



Transcript of Proceedings

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Date 13/5/2002

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

Application No 31 of 2002

SWANWOOD PTY LTD
(Trading as PETER TROUT FAMILY TRUST)

Applicant

and

CHIEF EXECUTIVE OFFICER
MAREEBA SHIRE COUNCIL

Respondent

CAIRNS

..DATE 03/05/2002

JUDGMENT

ARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for air protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

HIS HONOUR: In this matter the relief sought by the applicant has been wholly complied with since the filing of the application. The application was for reasons of the decision to be provided.

A few days before the first return date of the application on the 15th of April 2002 the solicitor for the respondent gave some explanation for the decision which was clearly inadequate.

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At the hearing the respondent sought an adjournment which was consented to to give more time for the respondent to take advice. That time has been well used and a proper statement of the grounds of decisions has now been provided and consequently the applicant has been wholly successful in its application.

The only question then is costs. In these circumstances, it seems to me proper that the respondent should pay the costs of and incidental to the application which, as I have indicated, has been wholly successful. The costs shall be assessed on the standard basis.

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