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TO: MailAtCardinia<mail@cardinia.vic.gov.au>
DATE: 13-Dec-2005 16:05:11
SUBJECT Planning Department - VCAT Order P437/2005

Dear Sir/Madam

APPLICATION CONCERNING: 10 Hickson Rd OFFICER

I refer to the above application and attach a copy of VCAT's final decision in this matter. The copy is a Microsoft Word document.

(See attached file: P437 2005 Cardinia SC v HyGain Property Management PL+ (sm mi 121205).doc)

As previously advised, VCAT will now be e-mailing planning decisions to you as well as a copy being sent via normal post.

After three months we will contact you to get your feedback and hopefully your agreement to continue to receive VCAT decisions by email and to stop sending a hard copy by post. Obviously, if you find this arrangement suitable we would welcome you to contact VCAT prior to the end of the three month trial period so that permanent e-mail arrangements can be made.

Should you consent to receipt of decisions via email we would also appreciate it if you could advise us by giving a 'corporate address' for the emails with the decisions.

If you have any queries regarding the emailing of decisions or any other matter that may assist in the efficient transfer of information between councils and VCAT you are welcome to contact Tracey Watson Registrar on (03) 9628-9750 or Tracey.Watson@justice.vic.gov.au.

THE EFFECT OF THIS DECISION

This decision is final and binding unless it is set aside by the Supreme Court, or the order is corrected, revoked or varied under the provisions of s. 119 or 120 of the VCAT Act 1998.

In coming to its decision the Tribunal has made a finding on the issues before it. It has no power to review or reconsider or alter this finding once the decision is published. Therefore, it is inappropriate for the Tribunal to enter into correspondence with parties as to the issues presented before it and the merits of the decision.

Should you wish to challenge the decision, you should consider obtaining legal advice as to your rights in the circumstances. This should be done promptly as an appeal to the Supreme Court must be lodged within 28 days of this decision. The Tribunal is unable to enter into correspondence in relation to issues or evidence subject of this decision.

PLEASE NOTE

Most Planning & Environment List decisions are also available via our website (www.vcat.vic.gov.au) which has a link to take you to the Australasian Legal Information Institute's website (AustLII) where records of the decisions are stored and may be accessed.

Decisions should appear on AustLII within 14 days after the decision is posted. We suggest you use the Recent Updates List function on AustLII to find recently released cases.

Yours faithfully

Ian Proctor
Principal Registrar
Victorian Civil and Administrative Tribunal

Please note - the following confidentiality message is a standard security feature which should be ignored in this instance.

"CONFIDENTIAL

The information in this message and in any attachments may be confidential. If you are not the intended recipient of this message, you must not read, forward, print, copy, disclose, or use in any way the information this message or any attachment contains. If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies of this message and any attachments. Our organisation complies with Victorian privacy laws, for a copy of our privacy policy please go to our website or contact us."