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01/07/2026

To Kapiti Coast District Council CI

Submission & Comments on Proposed Plan Change 3 (PC3) to the Operative

Kapiti Coast District Plan,

Karewarewa Urupa, Waahi Tapu – Wahanga Tahi – Wahanga Rua.

Submitter: Laurence Bruce Petherick (Laurie). 26 Major Durie Place, Waikanae 5036.
Address for service: rlpetherick@extra.co.nz.

Note: this submission is also made on behalf of the following Waikanae residents, all of whom wish their addresses to be withheld from being publicly available.

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Che Ray, 11 Te Ropata Place, Waikanae Beach, 5036.
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(Note, Mr. Ray was an objector in his own right for the PC3 hearing, but asked that I include him in this submission).

1. Preliminary

1.1 No Party named in this submission will gain an advantage in trade competition through this submission.

1.2 This brief report is made as a result of the KCDC Planning Hearing in front of the three Panel members on 2nd & 4th June 2026, & the subsequent documentation provided to me by KCDC on Monday 29th June.

1.3 I wish to record that as I was in Wellington on Monday the 29th June at a dental appointment, I did not receive the KCDC report until arriving home mid afternoon and as a result have had minimal time to research and provide a meaningful response as requested by 4pm on Wednesday 1st July!

2. Brief background of my involvement:

2.1 I must reiterate that I am a retired Professional Civil Engineer and Urban Public Valuer. I have appeared at this Planning Hearing as a local resident/ratepayer, having no fiduciary association with the Waikanae Land Co (WLC) or any other property within the “**20 acre block**”, or any family relationship with any current owner. The end resolution of this Hearing will have absolutely no effect on our own personal property.

2.2 I also advise that I have personally received no payment from any party for my ongoing involvement with my objections and submissions for both the PC2 & PC3 Hearings.

2.3 In my submissions to the PC3 Panel Hearing, I made it quite clear of my concerns regarding the lack of communication and accountability regarding the local residents and the 39 affected property owners in the Wahanga Rua developed subdivision area. Since the Panel Hearing, I have checked with owners affected listed above and can confirm that there has been no Council communication with any of them since the first letter box drop of an 80 odd page complex report to just the 39 affected properties over 4 years ago. There has definitely been no communication with any of the 39 residents (apart from direct submitters) regarding the PC2 and PC3 hearings. The local neighbourhood & general public have been kept completely in the dark as well, on what I believe is matter of significant importance!

2.4 I must record here that all the listed owners above located in the Wahanga Rua zone are totally shocked with what has transpired.

2.5 I note that in the KCDC Strategy, Operations & Finance Committee Meeting Agenda dated 12 Sept 2024, Clause 42 schedules “*Step 1:Public Notification: The Council Staff will prepare & publish a public notice of PC3 setting out how submissions can be made, & the closing date for submission*”. The recommended date was to be on 18 Sept 2024. The only public advertisement I ever saw was just a couple of days before Xmas in the Kapiti News picked up from the local dairy with minimal information! No other Resident in the Wahanga Rua subdivision area that I have spoken to has any recollection of seeing the Kapiti News advertisement, or received any communications from Council.

2.6 As a result, I personally became the only objector/submitter with not one of the owners that I have listed above being aware of the proposed Hearings until I advised them and asked if they wanted their names included. In my opinion, this is why there has been a total lack of apparent interest by owners within the Wahanga Rua subdivision or general Kapiti ratepayers

2.7 The recent purchasers of 5 and 7 Marewa Place have voiced their concern that no information of the proposed Urupa Zoning and the potential future detrimental effects that could result was provided or passed on to them at the time of purchase!

3. General Comments:

3.1 The Panel has been provided with volumes of reports, opinions and comments, many of them vexatious and exaggerated such as CI 15 of the KCDC Strategy, Operations & Finance Committee Meeting Agenda dated 12 Sept 2024, which stated *“Karewarewa Urupa is a place of significant spiritual & cultural value to tangata whenua. In 1839, the historical battle of Kuititanga occurred in the Waikanae District and many of those who died in this battle were buried at the Urupa”*.

In fact, there is not only doubt as to the exact location of the former so called Urupa but to date, apart from the few visible tombstones that were relocated, no physical evidence of any warriors have been found in spite of large areas of earthworks and underground services having been carried out on the most likely level areas of the original 20 acres. This is an example of vexatious opinions by IWI claimants (that needs clarification), Council staff and other submitters. The only burial discovered in 2000 was of 9 bodies of men, women & children without any warlike implements!

3.2 Prior to the mid 1960's, Waikanae Beach residential area was bounded at its southern end by Waimea Rd which extended from Te Moana Rd down to the beach carpark, with the Waikanae Beach Motor Camp being located on its southern side behind the sand dunes & adjacent to the Waimea Lagoon. The land which is the subject 20 acre former **“Māori Cemetery”** block, was just a rolling scrub covered sand dune grazing paddock with no neighboring residential development

Residential development started to spread south along the coastal sand dune from Waimea Rd from the mid 1960's, with the Waikanae Land Co's involvement including the dredging out of the Waimanu Lagoons, and residential subdivision proceeding after 1970 following purchase of other Māori Land as well as the **“Māori Cemetery”**.

3.3 The current situation is therefore that approximately half of the former **“Maori Cemetery”** is vacant other than for the extensive land contouring and roading earthworks that have been carried out along with the construction of all underground services. Of major interest is that the underground construction work on both the Wahanga Rua & Wahanga Tahi areas has been significant with no evidence of any burials until the yr 2000 discovery.

A further approx. 7500 sq.m. of land in the northwest corner was given to KCDC for Reserve contribution and is in a well-maintained grass & stream parkland.

3.4 The small area of land on the southeastern corner of the subdivision

provides access to a private area of land outside the general 20 acre block, with a proposed subdivision plan having been recently submitted to Council for 5 residential sections, approximately one third of the area being inside the 20-acre block with the balance being outside of the block. This subdivision has not been approved as it is also subject to the Urupa Zoning. No evidence of any Maori use, middens or burials has been found in this small area.

3.5 It is assumed that the Panel have had access to and have perused all the documentation and evidence provided for the RC2 application and Court Hearing

3.6 .Clause 50 of Councils response to the Panel states “*Wāhanga Tahi applies to WTSx1 because that part of the site is primarily an urupā that is largely unoccupied and undeveloped, with a high risk that land disturbance will encounter kōiwi*”.

This is incorrect as major earthworks have been undertaken on the block including the depositing and spreading of a large portion of approx 450,000 cu.m. of excavated material from the lagoon development, levelling of paddock undulations, formation of proposed new roads, and installation of significant underground sewerage, stormwater, power & telephone. Only one area of burial of the 9 corpses has been found in the Wahanga Tahi area and no burials were discovered in the large developed Wahanga Rua area.

3.7 Cause 46 of Councils response to the Panel states “*while Wāhanga Rua recognised those parts of the site that had already been developed and modified, but which nevertheless continued to warrant protection from inappropriate subdivision, use and development.*”

It is totally unacceptable for the 39 developed sections to be rezoned Urupa as there is absolutely no retention of any so-called “*cultural values*” within the subdivided and developed area and any rezoning will demand restrictive development standards on the sections

3.8 There is some confusion as to the southernmost boundary of the 20 acre block with plans and aerial photos in the many documents showing a variation of the boundary affecting 27 & 29 Barrett Drive & properties in Te Ropata Place. Not that this matters other than if the restrictive zonings continue.

3.9 All of the reports for the Urupa rezoning refer to restricting activities in the Wahanga Tahi area that affect “*cultural, spiritual, historical archaeological, & heritage values.*”

Following the purchase of the former “**Maori Cemetery**” and its rezoning back to Residential, nothing of significance has occurred apart from the discovery of the 9 skeletons in 2000. No record of any historical battles or buried warriors have been found or linked to the site. The three tombstones were relocated and in accordance with the agreement of Mrs Kauri at the Council hearing in 1970, any skeletons found would be excavated and reinterred at a suitable location!

It is extremely difficult to understand how and why any suggested cultural, spiritual, historical, archaeological & heritage values remain in relation to any of the original 20 acre block! Sadly this is all fictional in most people’s minds.

3.10 Although the Council have rezoned the total 20acre Block as Urupa, the underlying zoning of residential suggests that with certain restrictive covenants and agreement with Maori interests, some residential development may be possible. Apart from Maori interests suggesting that this would be unlikely by statement and inference, clear statements have been recorded that no significant ground disturbance in both the Rua & Tahi areas would be permitted apart from boundary fencing. I refer you once again to the Councils statement from Alan Brunton on 2 April 2024 via email" *I just had another read at the bottom of the rules, The non complying "red" section. Often I forget to do this. It seems new buildings are non-complying in the "Wahanga Tahi" area. Rule SASM R18. So they are not permitted"*

3.11 It is now a recorded fact that all residential development in the Waikanae Beach area on low lying land must be piled to a significant depth and this would apply to all of the 20 acre Urupa block. Evidence of this is recorded in a recent residential development on 187 Tutere St where a late 1960's house on shallow concrete piles was removed and a new concrete floor house constructed on 330 deep timber driven piles. A further early 1970's concrete floored house on 41 Queens Rd has been demolished and a new house is being currently constructed on approximately 110 deep timber driven piles. These foundation requirements will be required on any future residences built on any of the Rua & Tahi areas of the 20 acre block for subsoil densification & resisting subsoil liquefaction in major earthquakes! Photos of these two piled foundations are attached to this report. This would automatically prohibit any new residential development on both the Rua & Tahi areas of the subdivision in the future if rezoned Urupa as no subsoil piling penetration will be permitted in either the Tahi or Rua zones (other than for fencing).

3.12 At the Panel hearing, I believe Council was asked whether there had been any economic report prepared on the effects of the rezoning and if Council had undertaken any valuation of the land. Sadly I believe that the answer was no to the two questions. I presented a suggestion that the land value of the Tahi area as partially developed residential land would be in the range of \$10 million to \$15 million dollars and to date no comment has been made by Council that I am aware of. The question then must remain as to who is going to be responsible for the long-term management & maintenance of the Tahi area and who will compensate WLC for the huge loss of value? The Tahi block is now surrounded by neatly developed residential subdivisions, not just a scrubby farm paddock in the middle of nowhere. There is already serious issues with lack of maintenance and since 2000 scrub, noxious weeds and vermin are causing problems being in the middle of a developed residential area.

4. Recommendations & Conclusions:

4.1 The rezoning of the 20 acre block from "Maori Cemetery" to residential in 1970 has meant that all subsequent owners have been provided with indefeasible titles and this includes the 39 established residential owners in the

now Wahanga Rua zoned area. It is our belief that any changes to this zoning must be in accordance with a Court of Law decision and not just in accordance with the whims of local IWI and the KCDC.

The PC2 Court hearing turned down the Councils application, albeit on a particular aspect of the Councils approach. It is our belief and concern that another Court hearing on the current rezoning would similarly reject it, but at huge cost to the residents, WLC and the Council!

4.2 In conclusion it is the belief of the Wahanga Rua property owners that I have spoken to and for the betterment of the Kapiti community, that the Urupa zoning for the subdivisible portion of the 20 acre block be annulled and revert back to Residential similar to the rest of the general Waikanae Beach area as follows:

4.2.1 The 5 section subdivision application that has been applied for the small block of land to the south of Barrett drive should be approved .

4.2.2 The balance of the partially developed main subdivision to be completed

4.2.3 The 39 residential properties in the Wahanga Rua area to be rezoned back to normal residential

4.2.4 The approx. 7,500m² triangle of reserve land at the northern end of the block, formally the WLC Reserve Contribution land, be zoned Urupa (or Cemetery Reserve as at KCDC's Arapawaiti Reserve) for reburial of any further remains discovered within the Wahanga Tahi area of the subject block.

Laurie Petherick.
01/07/2006



1 August 1942



17 April 1952



15 April 1966



29 October 1973



20 November 1987



20 February 1991

41 Queens Road



187 Tutere Street

