

The changes of the Panel to ensure clarity and certainty of provisions, and consistency with the Panel's drafting style, were not shown by the Panel in Decision 43. The Council has undertaken a compare of the Decision 43 text with the decision text of the relevant chapter to identify these changes. The changes are identified through red underlined text for additions and ~~red strikethrough text~~ for deletions.

Chapter 21.2 Specific Purpose (Cemetery) Zone

— Central City decision version 20.9.16

The notified proposal is amended by our decision as follows.

Text that is highlighted **grey** indicates text from earlier decisions and is not the subject of this decision. Greyed out text incorporates requests for minor corrections for which a decision has been issued.

Where the Decision text from earlier decisions is the same as, or equivalent to, a Central City Specific Purpose (Cemetery) Zone provision it is shown in black text.

Text in **blue** is the decision text for the Central City proposal only.

Please note, to ensure clarity and certainty of provisions, and consistency with the Plan's drafting style, a number of changes have been made to our earlier decisions. These changes are not identified as it has not been practical to do so.

21.2 Specific Purpose (Cemetery) Zone

21.2.1 Introduction

This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

This chapter relates to activities that may occur in the Specific Purpose (Cemetery) Zone. Objectives, policies, rules, standards and assessment criteria provide for activities in this zone.

The Specific Purpose (Cemetery) Zone applies to cemeteries and crematoria across Christchurch City. It seeks to enable cremation and interment services and, where appropriate, recognise, protect and enhance the cultural heritage, ecological, landscape and spiritual/religious values of cemeteries and crematoria in the zone.

21.2.2 Objectives and policies

21.2.2.1 Objective – Cemeteries and crematoria

- a. Cemeteries and crematoria are provided in the Specific Purpose (Cemetery) Zone to enable cremation and interment services to meet the community's needs, other than in the closed Barbadoes Street Cemetery.

21.2.2.1.1 Policy – Provision of cremation and interment services

- a. The provision of cremation in a crematorium, interment and disinterment services, and its associated activities, shall ensure that risks and actual or potential adverse effects to people, property and the natural environment are minimised.
- b. Cremation and interment are not provided for in the Barbadoes Street Cemetery.

21.2.2.2 Objective – Natural and cultural heritage

- a. The cultural heritage, ecological, landscape, spiritual and religious values of cemeteries and crematoria are, where appropriate, recognised, protected, enhanced and/or conserved.

21.2.2.2.1 Policy – Natural and cultural heritage

- a. The protection, enhancement and/or conservation of the cultural heritage, ecological, landscape, spiritual and religious values of cemeteries and crematoria shall be, where appropriate, recognised, promoted and/or conserved in the development, operation and management of cemeteries.

21.2.2.3 Objective – Passive cemetery activities

- a. Cemeteries and crematoria are developed and managed to provide for passive cemetery activities in the City.

21.2.2.3.1 Policy – Compatibility

- a. The location, design, bulk and scale of buildings shall be compatible with the size and purpose of the activity.
- b. Any passive cemetery activities and its associated structures are secondary to the primary purpose of interment or conservation in the case of the Barbadoes Street Cemetery.

21.2.3 How to interpret and apply use the rules

- a. The rules that apply to activities in the Specific Purpose (Cemetery) Zone and that involve the use of the cemeteries and crematoria listed in Appendices [21.2.7.1](#) and [12.2.7.2](#), and shown on the planning maps, are contained in the activity status tables (including activity specific standards) in Rule [21.2.4](#) and the built form standards in Rule [21.2.5](#).
- b. The activity status tables and standards in the following chapters also apply to activities in ~~all areas of~~ the Specific Purpose (Cemetery) Zone (~~where relevant~~) :

~~4~~—Papakāinga

~~5~~ Natural Hazards;

~~6~~ General Rules and Procedures;

~~7~~ Transport;

~~8~~ Subdivision, Development and Earthworks;

~~9~~ Natural and Cultural Heritage;

~~11~~ Utilities, **and** Energy **and Infrastructure**;

~~12~~ Hazardous Substances and Contaminated Land;

~~14~~—Residential

~~17~~—Rural

~~18~~—Open Space

Notes:

- A. Cemeteries are included in the Ministry for the Environment’s Hazardous Activities and Industries List (HAIL). All listed cemeteries will be managed to ensure that they comply with the requirements of the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- B. Activities should be undertaken in accordance with the Christchurch City Council Cemeteries Handbook (June 2013), relevant Cemetery Development Plans [and Conservation Plans](#), and the Christchurch City Council Cemeteries Master Plan (June 2013).

C. Maintenance and repair works on headstones and other structures in the Barbadoes Street Cemetery should be undertaken in accordance with the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value and Conserving Our Cemeteries, 2003, by the National Trust of Australia (Victoria).

- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

21.2.4 Rules – Specific Purpose (Cemetery) Zone

21.2.4.1 Activity status tables

21.2.4.1.1 Permitted activities

The activities listed below are permitted activities **in the Specific Purpose (Cemetery) Zone** if they **comply with all relevant meet any** activity specific standards set out in this table **and the built form standards in Rule 21.2.5**

Activities may also be **controlled**, restricted discretionary, **discretionary or** non-complying **or prohibited** as specified in Rules **21.2.4.1.2** and **21.2.4.1.3**.

Activity	Activity specific standards
P1 Cremation, burial or interments, disinterments and burial plots, except in the Barbadoes Street Cemetery.	<p>a. Compliance with the built form standards at Rule 21.2.5(b) and (c).</p> <p>b. Cremation shall occur only within a crematorium.</p>
P2 Installation, repair and maintenance, and/or removal of monuments, vaults or mausolea, except in closed cemeteries listed in Appendix 21.2.6.2. In the Barbadoes Street Cemetery maintenance and repair works on headstones and other structures	<p>a. Rule 21.2.5(a) to (d).</p>
P3 Installation of temporary markers.	<p>a. Temporary markers shall have a duration of only one year, excluding plot markers which are flush or below ground level.</p>
P4 Any single building, except for cemeteries and crematoria listed in Appendix 9.3.6.1 Schedules of Significant Historic Heritage Places.	<p>a. Compliance with the built form standards at Rule 21.2.5 (a), (b) and (d).</p> <p>b. Any single building shall not exceed 200m² gross floor area.</p> <p>c. Closed cemeteries listed in Appendix 21.2.7.2 – Any single building shall not exceed 40m² gross floor area, except that one residential unit that does not exceed 150m² gross floor area may be erected on any one site for management or custodial purposes.</p>

Activity	Activity specific standards
P5 General maintenance, including: <ul style="list-style-type: none"> a. top dressing of graves; b. mowing, fertilising, aeration etc of lawn areas; c. shrub planting of existing planted areas; d. pruning of trees; e. removal of planting areas (including native and exotic species), except for cemeteries listed in Appendix 9.3.6.1 Schedules of Significant Historic Heritage Places; f. removal of plants on graves (including native and exotic species); and g. removal of trees, except for those cemeteries listed in Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places. 	a. Nil.
P6 Planting of new (native or exotic) trees and shrubs; or the establishment of new lawn areas, except for cemeteries listed in Appendix 9.3.6.1 Schedules of Significant Historic Heritage Places.	a. Nil.
P7 Graveyard spiritual services.	a. Nil.

~~21.2.2.2.2 Controlled activities~~

~~The activities listed below are controlled activities.~~

~~There are no controlled activities.~~

21.2.4.1.2 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 21.2.6, as set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
RD1 Any activity listed in Rule <u>21.2.4.1.1 P1 to P4</u> that does not comply with one or more of the built form standards listed under the activity specific standards for activities P1, P2, P3 and P4.	a. Street scene – <u>21.2.6.1.</u> b. Height, separation from neighbours and daylight recession planes – <u>21.2.6.2.</u>
RD2 Any work on monuments, vaults or mausolea in the Akaroa French Cemetery and Mount Magdala Cemetery listed in Appendix <u>21.2.7.2.</u>	a. Street scene – <u>21.2.6.1.</u> b. Height, separation from neighbours and daylight recession planes – <u>21.2.6.2.</u> Note: This activity should align with the appropriate Cemetery Conservation Plan and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value.

~~21.2.2.2.4 Discretionary activities~~

~~The activities listed below are discretionary activities.~~

~~There are no discretionary activities.~~

21.2.4.1.3 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any activity not provided for as a permitted or restricted discretionary activity.
NC2	<p>a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity):</p> <ul style="list-style-type: none">i. Within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.ii. Within 5 metres of the centre line of a 33kV electricity distribution line or the 11kV Heathcote to Lyttelton electricity distribution line or within 5 metres of a foundation of an associated support structure. <p>b. Fences within 5 metres of a 66kV, 33kV and 11kV Heathcote to Lyttelton electricity distribution line support structure foundation.</p> <p>Any application made in relation to arising from this rule shall not be publicly notified or limited notified other than only to Orion New Zealand Limited <u>or other electricity distribution network operator (absent its written approval)</u>.</p> <p>Notes:</p> <ul style="list-style-type: none">1. The 66kV, 33kV and the 11kV Heathcote to Lyttelton electricity distribution lines are shown on the planning maps.2. Vegetation to be planted around the electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to electricity distribution line. Buildings and activities in the vicinity of electricity distribution lines must comply with the NZECP 34:2001.

~~21.2.2.2.6 Prohibited activities~~

~~The activities listed below are prohibited activities.~~

~~There are no prohibited activities.~~

21.2.5 Built form standards

The following built form standards shall be met by the relevant permitted activities.

	Built form standard	Standard
a.	Maximum height of any building	a. 8 metres b. 5 metres (closed cemeteries – Appendix 21.2.7.2)
b.	Minimum building setback	a. 5 meters from a road boundary b. 20 metres from the boundary with any zone other than a Transport Zone
c.	Minimum setback for concrete beams and burial plots from internal boundaries	a. 10 metres.
d.	Daylight recession planes	a. Buildings shall not project beyond a building envelope constructed by recession planes, as shown in Appendix 14.14.2, from points 2.3 metres above internal boundaries adjoining a residential zone. Note: 1. There is no recession plane requirement for the Specific Purpose (Cemetery) Zone unless it adjoins a residential zone. 2. The level of site boundaries shall be measured from filled ground level except where the site on the other side of the internal boundary is at a lower level, then that lower level shall be adopted.

21.2.6 Matters of discretion

21.2.6.1 Street scene

- a. Whether any reduction in setback would enable greater protection or retention of natural or heritage values within the site as a whole.
- b. Any proposed landscaping of buildings or structures which may reduce the visual impact of a reduction in setback.
- c. Any adverse visual or heritage impacts within the special purpose area itself and its value to the public, or on its natural character.

21.2.6.2 Height, separation from neighbours and daylight recession planes

- a. Any adverse effect of building height on adjacent residences or residential zones, particularly in terms of overshadowing.

- b. The visual impact of the scale of the structure and its appropriateness having regard to the purpose of the special area.
- c. Any landscaping provided to reduce the visual impact of the building as seen from the street or adjoining residences.

21.2.7 Appendices

21.2.7.1 List of cemeteries and crematoria

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
1	Akaroa Anglican Cemetery (see also Appendix 9.4.5.1 Significant Trees Schedule)	135 Beach Road 145 Beach Road	Akaroa	RES 2546 (SO 2619) RES 56 (SO 2619)	0.6272 1.2140	77, R5
2	Akaroa Catholic Cemetery	1 Akaroa Cemetery Road	Akaroa	RES 116 (SO 2619)	0.8093	77, R5
3	Akaroa Dissenters Cemetery	3 Akaroa Cemetery Road	Akaroa	RES 4997 (SO 9483)	0.4944	77, R5
4	Avonhead Cemetery	140 Hawthornden Road	Avonhead	Lot 3 DP 26791 Lot 1 DP 354923	5.53 1.5787	23/30
5	Belfast Cemetery	15 Guthries Road	Belfast	RS 42108 (SO 16519) Lot 1 DP 465652 Lot 2 DP 465652 Lot 3 DP 465652	2.0234 1.8574 3.1198 4.0967	12
6	Bromley Cemetery	429 Linwood Avenue	Bromley	Lot 1 DP 8825	10.4485	40
7	Diamond Harbour Cemetery	2D Waipapa Avenue	Diamond Harbour	Lot 11 DP 304811	1.1805	59
8	Duvauchelle Cemetery	6267 Christchurch Akaroa Road	Duvauchelle	RES 3038 (SO 5725) Pt RES 4877 (SO 5725)	0.8701 0.4036	70, R5
9	Harewood Memorial Gardens and Crematorium (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	509 Johns Road	Belfast	Lot 13 DP 438426 Sec 65 (SO 460822)	3.5295 0.9989	18
10	Kaituna Valley Cemetery	399 Kaituna Valley Road	Motukarara	Lot 2 DP 10339 CT 443/203	0.0938	R3
11	Le Bons Bay Cemetery	27 Le Bons Bay Cemetery Road	Le Bons Bay	RES 800 (SO 2903)	2.5571	72, R5

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
12	Linwood Cemetery	25 Butterfield Avenue	Bromley	Pt Lot 1 DP 8756 CT 414/6 Sec 2 SO 18385 CT 34D/572	6.4933 1.3120	33/40
13	Little Akaloa Cemetery	1236 Chorlton Road 1238 Chorlton Road	Okains Bay	Res 4936 Canterbury Dist Res 4949 Canterbury Dist	.2023 .2410	66/R2
14	Little River Cemetery	30 Upper Church Road	Little River	RES 3023 (SO 4409)	0.8094	69
15	Lyttelton Anglican Cemetery	87 Oxford Street	Lyttelton	Lot 1 DP 11713 CT 464/288	1.2993	52, R1
16	Lyttelton Catholic and Public Cemetery	56 Reserve Terrace 58 Reserve Terrace 60 Reserve Terrace	Lyttelton	RES 46 (BM 292) CT 468/107 Pt RES 45 (BM 292) CT 468/107 Pt RES 45 (BM292) CT 420/16 Lot 43 DP 9983 Lot 33 DP 9983	0.4046 0.2023 0.2023 0.0212 0.1012	52, R1
17	Memorial Park Cemetery	31 Ruru Road	Bromley	Pt RS 10269 (BM 318) CT 396/179 Pt RS 4075 (A 10266) CT 31F/440 RS 40281 (SO 11666) CT 12F/164 Pt RS 7469 (LT 46003 BM 318)	6.4749 4.9043 0.8814 0.0320	33
18	Okains Bay Cemetery	11 Chorlton Road	Okains Bay	RES 148 (SO 3091) CT 91/186	2.0234	68, R5
19	Pigeon Bay Cemetery	100 Wilsons Road	Pigeon Bay	RES 624 (SO 2187)	0.8093	R4
20	Ruru Lawn Cemetery	63 Ruru Road	Bromley	Pt Lot 1 DP 10009 CT 420/197 Lot 3 DP 69736 CT 40C/538	15.3879 0.1111	33/40
21	Sydenham Cemetery	34 Roker Street	Spreydon	Pt RS 154 (A 9187) CT 23F/695 Pt RS 154 (BM 313) CT 591/38	6.4218 0.1950	45/46
22	Waimairi Cemetery	195A Grahams Road	Burnside	Lot 314 DP 22922 CT 3A/784 RES 3740 (SO 4809) CT 245/239	1.6936 3.0756	23/24
23	Wainui Cemetery	43 Cemetery Road	Wainui	RS 41892 (SO 16324)	1.0627	75, R4

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
24	Woodlawn Memorial Gardens and Crematorium (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	447 Linwood Avenue	Bromley	Lot 1 DP 10841 CT 11K/1006 Lot 1 DP 11544 CT 11K/1006 Lot 1 DP 29651 CT 11K/1006 Lot 2 DP 29651 CT 43C/913 Lot 2 DP 75853 CT 43C/913 Lot 1 DP 2138 CT 224/74 Pt RS 1146 (BM 318) CT 237/72 Lot 2 DP 55031	0.2982 0.4062 0.0903 0.4535 0.1886 1.7452 1.9298 0.9629	40
25	Yaldhurst Cemetery	272 West Coast Road	Yaldhurst	RES 2538 (SO 5750)	4.0696	28/29

21.2.7.2 List of closed cemeteries

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
1	Akaroa French Cemetery	7 Rue Pompallier	Akaroa	Pt RES 108 (BM 289)	0.1012	77, R5
2	Addington Cemetery (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	410 Selwyn Street 410R Selwyn Street	Addington	Pt Rs 66, CT 380/104 Lot 11, DP 427192	2.0234 0.0156	38 38
3	Barbadoes Street Cemetery (see also Appendix 9.3.6.1.3 Significant Historic Heritage Places - Central City).	391 Barbadoes Street 389 Barbadoes Street 384 Barbadoes Street/357 Cambridge Terrace.	Central City	RES 42 (BM 273) RES 43 (BM 273) Pt RES 20 (BM 273) CT 518/291	0.4046 0.4046 2.2611	32
4	Mount Magdala Cemetery of the Good Shepherd Sisters	54 Aidanfield Drive	Oaklands	Lot 323 DP 423266 CT 490510	0.2958	44
5	Rutherford (Woolston) Cemetery (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	76 Rutherford Street	Woolston	Pt RS 14 (BM 312) CT 378/269 Pt Lot 1 DP 9422 CT 26K/1118	1.1432 0.0467	40