



New Plymouth District Council Bylaw 2010

Amendment Cemeteries and Crematoria

(Supplementary to Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008)

The purpose of this part of the bylaw is to amend Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008.



NEW PLYMOUTH DISTRICT COUNCIL
newplymouthnz.com

1. Authority

1.2 This part is made under:

- c) Sections 145 and 146(b)(v) of the Local Government Act 2002; and
- d) Sections 16 of the Burial and Cremation Act 1964.

2. Title

2.2 This part of the bylaw is called the New Plymouth District Council Amendment Cemeteries and Crematoria Bylaw 2010.

3. Commencement

3.3 This part of the bylaw comes into force on 31 August 2010.

4. Amendment to Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008

4.1 This part of the bylaw amends Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008, and is to be read as part of Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008.

4.2 Clause 4.2 of Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008, is amended by adding the following definitions in their appropriate alphabetical order:

Definitions

Designated natural burial area means an area in a cemetery designated by the Council to be a natural burial area.

Natural burial means the burial of a body with the following characteristics:

- a) a shallow grave is used; and
- b) the body is not embalmed and is contained in a biodegradable casket; and
- c) the grave is over planted; and
- d) no headstone is erected at the grave site.

Approved Person means a person who is approved by an authorised officer to carry out works in any cemetery or crematorium, and shall include any funeral director.

Ashes mean the cremated remains of a deceased person.

Assignee means the person or persons to whom an exclusive right of burial is transferred to on the death of the holder of the exclusive right of burial.

Body means the body of a deceased person.

Cemetery means any cemetery that is under the control and management of the Council.

Cemetery Office means the location of the administration services for the cemeteries and crematorium.

Crematorium means any crematorium under the control and management of the council.

Cremation plaque area means a part of any cemetery consisting of plaques of a specified size to commemorate any person whose ashes are buried.

Decorate means place or attach any flowers, vase, figurine or ornament.

Funeral Director means a person, who in the course of their business, carries out burials and related matters.

Gardens of Remembrance means the gardens of remembrance within the consecrated land of a crematorium or cemetery.

Limited lawn means a part of any cemetery where memorials are limited to the specifications to be placed on the memorial strip provided.

Memorial strip means the ground area provided by the council for placement of memorials.

Open memorial area means a part of any cemetery where upright memorials of dimensions and materials approved by the council are permitted.

Plan means the official plan of a cemetery deposited in the cemetery office.

Plot means a lot in a cemetery that is laid off and shown on the plan for the purposes of interment.

Purchaser includes the executors, administrators and assigns of a purchaser of the exclusive right of in a plot, and owner of such exclusive right.

Physical works means the installation, modification, maintenance, repair, or removal of any plot, monument or headstone, and includes the planting of any tree, shrub or flower.

Returned Services Cemetery means all portions of a cemetery set aside for service personnel and their spouses and in which no kerbing, fences or monuments other than headstones provided by Veterans' Affairs New Zealand may be constructed.

4.3 Clause 9 of Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008, is amended by adding the following subclauses:

9.3 Clauses 9.4 and 9.5 apply where a body is buried in a designated natural burial area and clauses 9.1 and 9.2 do not apply.

9.4 Only one interment of a casket is permitted in each plot in a designated natural burial area and there must be a minimum of 750mm depth of soil between the top of the casket and the natural ground level.

- 9.5 Additional ash interments in a plot in a designated natural burial area may be approved by an authorised officer.
- 4.4** Clause 10 of Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008, is amended by revoking clause 10.1 and substituting the following clause:
- 10.1 Subject to clauses 10.2 to 10.8, the holder of the exclusive right of burial, or his or her assignee, may place tributes on the memorial strip of the concrete berm provided.
- 4.5** Clause 10 of Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008, is amended by adding the following subclause:
- 10.8 In a designated natural burial area, no person may place any memorial or decorate any plot apart from the following that is approved in the Council's Natural Burial Guidelines:
- a) The planting of a tree or shrub.
 - b) A temporary wooden grave marker made of untreated timber.
- 4.6** Clause 15.1 of Part 3 Cemeteries and Crematoria New Plymouth District Council Bylaw 2008, is amended by adding the following paragraph:
- 15.1 l) Guidelines about the way in which any designated natural burial area will be managed, including rules about:
- i) Embalming.
 - ii) Biodegradable caskets, shrouds, and urns.
 - iii) Plot dimensions, placement and depth of burial.
 - iv) Burial process.
 - v) Memorials.
 - vi) Plant selection.
 - vii) Maintenance.
 - viii) Fees.

The initial resolution to make this part of the bylaw was passed by the New Plymouth District Council at a meeting of the Council held on 20 July 2010 and was confirmed following consideration of submissions received during the special consultative procedure by a resolution at a subsequent meeting of the Council on 31 August 2010.

