

IN THE SUPREME COURT OF NEW ZEALAND

SC 14/2015  
[2015] NZSC 94

BETWEEN COLIN JAMES DALLAS  
Applicant

AND WELLINGTON CITY COUNCIL  
Respondent

Court: Glazebrook, Arnold and O'Regan JJ

Counsel: P R W Chisnall and J D Haig for the Applicant  
D J Heaney QC and A K Hough for the Respondent

Judgment: 26 June 2015

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**JUDGMENT OF THE COURT**

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- A** The application for leave to appeal is granted (*Wellington City Council v Dallas* [2014] NZCA 631).
- B** The approved questions are:
- (a) Was the Court of Appeal correct to have found the applicant liable under the Fair Trading Act 1986?
  - (b) If so, should the applicant have been held liable for 50 per cent of the respondent's loss?

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**REASONS**

[1] The parties may also want to consider *Body Corporate 202254 v Taylor*.<sup>1</sup>

Solicitors:  
Macalister Mazengarb, Wellington for Applicant  
Heaney & Partners, Auckland for Respondent

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<sup>1</sup> *Body Corporate 202254 v Taylor* [2008] NZCA 317, [2009] 2 NZLR 17.