

23. **THE INTERMENT SITE FOR THE UNFOUND VICTIMS OF THE 22 FEBRUARY 2011 EARTHQUAKE**



General Manager responsible:	General Manager City Environment Group, DDI 941-7305
Officer responsible:	Contracts Manager Urban Parks
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PURPOSE OF REPORT

1. To seek Council approval to construct an interment site at Avonhead Cemetery for the unfound victims of the 22 February 2011 earthquake at Avonhead Park Cemetery.

EXECUTIVE SUMMARY

2. The Police and Coroner's office have advised that there may be a requirement for an appropriate interment site within a council cemetery for the unfound human remains from the 22 February 2011 earthquake. In addition, the families of some earthquake victims have approached council staff, seeking a location at which their loved ones ashes can be interred.
3. All operative Christchurch City Council cemeteries have been considered and Avonhead Park Cemetery has been identified as the most appropriate due to its locality to the airport, available space and no liquefaction.
4. The proposed cemetery site and design concept have been discussed with the families of the nine unfound victims.
5. The interment site at Avonhead Park Cemetery is not a memorial site, it is required to inter the human remains of the unfound victims as required under the Burial and Cremation Act 1964.
6. There is no capital funding specifically allocated to the development of the proposed interment site.

FINANCIAL IMPLICATIONS

7. There are no funds directly allocated for the development of this site within the 2011/12 Proposed Annual Plan. Council staff have also looked into alternative sources of funding to no avail. The estimated budget for this new capital development work is \$170,000.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. As above.

LEGAL CONSIDERATIONS

9. The Burial and Cremation Act 1964 and as at 2009, and the Civil Defence Emergency Management Act 2002 provides jurisdiction to the Local Authority to inter the remains within an established cemetery.

Have you considered the legal implications of the issue under consideration?

10. Yes as per point 9 above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

11. Unexpected Civil Defence Emergency not covered in LTCCP.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

12. Yes, the interment of persons as per the Activity Management Plan.

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ALIGNMENT WITH STRATEGIES

13. Community Outcomes, Our city environment supports the health of the community.

Do the recommendations align with the Council's strategies?

14. Public Open Space Strategy 2010-2040; Goal 1, Provide an accessible, and equitably distributed, multi-use open space network while protecting natural, cultural and heritage values.

CONSULTATION FULFILMENT

15. This proposal has been developed in consultation with the Christchurch Police and the Office of the Chief Coroner. A key consideration has been to consult with the families of the unfound victims. The main comments from the families were:
- (a) The location within a cemetery was considered important so they could have a quiet moment away from tourists.
 - (b) The location was considered ideal, close to the airport. One person noted that it could be the first and last place family from overseas could visit.
 - (c) There was a request for Chinese characters to be used on the plaques for the Chinese victims.
 - (d) The site will be an interdenominational site.
 - (e) When referring to the nine unfound victims, the families requested this be referred to as 'unfound' victims instead of unfound as they know who the missing people are.
 - (f) A desire for a private ceremony before the site is open to the public.

STAFF RECOMMENDATION

16. It is recommended that the Council:
- (a) Approves the interment site for the Unfound Victims of the 22 February 2011 Christchurch Earthquake at Avonhead Park Cemetery.
 - (b) Approves the concept design for the interment of the unfound human remains and the commemoration of the nine unfound victims.
 - (c) Notes that the estimated cost of \$170,000 (plus/minus 10 per cent) is unbudgeted.

MAYOR'S RECOMMENDATION

17. That \$170,000 is allocated from the Christchurch Earthquake Mayoral Relief Fund for this initiative.

BACKGROUND (THE ISSUES)

18. There are 181 persons, both national and international confirmed to have died as a result of the 22 February 2011 Christchurch earthquake. Many of the 172 identified victims have already been buried in family ceremonies in Christchurch and elsewhere.
19. The Coroners Office has advised that there are nine persons who were tragically so badly damaged as a result of the earthquake that a positive identification, even by DNA testing, is impossible. This includes four Chinese, one Filipino/Australian and four New Zealanders (including two New Zealand residents).
20. Human remains have been recovered from the CTV building that are so badly damaged it is impossible to identify them. When legal processes are finalised, the Chief Coroner will need to inter these.

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21. The Burial and Cremation Act 1964 as at 2009, provides jurisdiction to the local authority to for work within an established cemetery.
22. All of the operative Christchurch City Council Cemeteries have been considered as an appropriate location. However the majority have suffered either liquefaction or damage in the recent September 2010 and February 2011 earthquakes or there is no available space.
23. Avonhead Park Cemetery has been identified as the most appropriate location for the interment of the unfound victims due to no liquefaction, proximity to the airport, public transport, and available space. The Avonhead Park Cemetery is surrounded by established trees in a park like setting, which provides a relaxed, contemplative atmosphere and there is a defined grassed circular area that can never be built out or lost as the cemetery expands. The majority of earthquake victims that have been buried are buried in the Avonhead Park Cemetery.

THE OBJECTIVES

24. (a) To meet the statutory requirements for the interment of human remains.
(b) To provide an area:
 - (i) where the nine unfound victims can be laid to rest;
 - (ii) where the unfound human remains can be interred; and
 - (iii) for ash interments for both national and international victims, requested by families.

THE OPTIONS

25. Other city cemetery sites were considered for the location of the interment site, however they were not considered appropriate. The eastern cemeteries have suffered liquefaction. Yaldhurst Cemetery on the periphery of the city is considered too far away from the central city and there is no public transport. The other operative cemeteries; Linwood, Sydenham, Belfast and Waimairi Cemeteries do not have the space available. Banks Peninsula Cemeteries are not considered appropriate due to their distance from Christchurch. The Lyttelton Cemeteries do not have available space, they have suffered damage in the earthquake and the distance would be an issue.

THE PREFERRED OPTION

26. Avonhead Park Cemetery is the most suitable location for the interment of the unfound victims.

ASSESSMENT OF OPTIONS

The Preferred Option

27. To construct an interment site for the unfound victims of the earthquake at Avonhead Park Cemetery as per the Concept in **Appendix One**.
28. There is a defined grassed circular area within the recent Avonhead Park Cemetery extension that can be dedicated to the interment of the unfound victims. This site cannot be built out or lost in any future expansion of the cemetery.
29. The proposed site is intended to be a contemplative and restful area where the remains of the unfound victims of the 22 February 2011 Christchurch Earthquake can be interred. While the site is located in a well treed and established suburban cemetery it is intended that the design reflects the central city.

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30. It is proposed that the site be surrounded by a circle of magnolia trees, symbolic of tree species used in the central city and a hedge. The trees and hedge define the edge of the site and separate it from the larger cemetery area. Exposed aggregate paths lead towards a central area which has a low stone structure sitting on a stone plinth. The centre plinth is symbolic of the square, and four stone surrounds in the lawn area are symbolic of the four avenues; Moorhouse, Rolleston, Bealey and Fitzgerald Avenue, within which the destruction and effects of the earthquake were severe.
31. Other features include four seats to enable visitors to sit and contemplate. Planting within the central area is intended to be simple and peaceful with manicured lawn areas and simple plantings of white groundcover roses.

ASSESSMENT OF OPTIONS**The Preferred Option**

	Benefits (current and future)	Costs (current and future)
Social	A dedicated location in an established cemetery where people can pause, remember and grieve in peace.	Maintenance costs integrated into existing budgets.
Cultural	The cemetery is interdenominational and respectful to all cultures.	N/A
Environmental	The park like setting of the cemetery creates a relaxed and contemplative environment.	Maintenance costs integrated into existing budgets
Economic	The site has been formed as part of the Avonhead Park Cemetery extension. Additional funding will be required to develop the proposed concept plan.	It is envisaged the cost to construct the site will be approximately \$170,000 (+/- 10%).

Extent to which community outcomes are achieved:

- A safe city
- A city of inclusive and diverse communities
- A well governed city
- A healthy city

Impact on the Council's capacity and responsibilities:

The cemetery is a working cemetery and the interments are undertaken as part of the Council's day-to-day business.

Effects on Maori:

There will be no effects on Maori as the services will be private affairs, unless one of the unfound victims is of Maori decent.

Consistency with existing Council policies:

Parks and Waterways Access Policy 2002, Cemeteries Bylaw (under review), Burial and Cremation Act 1964, Burial and Cremation Regulations 1967.

Views and preferences of persons affected or likely to have an interest:

Police liaison officers are dealing directly with the families who have lost a loved one in the earthquake. Council staff have meet with the families of the unfound victims, who have expressed their desire to have closure, which they believe can be achieved through the interment of the unfound victims. There are number of Chinese families who have expressed their desire to inter some of the ashes of their deceased relatives in New Zealand. These families would prefer that the ashes are within the parameter of the interment site. There are also three New Zealand families who have expressed an interest in being interred within the parameter of the interment site. A number of national and international victims are interred within Avonhead Park Cemetery close to the intended site. These families have chosen their own burial plot.

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32. Other options have been considered as interment sites, however they are not considered appropriate. There is concern in the eastern cemeteries; Memorial Park Cemetery and Ruru Lawn Cemetery regarding present and future liquefaction risks. Yaldhurst Cemetery is considered too far on the periphery of the city and away from public transport, and the other operative cemeteries; Linwood, Sydenham, Belfast and Waimairi Cemeteries do not have the space available. Banks Peninsula Cemeteries are not considered appropriate due to distance from the CBD and the Lyttelton Cemeteries have suffered earthquake damage and do not have available space.