

SUPREME COURT OF QUEENSLAND

CITATION: *Central Highlands Regional Council v Geju Pty Ltd* [2018] QCA 54

PARTIES: **CENTRAL HIGHLANDS REGIONAL COUNCIL**
(appellant)
v
GEJU PTY LTD
ACN 010 714 799
(respondent)

FILE NO/S: Appeal No of 13451 of 2016
SC No 4 of 2014

DIVISION: Court of Appeal

PROCEEDING: General Civil Appeal – Further Orders

ORIGINATING COURT: Supreme Court at Mackay – [2016] QSC 279

DELIVERED ON: 27 March 2018

DELIVERED AT: Brisbane

HEARING DATE: 24 May 2017

JUDGES: Fraser and McMurdo JJA and Brown J

ORDERS: **1. The respondent pay the appellant’s costs of the proceeding in the trial division.**
2. The respondent pay the appellant’s costs of the appeal.

CATCHWORDS: APPEAL AND NEW TRIAL – PROCEDURE – QUEENSLAND – POWERS OF COURT – COSTS – where both parties agree that there is no reason to depart from the general rule that costs follow the event in respect of both the appeal and the proceeding at first instance
Central Highlands Regional Council v Geju Pty Ltd [\[2018\] QCA 38](#), related

COUNSEL: K N Wilson QC for the appellant
C C Heyworth-Smith QC, with M T de Waard, for the respondent

SOLICITORS: King & Company Solicitors for the appellant
Macrossan & Amiet Solicitors for the respondent

[1] **THE COURT:** The Court allowed an appeal from a judgment given in the trial division in favour of the respondent, set aside that judgment, and entered judgment

in favour of the appellant.¹ Pursuant to leave, the parties have made submissions about costs. The respondent agrees with the submission for the appellant that there is no reason to depart from the general rule that costs follow the event both in respect of the appeal and in respect of the proceeding at first instance.

[2] The further orders of the Court are:

- (a) The respondent pay the appellant's costs of the proceeding in the trial division.
- (b) The respondent pay the appellant's costs of the appeal.

¹ [2018] QCA 38.