

**IN THE HIGH COURT OF NEW ZEALAND  
AUCKLAND REGISTRY**

**CIV 2005-404-2214**

BETWEEN                      J B INTERNATIONAL LTD  
   Applicant  
  
AND                                AUCKLAND CITY COUNCIL  
   Respondent

Hearing:            25, 26, 27 October 2005

Counsel:            GJX McCoy, PA Joseph and S Abdale for Applicant  
                             D Kirkpatrick and B Parkinson for Respondent

Judgment:        10 April 2006

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**JUDGMENT (NO. 2) OF HEATH J**

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Solicitors:

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[1] The Auckland City Council sought an order recalling part of my judgment of 14 March 2006 on the grounds that the order quashing the bylaw was expressed too widely.

[2] My intention was only to quash that part of the bylaw that dealt with location of brothels. That was the issue argued before me.

[3] I have received a consent memorandum from counsel for both parties confirming consent to the recall of para [121]. Paragraph [121] will be recalled and amended by rewording the first sentence of that paragraph to read:

Clause 30.3 of the Brothels Bylaw is quashed.

[4] I thank counsel for drawing this issue to my attention.

[5] No order as to costs is made on the application for recall.

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P R Heath J

Delivered at 2.30pm on 10 April 2006