

JUDGMENT

In the Planning and Environment Court
Held at: Cairns

No. 232 of 2005

Between: FRANK SUDDABY, LINDA SUDDABY,
HELEN JONAS, IAN MORRISON AND
JANET MORRISON Appellant

And: JOHNSTONE SHIRE COUNCIL Respondent

And: JOHN CAVANAH, LEE-ANN CAVANAH &
WELLACIA PTY LTD (ACN 067 609 198) First Co-Respondent

And: STATE OF QUEENSLAND Second Co-Respondent

In the Planning and Environment Court
Held at: Cairns

No. 234 of 2005

Between: COMMUNITY FOR COASTAL AND
CASSOWARY CONSERVATION INC Appellant

And: JOHNSTONE SHIRE COUNCIL Respondent

And: JOHN CAVANAH, LEE-ANN CAVANAH &
WELLACIA PTY LTD (ACN 067 609 198) First Co-Respondent

And: STATE OF QUEENSLAND Second Co-Respondent

Before: His Honour Judge White

Date of Hearing: 3 – 6 April 2006

Date of Judgement: 1 December 2006

UPON THE COURT BEING SATISFIED THAT:

1. the changes to the Application are, for the purposes of section 4.1.52(2)(b) of the *Integrated Planning Act 1997*, only minor changes;

IT IS ADJUDGED THAT:

2. the appeals are dismissed; and

JUDGMENT

Filed on behalf of the First Co-Respondent

PEC-8

DEACONS
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3. the development application for a preliminary approval for a Material Change of Use (uses consistent with the Rural Residential Zone and Conservation Zone) and for a development permit for Reconfiguration of a Lot, in relation to land situated at Lot 2 Alexander Drive, Mission Beach, and properly described as Lot 2 on RP732173, be approved subject to the approved plans and conditions attached hereto and marked "A".

Filed on 1 December 2006
Filed by: Deacons
Service Address: Level 17, 175 Eagle Street, Brisbane Qld 4000
Phone: (07) 3309 0888
Fax: (07) 3309 0999
Reference: 2564339 (Kerrie Brown)

(on behalf of the First Co-Respondent)

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Registrar