BEFORE THE ENVIRONMENT COURT

Decision No. A134/2008

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of an application for an interim enforcement order under section 320 of the Act
BETWEEN	M R GUNSON
	(ENV-2008-AKL-000312)
	Applicant
AND	WAIKATO REGIONAL COUNCIL
	First Respondent
AND	THAMES-COROMANDEL DISTRICT COUNCIL
	Second Respondent
AND	WHANGAMATA MARINA SOCIETY INCORPORATED
	Third Respondent

Hearing at: Auckland on 23-24 October and 10 November 2008

Court: Principal Environment Judge R J Bollard sitting alone under section 309(2) of the Act

Counsel: J H Hunter for applicant
                J Milne for first respondent
                No appearance for second respondent (proceedings having been discontinued by applicant as regards that party)
                A S Menzies and J B Forret for third respondent

CORRIGENDUM TO DECISION

[1]   Following receipt of an email by the Court from Mr N C Kennedy, referred in turn to counsel and discussed at a judicial telephone conference on 18 December 2008, paragraph [14] is amended to read as follows:

[14]   In another affidavit in support of the application by Mr N C Kennedy, a mandated environment officer for Ngati Whanaunga Iwi, reference is made to the significance of the moko skink to Ngati Whanaunga and Hauraki Māori. Ngati Whanaunga was not an appellant in the earlier Court proceedings related to decision A173/2005, but there was an appeal by the Hauraki Māori Trust Board as a representative body for tangata whenua in the Hauraki area. I note that Ngati Whanaunga were involved in other proceedings incidental to the marina, such as the Society's application to truck a notable volume of excavated material off-site for disposal – that aspect being the subject of a separate decision (A175/2005).

[2]   Paragraph [71] is consequentially amended by inserting the words "in the main proceedings" after the word "parties" in line 8 of that paragraph.

DATED at Auckland this 22nd day of December 2008.

R J Bollard
Principal Environment Judge