Tribunal has accepted to hear this case and set down the following directions to be undertaken by the respective parties. The parties are required to ensure the following tasks occurs by the dates listed below:

- the Applicant is to file and serve Amended Points of Claims - by 28 March 2018;
- the Owners Corporation is to provide notice of these proceedings to each lot owner - by 26 April 2018;
- any lot owner who opposes the application must notify the Tribunal and the owners corporation's solicitors - by 24 May 2018.

A copy of the Orders made by VCAT today are attached for your records.

This matter has been listed for a further directions hearing on 6 June 2018 at 9:30am at which time it is likely that the matter will be listed for Hearing.

Yours faithfully,
BERRIGAN DOUBE LAWYERS

Berrigan Doube Lawyers

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