

BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA

Decision No. [2018] NZEnvC 074

IN THE MATTER of the Public Works Act 1981

AND of an appeal under section 24 of the Act

AND of Notices of Requirement under s 174 of the Act

BETWEEN PANMURE BRIDGE MARINA LIMITED
(ENV-2018-AKL-000005)

AND BARRY SCOTT FAMILY TRUST
(ENV-2018-AKL-000006)

PANMURE BRIDGE MARINA LIMITED &
BARRY SCOTT FAMILY TRUST
(ENV-2018-AKL-000048)
(ENV-2018-AKL-000060)

MARHARG INVESTMENTS LIMITED & DG
LAW LIMITED
(ENV-2018-AKL-000054)
(ENV-2018-AKL-000061)
(ENV-2018-AKL-000065)

FOR ONE LIMITED
(ENV-2018-AKL-000056)

PANMURE FISH AND CHIPS
(ENV-2018-AKL-000057)
(ENV-2018-AKL-000066)

Appellants

AND AUCKLAND COUNCIL
AUCKLAND TRANSPORT
Respondents



CORRECTION

Introduction

[1] On 10 May 2018, the Court gave oral decision [2018] NZEnvC 072 in relation to these interrelated matters. The decision set out timetabling directions in preparation for hearing.

Correction Sought

[2] Since issuing the decision, it has been brought to the Court's attention that there is an error in the timetabling directions made in the decision.

[3] For example, paragraph C(a) at page 2 of the decision requires the Council and Auckland Transport to file their evidence on 6 July 2018 as follows:

C: The Directions to hearing are amended as follows:

- (a) Auckland Council/Auckland Transport are to file their evidence by **5.00pm, Friday 6 July 2018**;

[4] The date the Court intended Auckland Council/Auckland Transport to file their evidence is by 5.00pm, Friday 18 May 2018.¹

Correction

[5] In accordance with s 278 of the Act and Rule 11.10 of the District Courts Rules 2014, the Court has the power to correct errors including accidental slips or omissions. Rule 11.10 is set out as follows:

11.10 Correction of accidental slip or omission

- (1) A judgment or order may be corrected by the court or the Registrar who made it, if it—
- (a) contains a clerical mistake or an error arising from an accidental slip or omission, whether or not made by an officer of the court; or
- (b) is drawn up so that it does not express what was decided and intended.
- (2) The correction may be made by the court or the Registrar, as the case may be,—
- (a) on its or his or her own initiative; or
- (b) on an interlocutory application.

¹ See [2018] NZEnvC 072 at [12].



[6] As the incorrect date is an accidental slip, it is appropriate that it should be corrected. Accordingly, the decision is corrected as follows:

C: The Directions to hearing are amended as follows:

- (a) Auckland Council/Auckland Transport are to file their evidence by **5.00pm, Friday 18 May 2018;**

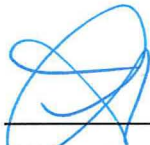
DATED at Auckland this

17th

day of

May

2018



GD Carlyon

Deputy Registrar

