

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

**CIV-2026- -**

**I TE KŌTI MATUA O AOTEAROA  
TE WHANGANUI-A-TARA ROHE**

**UNDER THE**

Judicial Review Procedure Act 2016 and  
Part 30 of the High Court Rules

**IN THE MATTER OF**

An application for Judicial review of an exercise of  
statutory powers under the Local Government  
Act 2002, the Resource Management Act 1991  
and the Local Government Official Information  
and Meetings Act 1987

**BETWEEN**

**COASTAL RATEPAYERS UNITED INCORPORATED**  
being a duly incorporated society

Applicant

**AND**

**THE KAPITI COAST DISTRICT COUNCIL**  
being a territorial authority under the Local  
Government Act 2002

Respondent

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**Supplementary Affidavit of Salima Padamsey**

Dated 5 May 2026

Solicitor: Mitchell Law 99 Tutere St Waikanae Beach 5036

chris@mitchelllaw.co.nz

Contact: Chris Mitchell 021 277 1033

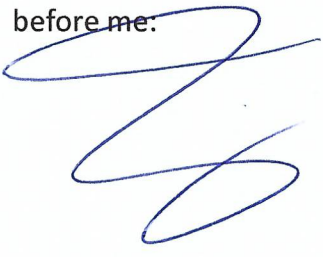
## I, Salima Padamsey of Paraparaumu swear

1. I refer to my affidavit dated 29 April 2026 filed in this proceeding (my 'first affidavit').
2. I have been asked to refer to, and provide further information on, three matters arising from my first affidavit:
3. In relation to paragraph 71 of my first affidavit, where I had said that my understanding was that the indication of the likely timing of the meeting was May 2026, there is now a written communication from the Council that says the meeting will be in May or early June. Annexed hereto and marked 'A' is a copy of an email dated 30 April 2026 from the Council's solicitor.
4. In relation to paragraph 28 of my first affidavit, the reference should be to an affidavit from Mr Dunmore, not Dr Wilkinson.
5. In relation to paragraph 44 of my first affidavit I referred to a meeting of the Council in April 2025 which adopted detailed recommendations on the process for preparing a coastal hazards plan change, I note two further aspects:
  - Appendix 3 to the adopted report (copy annexed hereto and marked as 'B') included a table describing the process which referred to the review of of the Jacobs Report and the de Lange Report by an 'appropriately qualified independent panel' which would then report to the Council, with a view to the implementation of that panel's recommendation in the coastal hazards plan change. The date of this meeting preceded the subsequent agreement between Council and CRU to appoint the 'independent panel' on a collaborative basis
  - The meeting I referred to was of the 'Strategy, Operations and Finance Committee', which is a committee of the whole Council with delegated powers on plan changes. For CRU's purposes, this Committee appears to be the decision maker.



Salima Padamsey *Salima Padamsey.*

Sworn at BAUMATI this 5<sup>TH</sup> day of May 2026

before me:  


Rosemary M. Sharp  
Solicitor  
Wellington

'A'

**From:** Sarah Wattie <Sarah.Wattie@kapiticoast.govt.nz>  
**Date:** Thursday, 30 April 2026 at 9:17 PM  
**To:** chris mitchell <chris.mitchell@mitchelllaw.co.nz>  
**Cc:** Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>  
**Subject:** Re: CRU judicial review

Kia ora Chris,

Thanks for your email. I understand that Richard Fowler KC has directly been in contact with Paul Beverley today to discuss the judicial review application. Council has not yet instructed external counsel, as we are still awaiting clarity on the specifics of CRU's application and interim orders sought. Please arrange service with Council and direct correspondence accordingly. Council will consider its position and response once the statement of claim and any application for interim relief have been received, including on the provision of appropriate undertakings.

In relation to timing for the completion and release of the panel report, Council remains open to conversations with CRU including arranging a time for CRU to brief Councillors, however, have not had a response from CRU on the options offered in early April. You will recall Council had originally proposed a CRU briefing to align with the briefing to Council's elected members. We subsequently offered a tentative date of 28 May with the option of either a briefing or extended public forum but have not had a response.

While CRU elected to withdraw from the panel process following the establishment of the independent panel and receipt of their draft report, it remains Council's intention to share the final panel report with CRU as anticipated by the panel's Terms of Reference. While a briefing is not yet scheduled, it is intended the final panel report will be shared and a briefing arranged in May or early June. I'll be able to provide further specifics once a date is confirmed.

Ngā mihi,  
Sarah

**Sarah Wattie**  
General Counsel  
Te Kaitohutohu Ture Whānui  
04 2964 724  
027 555 5724  
Kapiti Coast District Council

**This document is the exhibit marked 'A' referred to in the (annexed) affidavit of Salima Padamsey sworn/affirmed at RAUMATI this 5<sup>th</sup> day of May 2026 before me:**

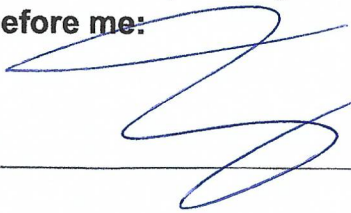
Rosemary M. Sharp  
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Wellington

**Attachment 3: proposed process for coastal hazards up to the decision to notify a coastal plan change**

Proposed phases	Background	Proposed scope of work	Proposed outputs
A: Review the science	<ul style="list-style-type: none"> <li>Council engaged Jacobs New Zealand (Jacobs) to undertake a risk, hazard and vulnerability assessments to inform the Takutai Kāpiti coastal adaptation process (the Jacobs Report).</li> <li>CRU questioned the validity of the Jacobs Report and subsequently engaged Dr Willem de Lange to prepare a report that includes information on coastal hazards (the De Lange Report).</li> <li>The Jacobs Report and the De Lange Report take use different scientific methodologies (and approaches), arriving at different conclusions about coastal erosion outcomes in Kapiti.</li> </ul>	<ul style="list-style-type: none"> <li>Review and analysis of the Jacobs Report and the De Lange Report, by an appropriately qualified independent panel<sup>1</sup>.</li> <li>Neither Jacobs nor Mr De Lange will be part of the panel or present to the panel.</li> <li>The panel may however want to interview the authors of the reports to ask questions and seek clarification on their methodology in order to come to a better understanding of the results they have generated.</li> </ul>	<ul style="list-style-type: none"> <li>An in-depth review of the two pieces of underlying coastal science that are held by Kapiti Coast District Council in order to reconcile current disagreements.</li> <li>The independent panel of scientists will provide recommendations identifying what work is needed to establish the required data to meet national direction set by central government</li> </ul>
B: Council considers / implements panel recommendations	<ul style="list-style-type: none"> <li>Based on the outcomes of Phase A (above).</li> </ul>	<ul style="list-style-type: none"> <li>Council considers the findings of the independent review panel.</li> <li>Council liaises with the independent panel of scientists to ensure that the proposed implementation actions are appropriate and addresses the findings of the panel correctly.</li> </ul>	<ul style="list-style-type: none"> <li>Development of a strategy to implement the Panel's recommendations.</li> <li>Once the strategy is confirmed, Council will carry out any further work required to establish the appropriate science to inform the plan change.</li> </ul>

<sup>1</sup> An independent expert panel is required for this phase of work to ensure the involved parties are experts in coastal science who can independently review the science before the Council to determine the most appropriate scientific methodology for determining the nature of coastal erosion on the Kapiti Coast.

This document is the exhibit marked 'B' referred to in the (annexed) affidavit of Salima Padamsey sworn/affirmed at this <sup>5<sup>th</sup></sup> day of May 2026 before me:



Rosemary M. Sharp  
Solicitor  
Wellington

B

