



GREAT LAKE TAUPŌ
Taupō District Council

TAUPŌ DISTRICT COUNCIL PROPOSED CEMETARY BYLAW

STATEMENT OF PROPOSAL

Taupō District Council has a Cemetery Bylaw to help regulate activities to maintain, preserve, embellish, and set standards for the operation of cemeteries under the control of the Council. The bylaw provides the relevant and required details for the operation and use of cemeteries throughout the Taupō District. We are reviewing our Cemetery Bylaw and have made some changes. These proposed changes, as well as information on how you can give us feedback, are set out below.

ABOUT THE BYLAW

Bylaws are enacted under the Local Government Act 2002 which requires that all bylaws be reviewed five years after the day when first enacted and then every 10 years after that. If a bylaw is not reviewed within the required timeline, it is then revoked two years after the review due date and is no longer applicable.

We have started a review of our Cemetery Bylaw because it was first adopted in December 2011 and has been effective from March 2012 but is now due for review. The bylaw applies to all cemeteries within Taupō District Council's control but excludes Urupā (Māori burial places) in line with the Burial and Cremation Act 1964.

The bylaw in its current form works well. However, it would be beneficial to move the operational information from the bylaw into a Cemetery Handbook. This proposed shift to a handbook was done by other councils and it has worked effectively. This shift would also make the bylaw more concise.

The proposed cemetery handbook includes changes to burial requirements to improve operations, health and safety, and environmental outcomes, as set out below.

This statement of proposal has been prepared in accordance with the requirements set out in section 83 of the Local Government Act 2002.



COUNCIL'S PROPOSAL

APPROPRIATENESS OF THE BYLAW

Communities need to be able to restrict what happens in cemeteries in order to protect local authority cemeteries, the health and safety of people visiting, and ensure access to these cemeteries. A Cemetery bylaw helps Council manage and regulate activities throughout all the cemeteries in the Taupō District excluding Urupā and private cemeteries. While safety is important, restrictions need to be balanced with people's rights and their freedom to bury loved ones as they wish.

Council has considered the proposed Cemetery Bylaw included with this Statement of Proposal and has determined that:

- A bylaw is the most appropriate way for Council to regulate activities to maintain, preserve, and embellish, set standards for the operation of cemeteries under the control of the Council.
- The proposed bylaw is the most appropriate form of bylaw for the purposes of consultation, and
- It is acknowledged that the proposed bylaw may have implications under the New Zealand Bill of Rights Act 1990, however Council has determined that any potential infringement of these rights is justified in managing the safety and wellbeing of those within the district.

PURPOSE OF THE BYLAW

The purpose of the Cemetery Bylaw is to enable the Council to regulate activities to maintain, preserve, embellish, and set standards for the operation of cemeteries under the control of the Council.



PURPOSE OF THE BYLAW

Create a cemetery handbook

It would be beneficial to move the operational information from the bylaw into a cemetery handbook. This proposed shift to a handbook has been done by other councils and it has worked effectively.

This shift would also make the bylaw more concise and make the information loved ones are looking for when burying a loved one more accessible.

Grave Depth

The current Cemetery Bylaw specifies the depth of a single plot should be 1500mm. However, there have been issues due to families of deceased persons changing their minds and wishing to bury loved ones in the same grave site that has only been dug to single depth. This has created operational inefficiency and challenges with removing caskets to dig sites deeper to accommodate the families wishes.

A double depth plot allows for a family to bury another person in the same grave site without the difficulties of removing a casket and digging the plot deeper. Under this proposal, individuals who prefer a single plot can still be buried alone at the existing double depth of 1700mm. This helps to reduce operational burdens if the family of the deceased changes their minds later and wishes to bury someone else in the plot.

The burial cost will remain the same as the current single depth charge until the fees and charges are reviewed in the future.

Additions to Burials

To address concerns raised by cemeteries and burials staff, TDC officers are proposing limitations on items that can be placed in cemetery plots. Some items are harmful to the environment, pose health and safety risks, or cannot be exhumed with due reverence. As a result, officers are proposing a non-exhaustive list of prohibited items for interment in plots.

This following list considers various cultural practices and only restricts the placement of goods in plots if deemed necessary. The aim is to strike a balance between respecting cultural traditions and ensuring cemeteries are safe.

- Alcohol
- Ammunition or explosive material
- Batteries
- Crash helmets and hardhats
- Crockery
- Die cast metals, aluminium, and copper (large items only)
- Garden spades, forks etc.
- Glass, such as bottles, vases, and picture frames
- Lighters
- Laptop computers
- Mattresses
- Mobile phones
- Motorcycle leathers
- Any pressurised containers
- Prosthetic limbs
- PVC (in all forms)
- Wet suits and surfboards
- Products containing polystyrene foams
- Products that are volatile
- Wire

PURPOSE OF THE BYLAW

Offensive Monuments Guidance

Council has heard concerns from the community regarding the potential for offensive headstones or other monuments being placed in public cemeteries. The existing Council bylaw requires anyone wishing to erect a monument to get Council permission and provide Council with supporting design documentation. Council can refuse applications under the current bylaw.

However, it is unclear on what grounds Council would reject a request for a headstone or other monument other than its proposed size, shape or the material used.

To clear this up Council is proposing an offensive monuments clause in the handbook that provides an indication of the test council will use to determine if something could be considered an offensive monument.



NEXT STEPS

The consultation period for the bylaw will begin on 3 July and conclude 4 August 2023.
This is your opportunity to let Council know what you think of the proposed Cemetary Bylaw.

THERE ARE MANY WAYS FOR YOU TO TELL US WHAT YOU THINK:

YOU CAN:

SUBMIT feedback online at www.taupo.govt.nz/haveyoursay

EMAIL us at bylawreview@taupo.govt.nz or

DROP your submission form into one of our Customer Service Centres in:

Taupō - 30 Tongariro Street, Taupō

Tūrangi - 1 Ngawaka Place, Tūrangi

Mangakino - Rangātira Drive, Mangakino

Copies of the statement of proposal and the proposed bylaw are available online or from our offices.

If you have any questions about this proposal or about how to make a submission, please contact us via email at bylawreview@taupo.govt.nz.

HEARINGS

Please tell us if you would like to attend a hearing to speak to Council in support of your submission and include a telephone number and email address to ensure we can contact you to arrange a time for your presentation. **Hearings will be held on 14 September 2023 from 10:15am in the Council Chambers.**

WHAT HAPPENS NEXT?

After the hearings, Council will consider all the submissions received and make decisions on any amendments to the bylaw as a result. As a submitter you will be notified of Council's decision.

Council will consider a final Cemetary Bylaw for adoption on 26 September 2023.

REMEMBER, YOU HAVE UNTIL 4 AUGUST 2023 TO SEND US YOUR FEEDBACK.