

DISPUTE RESOLUTION – WHY IT MATTERS & HOW IT WORKS

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Why have a Dispute Resolution Process

Part of building a solid **foundation of trust** is being clear about what happens when there is conflict. Ideally, everyone gets along — and most issues can be sorted out quickly and respectfully. But sometimes, misunderstandings or disagreements grow into bigger problems. That's why it's important to have **a clear and fair process in place before things go wrong**.

A transparent dispute process helps:

- Prevent conflict from escalating
- Ensure everyone is treated fairly
- Protect the organisation's purpose and culture
- Support trust and confidence in how decisions are made.

What This Process Covers

This dispute resolution process applies to **internal disputes** under the Constitution, including disagreements between:

- A member and one or more other members
- A member and one or more directors
- A member or director and the organisation itself

Note: Disputes about housing — such as occupancy, co-ownership or lease arrangements — are handled separately in the relevant **Deed of Agreement**.

Step-by-Step: How Disputes are Managed

Step 1: Try to Resolve It Together (within 14 days)

Everyone involved in the dispute must make a genuine effort to sort it out themselves within 14 days. A respectful conversation is often the simplest and best first step.

Step 2: Mediation

If the issue can't be resolved **within 14 days**, the parties must take part in mediation before considering arbitration or legal action.

Either person can start the process by sending a **Notice of Mediation** outlining:

- The key issue(s)
- Who is involved
- Suggested resolutions

The people involved must jointly appoint a **mediator** within 7 days.

- If they can't agree, the **Board of Directors** will appoint one.
- Mediation costs, including the mediator's fees, are **shared equally** unless otherwise agreed.

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Step 3: Arbitration (if mediation doesn't resolve the issue)

If no resolution is reached **within 30 days of starting mediation**, the matter must be referred to **arbitration** under the Australian Disputes Centre (ADC) Rules for Domestic Arbitration.

The arbitrator must:

- Be legally trained
- Have expertise in the relevant area of law
- Not have acted as the mediator (unless both parties agree in writing)

Arbitration costs are shared equally unless the arbitrator decides otherwise.

Final Decision: Binding on All Parties

Once a decision is made through arbitration:

- It is **final and legally binding**
- Everyone involved must comply with the outcome

DISPUTE RESOLUTION PROCESS

Step 1:

Try to resolve it together

Within 14 days

If not resolved, move to next step.

Step 2:

Mediation
Appoint a mediator

Within 7 days

If not resolved, move to next step.

Step 3:

Arbitration

If no resolution from mediation within 30 days, matter is referred to Arbitration.

Final Decision

Arbitrator makes decision

Final and legally binding for all involved

A Culture of Respect and Resolution

Disagreements happen - and that's okay. What matters is how we handle them.

At Waterfall Way CLT Ltd, we commit to resolving issues **early, fairly, and respectfully**, so that we can maintain community trust and keep working together in service of the community we're here to support.

For more
information:

WWCLT Constitution

Dispute Resolution and Disciplinary Procedures pp.11-12

Plain English Companion Guide to WWCLT Constitution

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