

DISTRICT PLAN TEXT AMENDMENTS

KEY:

1. Text Amendments as Notified by Council and included in Proposed Plan Change 14

Text in **bold red underlined** is that from Schedule 3A of the Resource Management Act and must be included.

For the purposes of this plan change any unchanged text is shown as normal text or in bold, any text proposed to be added by the plan change as notified is shown as **bold underlined** and text to be deleted as ~~bold strikethrough~~.

Text in green font identifies existing terms defined in *Chapter 2 – Definitions*.

Where the proposed plan change contains a term defined in *Chapter 2 – Definitions*, the term is shown as **bold underlined text in green** and the wording to be deleted is shown as ~~bold strikethrough in green~~.

New definitions in Chapter 2 and within a provision (including a rule) is shown as **bold green text underlined in black**.

Text in blue font indicates existing links to other provisions in the District Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan. Where the proposed plan change contains a new link, it is shown as **bold underlined text in blue**. Where a link is proposed to be deleted, it is shown as ~~bold strikethrough in blue~~.

2. Changes recommended by the Independent Hearings Panel

The changes recommended by the Independent Hearings Panel are based on Council's 'Reply Provisions' version, which include:

- Text recommended to be added/deleted by proposed PC14
- Text recommended to be added/deleted within s42A reports.
- Text recommended to be added/deleted from expert conferencing/joint witness statements.
- Text recommended to be added/deleted within s42A reports in response to matters raised during Hearings.

Where the Independent Hearings Panel recommends that the proposed PC14 provision be accepted the text is changed to **bold underlined** for the added text, and changes to ~~bold strikethrough~~ for text to be deleted.

Where the Independent Hearings Panel recommends that green definitions or the blue links to other provisions and/or external documents are accepted they *remain* unchanged.

Changes recommended by the Independent Hearings Panel (including to proposed PC14 provisions, definitions and links) are shown as **bold underlined** for text in the Council's 'Reply Provisions' that are

recommended to be accepted or for additional new text, and ~~bold deleted~~ for text to be deleted (ie the purple and orange colours in the Council's 'Reply Provisions' have been removed).

3. Further Instructions and Explanations for Council

There are no further instructions or explanations, as all the changes are shown within the chapter.

Specific Purpose (Cemetery) Zone

13.2.1 Introduction

- a. 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.
- b. The provisions in this chapter give effect to the [Chapter 3 Strategic Directions Objectives](#).
- c. 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.
- d. The Specific Purpose (Cemetery) Zone applies to specific [cemeteries](#) and [crematoria](#). It seeks to enable cremation and [interment](#) services on most [sites](#) and, where appropriate, recognise, protect and enhance the cultural heritage, ecological, landscape and spiritual/religious values of [cemeteries](#) and [crematoria](#) in the zone.

13.2.2 Objectives and policies

13.2.2.1 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.

13.2.2.1.1 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.

13.2.2.2 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.

13.2.2.2.1 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**.

13.2.2.3 Objective – Passive cemetery activities

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

13.2.2.3.1 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 for leisure purposes of a non-intrusive, casual, and non-competitive nature, and are secondary to the primary purpose of **interment** or conservation in the case of the Barbadoes Street Cemetery.

13.2.3 How to interpret and apply 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 13.2.6.1** and **13.2.6.2**, and shown on the Planning Maps, are contained in the activity status tables (including activity specific standards) in **Rule 13.2.4.1** and the built form standards in **Rule 13.2.4.2**.
- b. The activity status tables and standards in the following chapters also apply to activities in the Specific Purpose (Cemetery) Zone :
 - 4 Hazardous Substances and Contaminated Land;**
 - 5 Natural Hazards;**
 - 6 General Rules and Procedures;**
 - 7 Transport;**
 - 8 Subdivision, Development and Earthworks;**
 - 9 Natural and Cultural Heritage;** and
 - 11 Utilities and Energy.**

Advice note:

1. **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](#).
2. 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 \(June 2013\)](#).
3. Maintenance and repair works on [headstones and other structures](#) ~~monuments in the Barbadoes Street Cemetery in church graveyards and cemeteries scheduled in Appendix 9.3.7.2~~ 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 \(Victoria\)](#).
- ~~4. In relation to Council administered cemeteries, works involving monuments will also require a permit for monumental works from the Council under the Cemeteries Bylaw 2013.~~

13.2.4 Rules – Specific Purpose (Cemetery) Zone

13.2.4.1 Activity status tables

13.2.4.1.1 Permitted activities

- a. The activities listed below are permitted activities in the Specific Purpose (Cemetery) Zone if they meet the activity specific standards set out in this table and the built form standards in [Rule 13.2.4.2](#).
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in [Rules 13.2.4.1.2, 13.2.4.1.3, 13.2.4.1.4, 13.2.4.1.5 and 13.2.4.1.6](#).

Activity	Activity specific standards
P1 Cremation, burial or interments , disinterments and burial plots , except in the Barbadoes Street Cemetery.	<ol style="list-style-type: none"> a. Compliance with the built form standards at Rule 13.2.4.2.2 and 13.2.4.2.3. b. Cremation shall occur only within a crematorium.
<ol style="list-style-type: none"> a. Installation, repair and maintenance, and/or removal of monuments, vaults or mausolea. b. In the Barbadoes Street Cemetery maintenance and repair works on headstones and other structures. 	<ol style="list-style-type: none"> a. Rule 13.2.4.2.1 to 13.2.4.2.4.

Activity		Activity specific standards
P3	Installation of temporary markers.	a. Temporary markers shall have a duration of only one year, excluding plot markers which are flush or below ground level.
P4	Any single building.	a. Compliance with the built form standards at Rule 13.2.4.2.1, 13.2.4.2.2 and 13.2.4.2.4. b. Any single building shall not exceed 200m ² gross floor area. c. Closed cemeteries listed in Appendix 13.2.6.2 – Any single building shall not exceed 40m ² gross floor area, except that one residential unit that does not exceed 150m ² gross floor area may be erected on any one site for management or custodial purposes.
P5	General maintenance, including: 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); f. removal of plants on graves (including native and exotic species); and g. removal of trees.	Nil
P6	Planting of new (native or exotic) trees and shrubs; or the establishment of new lawn areas.	Nil
P7	Graveyard spiritual services.	Nil

13.2.4.1.2 Controlled activities

There are no controlled activities

13.2.4.1.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 13.2.5, 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 13.2.4.1.1 P1 to P4 that does not comply with one or more of the built form standards listed under the activity specific standards.	<ul style="list-style-type: none"> a. Street scene – 13.2.5.1. b. Height, separation from neighbours and daylight recession planes – 13.2.5.2.
RD2	<u>Any work on monuments, vaults or mausolea in the Akaroa French Cemetery and Mount Magdala Cemetery listed in Appendix 13.2.6.2.</u>	<ul style="list-style-type: none"> a. <u>Street scene – 13.2.5.1.</u> b. <u>Height, separation from neighbours and daylight recession planes – 13.2.5.2.</u> <p><u>Advice note:</u></p> <ul style="list-style-type: none"> 1. <u>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.</u>

13.2.4.1.4 Discretionary activities

There are no discretionary activities

13.2.4.1.5 Non-complying activities

a. The activities listed below are non-complying activities.

	Activity
NC1	Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity.

	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>c. Any application arising from this rule shall be limited notified only to Orion New Zealand Limited or other electricity distribution network utility operator (absent its written approval).</p> <p>Advice note:</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.

13.2.4.1.6 Prohibited activities

There are no prohibited activities

13.2.4.2 Built form standards

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

13.2.4.2.1 Building Height

a. The maximum height of any building shall be:

	Activity	Standard
i.	All buildings unless specified below	8 metres
ii.	Closed cemeteries – Appendix 13.2.6.2	5 metres

13.2.4.2.2 Minimum building setback

a. The minimum building setback shall be as follows:

- i. 5 metres from a **road boundary**
- ii. 20 metres from the **boundary** with any zone other than a Transport Zone

13.2.4.2.3 Minimum setback from internal boundaries

- a. The minimum **setback** for concrete beams and **burial plots** from internal **boundaries** shall be 10 metres.

13.2.4.2.4 Daylight recession planes

- a. **Buildings** shall not project beyond a **building** envelope constructed by recession planes, as shown in **Appendix 14.16.2**, from points ~~2.3~~ **4.0** metres above internal **boundaries adjoining** a residential zone.

Advice 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.

13.2.5 Rules - Matters of discretion

13.2.5.1 Street scene

- a. Whether any reduction in **setback** would enable greater protection or retention of natural or **historic 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 specific purpose zone itself and its value to the public, or on its natural character.
- d. Where the **site** is within the Akaroa Heritage Area, the matters set out in **Rule 9.3.6.3**.

13.2.5.2 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 specific purpose zone.
- c. Any landscaping provided to reduce the visual impact of the **building** as seen from the **road** or **adjoining** residences.
- d. Where the **site** is within the Akaroa Heritage Area, the matters set out in **Rule 9.3.6.3**.

13.2.6 Appendices

Appendix 13.2.6.1 List of cemeteries and crematoria

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
1	Akaroa Anglican Cemetery (see also Appendix 9.4.7.2 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 9.3.7.2 Schedule of Significant Historic Heritage)	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 (see also Appendix 9.3.7.2 Schedule of Significant Historic Heritage)	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

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
21	Sydenham Cemetery <i>(see also Appendix 9.3.7.2 Schedule of Significant Historic Heritage)</i>	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
24	Woodlawn Memorial Gardens and Crematorium <i>(see also Appendix 9.3.7.2 Schedule of Significant Historic Heritage)</i>	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

Appendix 13.2.6.2 List of closed cemeteries

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
1	Akaroa French Cemetery <i>(see also Appendix 9.3.7.2 Schedule of Significant Historic Heritage)</i>	7 Rue Pompallier	Akaroa	Pt RES 108 (BM 289)	0.1012	77, R5

2	Addington Cemetery (see also Appendix 9.3.7.2 Schedule of Significant Historic Heritage)	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 9.3.7.2 Significant Historic Heritage).	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 9.3.7.2 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

IHP RECOMMENDATIONS