

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

**I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKAURAU ROHE**

CIV-2019-404-2682

UNDER	the Judicial Review Procedure Act 2016
BETWEEN	AVERIL ROSEMARY NORMAN and WARWICK BRUCE NORMAN Applicants
AND	TŪPUNA MAUNGA O TĀMAKI MAKAURAU AUTHORITY First Respondent
AND	AUCKLAND COUNCIL Second Respondent

Hearing: On the papers

Appearances: R J Hollyman QC and J W H Little for the applicants
P T Beverley and S M Bisley for the first respondent
P M S McNamara and G D Palmer for the second respondent

Date of minute: 10 March 2020

MINUTE NO 2 OF PALMER J

[1] Shortly, I will issue a decision regarding the application to file the amended statement of claim. In the meantime, given the recent memoranda, I set out the position regarding the timetable:

- (a) A one-day substantive hearing is scheduled in this proceeding for Friday 20 March 2020.
- (b) As recorded in my Minute of 17 February 2020, at the call of the proceedings in the Judicial Review List on 13 February 2020, I set

down the substantive hearing for two days commencing Monday 8 June 2020. I stated:

I do **not** vacate the 20 March 2020 fixture at this point, in case it is required for an interlocutory application. Alternatively, if the parties are content for the application for leave to file the amended statement of claim to be determined on the papers, I can determine it on the basis of brief written submissions. Counsel will take instructions, confer and file a joint memorandum reflecting their positions. I ask them to do that by **1 pm Tuesday 25 February 2020**.

- (c) The parties were content for the application for leave to file the amended statement of claim to be determined on the papers. Accordingly, the 20 March 2020 fixture was vacated. I consider the timetabling orders relevant to that fixture were vacated with the fixture. I will set a new timetable in my pending decision on the application.
- (d) I made the timetabling orders regarding the application to be determined, as sought in the joint memorandum of 25 February 2020, on that day. That timetable has been fulfilled and I will issue a decision shortly.



Palmer J

Counsel/Solicitors:

R J Hollyman QC and J W H Little, Barristers, Auckland (hollyman@shortlandchambers.co.nz;
james.little@shortlandchambers.co.nz)

Duncan King Law, Auckland (andrew@dklaw.co.nz)

Buddle Findlay (Paul.beverley@buddlefindlay.com; sebastian.bisley@buddlefindlay.com)

Simpson Grierson, Auckland (Padraig.mcnamara@simpsongrierson.com;
Graeme.palmer@simpsongrierson.com)