

Conservation covenants for non-heritage properties

That the proposed policy for conservation covenants on non-heritage properties (detailed below) be adopted.

1. The Council acknowledges that some Christchurch buildings, places and objects have community and heritage values that deserve to be recognised through the provision of conservation covenants.
2. That the Council shall enter into conservation covenants which will conserve the significant community values of a property where these are consistent with one or more of the heritage criteria identified in the Christchurch City Plan.
3. The conservation covenants shall be prepared under S77 of the Reserves Act 1977 or as restrictive covenants on terms and conditions approved by the Legal Services Unit, at the Council's cost.

It was further resolved that, for the avoidance of doubt, the following be added to the policy:

1. That each party shall pay their own solicitor's costs of and incidental to the preparation of this memorandum, and
2. The landowner shall pay the Council's costs (as between solicitor and client) of and incidental to the enforcement or attempted enforcement of the Council's rights, remedies and powers under the memorandum and shall indemnify the Council against all claims and proceedings arising out of a breach by the landowner of any of its obligations set out in the memorandum.

Council
27 June 2002