

Cemeteries Bylaw - deliberations and adoption

TO	Thames-Coromandel District Council
FROM	Greg Hampton - Area Manager - Thames and Coromandel
DATE	28 April 2015
SUBJECT	Cemeteries Bylaw - deliberations and adoption

1 Purpose of Report

For the Council to deliberate the submissions received to the cemeteries bylaw and thereafter adopt a final bylaw.

2 Background

The Council publicly notified a draft cemeteries bylaw for consultation on 9 February 2015, with submissions being received until 9 March 2015.

Eleven submissions were received and five submitters spoke to their submissions at the hearings on 15 April.

The Council is now required to consider whether it wishes to make any changes to the bylaw as a result of the submissions received before confirming a final bylaw.

3 Issue

Eleven submissions were received to the cemeteries bylaw.

Eight of the 11 submissions related to requests for the Council to provide specific natural burial areas within its cemeteries. One submission (#1) related to the hours of operation for burials and the other two submissions related to more specific matters at the Ferry Landing (Mercury Bay) cemetery (submission #8 and #10).

Attachment A contains the proposed staff responses to each of the submissions received. In the case of one of the specific matters at the Ferry Landing (Mercury Bay) cemetery, staff have attempted to make contact with the submitter to discuss their requirements in more detail.

On the basis of the submissions received, staff propose no changes to the bylaw. The bylaw is included as **Attachment B** for consideration and adoption.

4 Discussion

Options

Attachment A contains the proposed staff responses and reasons for these responses to each of the submissions received.

The Council may disagree with this staff advice and may wish to advise alternative responses. Staff will advise at the meeting if any alternative responses will necessitate an adjustment being made to the bylaw.

Natural Burial Areas

The term natural burials is often used interchangeably with the term eco burials.

The term means the burial or interment of a body at a lesser depth than traditional burials that is free from any chemical treatment or preparation. The reason for the lesser depth is so that the active soil layer can decompose the body and nutrients can be returned to the soil. This is an important principal of natural burials.

A specific natural burial area typically does not have any markings on the actual plots and will have an associated planting or ecological restoration plan that accompanies the site.

Councillors may be interested to read further about what the Hamilton City Council have put in place. They recently opened a designated area of a cemetery specifically for natural burials, called Forest Grove. There are no reserved plots, but the next available plot is allocated and used. With regards to trees, they have a planting plan which they are working to. The family do not get to select a tree. A brochure is available on their website with further information:

<http://www.hamilton.govt.nz/our-services/cemetery-services/burialservices/Documents/Forest%20Grove%20Natural%20Burial%20Area%20website%20brochure.pdf>

The submitters have referred to naturalburials.co.nz in their submissions. Staff were in touch with the founder of naturalburials.co.nz during the preparation of the bylaw and sought his advice on current practice regards natural burials.

However, staff also consider that a 'one size fits all' approach is not appropriate as this does need to take into account local conditions i.e. the soil in the Coromandel is heavy in clay. On this basis it was felt that further investigation is appropriate before including anything further in the bylaw.

The request made by submitters is wider than the scope of the draft bylaw. The bylaw is not the right tool to enable natural burials to occur as per the submitters' requests. This firstly needs to be most appropriately considered in a 'master planning' exercise for the future use and planning for Council's cemeteries.

What staff have sought to do in this bylaw review is to make it more clear how at present requests for natural burials will be/can be dealt with. The bylaw (cl.14.7) outlines how a more natural-style burial can be accommodated currently in Council cemeteries, at a lesser depth than standard burials - no less than 1 metre of soil between the top of the casket or shroud and the surface of the earth.

Staff will be considering whether specific natural burial areas can be accommodated in existing cemeteries in the "cemetery master planning" exercise which is due to start in the next financial year. Staff have made a submission to the Long Term Plan requesting additional funds for master planning for cemeteries. There have been previous discussions about certain areas of the Totara Memorial Park cemetery being suitable for this purpose.

As **Attachment A** outlines, staff suggest that the submitters who have submitted on this topic be advised that master planning will be undertaken and their input will be specifically be sought further at that stage.

5 Suggested Resolution(s)

That the Thames-Coromandel District Council:

1. Receives the 'Cemeteries Bylaw - deliberations and adoption' report, dated 28 April 2015.
2. Approves the responses to submissions as outlined in **Attachment A**: Staff advice to Council in response to submissions to the draft Cemeteries Bylaw.
3. Notes that the most appropriate means to consider the provision of specific natural burial areas in cemeteries is through a master planning exercise in the first instance and not the bylaw.
4. Adopts the Cemeteries Bylaw 2015 (Attachment B) to come into force on 15 May 2015.

References-Tabled/Agenda Attachments

Attachment A *Staff advice to Council in response to submissions to the draft Cemeteries Bylaw*

Attachment B *Cemeteries Bylaw 2015*

Attachment A
Attachment A - Staff advice to Council for Cemeteries Bylaw review

Attachment B

Attachment B - TCDC Cemeteries Bylaw Review - Bylaw for adoption