



HAVE YOUR
SAY ON THE
CEMETERIES
BYLAW 2023

STATEMENT OF PROPOSAL

PROPOSED WAIKATO DISTRICT
COUNCIL CEMETERIES BYLAW
2023

waikatodistrict.govt.nz
0800 492 452

This Statement of Proposal is made for the purposes of Sections 83, 86 and 156 of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal
- Reasons for the proposal
- Summary of the proposed changes
 - 'have your say' details

DETERMINATIONS

In reviewing this Bylaw Council determined that having a Bylaw in place is still the most appropriate way to manage issues relating to cemeteries. We consider the proposed Cemeteries Bylaw to be the most appropriate form of the Bylaw. The draft Bylaw imposes no infringements or gives rise to implications with the New Zealand Bill of Rights Act 1990.

BACKGROUND

We are reviewing our Cemeteries Bylaw. The Bylaw is made by Council under the Local Government Act 2002 and the Burials and Cremation Act 1964.

The Bylaw enables Council to regulate activities and sets standards for Council Controlled Cemeteries

Note: The Bylaw does not apply to private cemeteries or Urupa.

Early engagement on the Bylaw was undertaken between July-August 2022 seeking guidance from the public on two specific topics; providing for natural burials and allowing dogs on-lead in cemeteries. The feedback received during this period helped draft the proposed Bylaw we are now consulting on.

This Statement of Proposal outlines the:

- Reasons for the proposal;
- Summary of changes between the 2016 Cemeteries Bylaw and the draft Bylaw

Council welcomes your feedback on the proposed Bylaw with consultation open from 15 March to 16 April 2023.

Reasons for the proposal

- To provide an environmentally friendly burial option (natural burials)
- To allow people to be accompanied by their dogs on-lead when visiting grave sites of loved ones
- To allow family and friends to back-fill graves.

KEY CHANGES WE'RE PROPOSING TO MAKE



Council believes that the Bylaw is operating well, however acknowledges there are improvements to be made to enhance its effectiveness. A summary of the key changes are noted below:

Key change 1 Inclusion of natural burials clauses.

Key change 2 Allowing dogs on-lead to enter cemeteries.

Key change 3 Remove the clause that prevents family and loved ones from backfilling graves.



KEY CHANGE 1

Inclusion of natural burial clauses

What we're doing now

Council cemeteries allow for standard burials, typically involving embalming of the body and burial in a standard, treated wood casket. We also allow for interment of ashes in a plot. Plots can be pre-purchased and Council-approved headstones and memorials can be installed.

What we're proposing

To provide an environmentally friendly burial option in the Waikato District. Natural burials, or 'eco-burials,' are the interment of a body in the soil undertaken in a manner that does not slow down the decomposition process and allows the body to decompose naturally (without embalming). Early engagement undertaken between July--August 2022 showed considerable support for providing for natural burial sites in Council cemeteries.

The clauses in the following table are proposed, incorporating the specific requirements for a natural burial that must be adhered to, according to Natural Burials New Zealand. There are specific requirements around memorials, caskets, and burial depth that must be followed, as well as the prohibition of embalming. The intention behind this burial type is to have as little environmental impact as possible when someone is buried. Natural burial sites have not been identified and should this clause be adopted into the Bylaw, work will be undertaken to identify suitable sites.

12.0 Clause	What we're proposing	Why we're proposing it
	<p>12.1 The Council may set aside an area of a cemetery specifically for the purpose of accepting natural burials. Natural burials will be carried out in accordance with Council's procedures and are subject to prior approval from an Authorised Officer.</p> <p>12.2 Plot reservations are not permitted for natural burials.</p> <p>12.3 In areas of cemeteries set aside for natural burial, the following provisions shall apply (and such other provisions as the Authorised Officer may require):</p> <ul style="list-style-type: none"> (a) All plots are for single interment. (b) Embalming of the interred is not permitted. (c) A casket or shroud of biodegradable material consistent with natural burial guidelines is required. (d) Memorials including containers for flowers or other items are not permitted on a natural burial grave site and may be removed by an Authorised officer. Native vegetation chosen from Council's list of approved plant species and varieties shall mark the site of a natural burial and will be provided by the Council in accordance with the cemetery burial plan, planted by or under the direct supervision of the Authorised Officer. (e) The Authorised Officer will place a discreet marker to identify the location of natural burial graves and may also place a biodegradable marker. (f) The location of all natural burial graves will be recorded by the Council using Geographical Positioning System (GPS) <u>co-ordinates</u> <p>12.4 All monument markers on plots designated for natural burials must consist of untreated biodegradable wood or wood treated to no more than H3 standard. No non-biodegradable tributes are permitted.</p>	<p>Early engagement with the public and a hui with Mana Whenua indicated there is a strong preference for the inclusion of natural burials as an option in Waikato District Cemeteries. These provisions have been drafted to incorporate the specific requirements for a natural burial ensuring the environmental impact of the burial is minimal and the objectives of the burial type are met.</p>



KEY CHANGE 2

Allowing dogs on-lead to enter cemeteries.

What we're doing now

The current Bylaw prohibits dogs from Council cemeteries.

What we're proposing

We're proposing to allow dogs on-lead in Waikato District Council cemeteries. Permitting dogs on leads in cemeteries acknowledges the importance of dogs to some people.

Clause	What we're proposing	Why we're proposing it
17.0	<u>Dogs are permitted on-leash at all times within a Cemetery.</u>	To allow for those grieving a loved one to be accompanied by their dog. Consultation on the Dog Control Bylaw and Policy 2022 as well as the early engagement undertaken indicates there is a preference by the community for the current prohibition of dogs in cemeteries to be removed. This change reflects this preference from the community.



KEY CHANGE 3

Allow Family to Backfill Burial sites

What we're doing now

The current Bylaw clause only allows for Council staff and contractors to back-fill burial sites

What we're proposing

We are proposing to remove the clause that prevents family and loved ones from backfilling graves. Currently, only Council staff and contractors can backfill. Removing clause 19.3 will allow loved ones to do it themselves (if they wish) in the presence of Council staff.

19.3 Clause	What we're proposing	Why we're proposing it
	No person other than the Council or Sexton, or their duly authorised representatives, shall fill in any grave.	To allow whaanau and friends to backfill graves themselves if they want to.



FEEDBACK

You can let us know how you feel about any of these proposed changes, or anything else that is covered by the proposed bylaw.

You can do this by completing the submission form online, or by printing out the submission form and sending it in to us.



SUBMISSIONS

Anyone can make a submission to the review of the Proposed Cemeteries Bylaw, and we encourage you to let us know your views. This feedback will be used during the decision-making process.

PRIVACY ACT INFORMATION



The Local Government Act 2022 requires submissions to be made available to the public.

Your details are collected:

- so the council can write and inform you of the decision(s) on your submission(s)
- to arrange a hearing date and time for you to speak (if you choose to).

Your name will be publicly available. If you would like your name kept confidential you need to inform us when you send in your submission.

You have the right to correct any errors in personal details contained in your submission. If you do not supply your name and address the Council will formally receive your submission but will not be able to inform you of the outcome.

SUBMISSIONS CAN BE:

ONLINE:

www.waikatodistrict.govt.nz/sayit



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742



DELIVERED:

Waikato District Council
Attn: Corporate Planner
15 Galileo Street, Ngaruawahia
3742



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
"Cemeteries Bylaw 2023 submission"



Huntly Office
142 Main Street, Huntly 3700
Raglan Office
7 Bow Street, Raglan 3225
Tuakau Office
2 Dominion Rd, Tuakau 2121
Te Kauwhata Office
1 Main Road, Te Kauwhata 3710

WHAT HAPPENS NEXT?

Following the closing of submissions on 16 April 2023, all submissions will be reviewed. Verbal submissions will be heard and all submissions formally considered at a Council meeting in May 2023. This meeting is open to both submitters and the public to attend.

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 15 March 2023

SUBMISSIONS CLOSE – 16 April 2023

HEARING OF SUBMISSIONS – May 2023

If you have any further queries or would like further
copies of the proposed Bylaw, please contact
Jodi Bell-Wymer on 0800 492 452.

