

IN THE SUPREME COURT OF NEW ZEALAND

**SC 20/2013
[2013] NZSC 46**

BETWEEN	CHUAN WU Applicant
AND	BODY CORPORATE 366611 First Respondent
AND	THETA MANAGEMENT LIMITED Second Respondent

Court: William Young and Chambers JJ

Counsel: B P Rooney for Applicant
N R W Davidson QC for Respondents

Judgment: 3 May 2013

JUDGMENT OF THE COURT

Leave to appeal and cross appeal is granted. The approved questions are:

- (a) Are the Body Corporate and Theta liable in nuisance and if so on what basis?**
 - (b) What, if any orders, are appropriate as to damages?**
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Solicitors:
James Keat, Auckland for Applicant
Clendons, Auckland for Respondents