

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

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

CIV-2026-485-218

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

**INTERLOCUTORY APPLICATION WITHOUT NOTICE FOR INTERIM
ORDERS PROHIBITING COUNCIL PROCEEDING WITH FURTHER
CONSIDERATION OF PANEL REPORT**

Dated : 8 May 2026

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To: the Registrar of the High Court at Wellington

This document notifies you that -

1. The applicant, Coastal Ratepayers United Incorporated, applies for orders:
 - 1.1. that the respondent Council be prohibited until further order of the Court from providing copies of the Panel Report to councillors and / or proceeding with further consideration of the Panel Report referred to in the Statement of Claim. (For this purpose, the 'Panel Report is the document provided to Council officers in October 2025, now described by Council as "draft", and currently under a process of completion by the original authors);
 - 1.2. that the respondent Council be prohibited until further order of the Court from resolving or directing the inclusion of that report on LIMs of properties within the district on the grounds that:
2. The grounds on which each order is sought are:
 - 2.1. The adoption of the panel's report by the Council is or would be consequential on the exercise of the statutory powers referred to in the Statement of Claim;
 - 2.2. The adoption or consideration of the Panel's Report by the Council and / or the inclusion of it on LIMs of properties within the district may irretrievably and negatively damage the value and limit the saleability of those properties even if the applicant is successful in its judicial review challenge, and it may also affect the utility of any relief seeking that the Council change elements of the process including the panel itself; and interim orders are therefore necessary to preserve the position of the applicant and its members;

- 2.3. Any delay resulting from such interim orders will not prejudice the Council or any other parties given the time that the process has taken and is taking to this point, and the overall balance of convenience lies with the applicant;
 - 2.4. And on the grounds set out in the affidavits filed herein of Salima Padamsey and Paul Dunmore.
3. The application is made in reliance on s.15 of Judicial Review Procedure Act 2016 and the principles applicable to the making of interim orders.
4. The application is made without notice to any other party on the following grounds:
 - 4.1. That requiring the applicant to proceed on notice would cause undue delay or prejudice to the applicant;
 - 4.2. That the interests of justice require the application to be determined without serving notice of the application.
5. I certify that:
 - 5.1. The grounds set out in paragraph 4 on which the application relies are made out; and
 - 5.2. All reasonable inquiries and all reasonable steps have been made or taken to ensure that the application contains all relevant information, including any opposition or defence that might be relied on by any other party, or any facts that would support the position of any other party.

Dated: 8 May 2026



P.C. Mitchell
Solicitor for applicant