

5 September 2025

Email: referral@fasttrack.govt.nz

The Ministry for the Environment
PO Box 1036
Wellington 6143

By Email

Attention: Ilana Miller

Dear Ilana

BEACHGROVE KAIAPOI EXPANSION PROJECT - RESPONSE TO REQUEST FOR INFORMATION

1. Thank you for your Request for Further Information (**RFI**) on the application for referral of the Beachgrove Kaiapoi Expansion Project under the Fast-track Approvals Act 2024, received 14 August 2025.
2. In your RFI you request that Momentum Land Limited (**Momentum / Applicant**):

Please provide copies of the Records of Title for the project area and confirmation on whether any interests/instruments on these titles would affect the applicant's ability to undertake the works.
3. Our response to both parts of the RFI is set out below.

Records of Title

4. The Records of Title for the project area are filed with this letter at **Appendix A**.
5. The Records of Title contained in Appendix A are those referred to at section 2.2.2 of the Beachgrove Kaiapoi Expansion Project referral application.

Confirmation on whether any interests/instruments on the Titles would affect the Applicant's ability to undertake the works

6. The interests/instruments on the Records of Title for the project are filed with this letter at **Appendix B**.
7. Each interest/instrument is discussed below together with comment on whether they would affect the Applicant's ability to undertake the works.
8. In summary we confirm that the interests/instruments on the Records of Title for the project do not affect the Applicant's ability to undertake the works required for the project.

Lot 3005 DP 342273, RoT 173812

9. This parcel is subject to the Reserves Act 1977 and comprises the existing Moorcroft Stormwater Reserve and wastewater pump station (Local Purpose (Utilities) Reserve, Waimakariri District Council), which is proposed to be partially revoked and new land vested as illustrated in Figure 1. We confirm that this will not affect the Applicant's ability to undertake the works.



Figure 1: Proposed changes to Moorcroft utility reserve

Lot 703 DP 586745, RoT 1114361

10. This parcel is:
 - 10.1. subject to the Reserves Act 1977 and comprises the eastern portion of the existing McIntosh Drain (Local Purpose (Utilities) Reserve, Waimakariri District Council). We confirm that this will not affect the Applicant's ability to undertake the works;
 - 10.2. subject to Land Covenants under s116(1)(a) or (b) Land Transfer Act 2017, including Land Covenants 11782584.11, 12196470.12, 12302701.9, 12392817.6, 12431755.6, 12489270.2. These instruments, being all the same, outline the design and land use regulations for development on the affected land. The covenants are industry standard and reasonable for a subdivision of this nature. We confirm that these will not affect the Applicant's ability to undertake the works;
 - 10.3. subject to a Variation of Land Covenant 11782584.11. This variation adds a new clause whereby the covenants in the instrument will immediately cease to apply to any Land (or part thereof) which is intended to vest in the Crown or any territorial authority as road or reserve. We confirm that this will not affect the Applicant's ability to undertake the works; and
 - 10.4. subject to a Fencing Covenant in Transfer 10964405.1. We confirm that this will not affect the Applicant's ability to undertake the works.

Lot 603 DP 586745, RoT 1114363

11. This parcel is:
 - 11.1. subject to the Reserves Act 1977 and comprises the western portion of the existing McIntosh Drain (Local Purpose (Utilities) Reserve, Waimakariri District Council). The northern extent may need to be modified to align with the proposed drain realignment, however, we confirm that this is not something that will affect the Applicant's ability to undertake the works;
 - 11.2. subject to Land Covenants under s116(1)(a) or (b) Land Transfer Act 2017, including Land Covenants 11782584.11, 12196470.12, 12302701.9, 12392817.6, 12431755.6, 12489270.2. These instruments, being all the same, outline the design and land use regulations for development on the affected

land. The covenants are industry standard and reasonable for a subdivision of this nature. We confirm that these will not affect the Applicant's ability to undertake the works; and

- 11.3. subject to a Variation of Land Covenant 11782584.11. This variation adds a new clause whereby the covenants in the instrument will immediately cease to apply to any Land (or part thereof) which is intended to vest in the Crown or any territorial authority as road or reserve. We confirm that this will not affect the Applicant's ability to undertake the works.

Lot 1 DP 586745, RoT 1114362

12. This parcel is:

- 12.1. subject to Land Covenants under s116(1)(a) or (b) Land Transfer Act 2017, including Land Covenants 11782584.11, 12196470.12, 12302701.9, 12392817.6, 12431755.6, 12489270.2. These instruments, being all the same, outline the design and land use regulations for development on the affected land. The covenants are industry standard and reasonable for a subdivision of this nature. We confirm that these will not affect the Applicant's ability to undertake the works; and
- 12.2. subject to a Variation of Land Covenant 11782584.11. This variation adds a new clause whereby the covenants in the instrument will immediately cease to apply to any Land (or part thereof) which is intended to vest in the Crown or any territorial authority as road or reserve. We confirm that this will not affect the Applicant's ability to undertake the works.

Lot 5 DP 313322, RoT 52445

13. This parcel is:

- 13.1. subject to a caveat in favour of Momentum's interest in the land. We confirm that this will not affect the Applicant's ability to undertake the works; and
- 13.2. subject to a Consent Notice recording the need to provide a water supply, effluent disposal and vehicle access before erecting a house on the lot. We confirm that this notice will be cancelled and does not affect the Applicant's ability to undertake the works.

14. In addition, a portion of the paper road adjacent to this parcel is proposed to be stopped as shown in Figure 2 below. This will be described in the substantive consent application as requiring / being subject to a separate road stopping process under either the Local Government Act or Public Works Act. We confirm that this will not affect the Applicant's ability to undertake the works.



Figure 2: Proposed partial road-stopping

Lot 2 DP 4532, RoT 52446

15. This parcel is:

- 15.1. subject to a caveat in favour of Momentum's interest in the land. We confirm that this will not affect the Applicant's ability to undertake the works;
- 15.2. subject to an Encumbrance to Waimakariri District Council (30259). We are not able to decipher this instrument enough to understand its terms beyond its overall purpose of securing a sum of money for the installation of a drain. Given its age, the encumbrance is redundant and we anticipate that it will be removed by agreement with the Waimakariri District Council by way of a title correction or a full surrender of the encumbrance. We confirm that this will not affect the Applicant's ability to undertake the works; and
- 15.3. subject to an Encumbrance to Waimakariri District Council (5424284.1). This covenant was registered in favour of the Council to ensure performance of obligations under RC 025226, specifically the requirement of the landowner to provide a water supply, effluent disposal and vehicle access before erecting a house on the lot. We confirm that this will not affect the Applicant's ability to undertake the works.

Lot 1 DP 5010, RoT CB33F/507

16. This parcel is:

- 16.1. subject to a caveat in favour of Momentum's interest in the land. We confirm that this will not affect the Applicant's ability to undertake the works; and
- 16.2. subject to the same Encumbrance to Waimakariri District Council (30259) as discussed above. We confirm that this will not affect the Applicant's ability to undertake the works.

Lot 2 DP 83191, RoT CB48A/608

17. This parcel is subject to a caveat in favour of Momentum's interest in the land. We confirm that this will not affect the Applicant's ability to undertake the works.

Conclusion

18. In summary we confirm that the interests/instruments registered on the Records of Title contained in Appendix A that comprise the project area do not affect the Applicant's ability to undertake the works proposed for the Beachgrove Kaiapoi Expansion Project.


Yours faithfully

SAUNDERS & CO



Chris Fowler

Partner

Email: 

Ref: 126526/9 -7764422