

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

CIVIL DIVISION

BUILDING AND PROPERTY LIST

VCAT Reference: R115/2014

IN THE MATTER of s 11A of the *Small Business Commissioner Act 2003* (Vic)

IN THE MATTER of the referral of matters to VCAT for an advisory opinion pursuant to s 125 of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic)

APPLICANT: Mr Geoffrey Martin Browne
(in his capacity as the Small Business Commissioner)

WHERE HELD: Melbourne

BEFORE: Justice Greg Garde AO RFD, President

HEARING TYPE: Directions Hearing

DATE OF HEARING: 7 October 2014

DATE OF ORDER: 7 October 2014

CITATION: *Re Small Business Commissioner* (Building and Property)
[2014] VCAT 1194

ORDER

1. Pursuant to s 73(4) of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic), leave is given to the Shopping Centre Council of Australia (“the SCCA”) and The Real Estate Institute of Victoria Ltd (“the REIV”) to intervene in this proceeding for the purposes of making written and oral submissions to the Tribunal.
2. Pursuant to s 73(4) of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic), leave is given to the Law Institute of Victoria, Property Council of Australia, Marshalls & Dent Lawyers and Andrew Pandeli & Co Solicitors to intervene in this proceeding for the purposes of making written submissions. Subject to further order, such leave is limited to the written submissions already served by each of them.
3. The REIV may file any affidavit in support of its submissions with the Principal Registrar and serve on the applicant and the SCCA by 4:00pm, Wednesday 5 November 2014.
4. The SCCA and the REIV may file any further written submissions with the Principal Registrar and serve on the applicant and on each other by 4:00pm, Wednesday 5 November 2014.
5. The applicant may file any further submissions with the Principal Registrar and serve on the SCCA and the REIV by 4:00pm, Thursday 11 December 2014.
6. The applicant is to prepare and file a paginated application book containing all the filed written submissions and affidavits including exhibits except where they are voluminous and a joint book of authorities to be relied on by the parties by 4:00pm, Thursday

11 December 2014.

7. **The application is listed for hearing at 10:00am on Thursday 5 February 2015 for two days at 55 King Street, Melbourne VIC 3000 before the President.**

Justice Greg Garde AO RFD
President

APPEARANCES:

For the applicant	Mr G. Golvan QC together with Mr B. Mason of Counsel and Mr L. Vatosios of Counsel
For the SCCA	Mr R. Hay of Counsel
For the REIV	Mr P. Lowenstern, solicitor