

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

Decision No. [2018] NZEnvC 170

IN THE MATTER of the Resource Management Act 1991
AND of applications for interim and final enforcement orders under sections 316 and 320 of the Act
BETWEEN JEAN-MARIE SABATIER AND IAN FRANCIS KNOBLOCH AS TRUSTEES OF THE SABATIER FAMILY TRUST
(ENV-2018-AKL-0042)
Applicant
AND AUCKLAND COUNCIL
First Respondent
AND ADDISON DEVELOPMENTS LIMITED
Second Respondent

Court: Environment Judge J E Borthwick

In Chambers at Christchurch

Date of Decision: 7 September 2018

Date of Issue: 7 September 2018

ERRATUM OF THE ENVIRONMENT COURT

A: Under section 278 of the Resource Management Act 1991 and 11.10 District Court Rules 2014, the Environment Court corrects the following paragraphs of decision [2018] NZEnvC 117, as follows:

- [1] This decision concerns an application for costs by Tonea Investments (NZ) Ltd and Tonea Properties (NZ) Ltd against Jean-Marie Sabatier and Ian Knobloch. A related application for costs was filed by Addison Development Ltd and is the subject matter of a separate also dealt with in this decision. Auckland Council does



not seek costs.¹

...

[31] The applications for costs by Tonea and Sabatier Addison are declined.

B: The remainder of the decision is otherwise unchanged.

REASONS

Introduction

[1] On 24 July 2018, the court issued decision [2018] NZEnvC 117, concerning an application for costs by Tonea Investments (NZ) Ltd and Tonea Properties (NZ) Ltd and Addison Developments Ltd against Jean-Marie Sabatier and Ian Knobloch.

[2] The applications for costs were declined.

Errors

[3] The court has been advised that there is an error in the decision at paragraph [31], due to the name "Sabatier" being recorded instead of the correct name, "Addison".

[4] In addition, the court notes an error in the decision at paragraph [1], where it was recorded that "a related application for costs was filed by Addison Development Ltd and is the subject matter of a separate decision". The application for costs by Addison Development Ltd is not the subject of a separate decision and is in fact dealt with in decision [2018] NZEnvC 117.

[5] As these errors were unintended and in the form of an accidental slip, it is possible for the court to utilise rule 11.10 District Court Rules 2014² to make the necessary corrections.



¹ Memorandum of counsel for Auckland Council, dated 22 June 2018.

² Section 278 RMA provides that Environment Judges have the same powers as the District Court in the exercise of its civil jurisdiction.

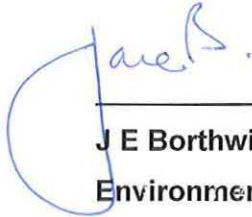
Outcome

[6] The error contained in paragraph [1] of the decision [2018] NZEnvC 117 is corrected.

[7] The error contained in paragraph [31] of the decision [2018] NZEnvC 117 is corrected.

[8] The remainder of the decision is otherwise unchanged.

For the court:



J E Borthwick
Environment Judge

