

## Summary of Proposal

### CEMETERIES AND CREMATORIA BYLAW 2018

#### Introduction

The Whakatāne District Council (the Council) has reviewed Part 9: Cemeteries and Crematoria of the Consolidated Bylaw 2008 that is due to expire in 2018.

The Whakatane District Council seeks your views on the Draft Cemeteries and Crematoria Bylaw 2018.

#### Proposal

The Council proposes to revoke Part 9: Cemeteries and Crematoria of the Consolidated Bylaw and replace it with a stand-alone Cemeteries and Crematoria Bylaw. The Draft Cemeteries and Crematoria Bylaw 2018 is being released for consultation using the Special Consultative Procedure as outlined in section 86 of the Local Government Act 2002 (the Act).

In accordance with section 86 (2) of the Act, Council is required to include the following in a Statement of Proposal:

- A draft of the proposed bylaw;
- The reasons for the proposal; and
- A report on any relevant determinations by Council under section 155 of the Act.

The attached copy of the proposed Whakatane District Council Draft Cemeteries and Crematoria Bylaw 2018 forms part of this Statement of Proposal.

#### Reasons for the Proposal

Under sections 158 to 160 of the Act, the Council is required to review all bylaws within five years of their adoption and every ten years thereafter.

Council staff have reviewed Part 9: Cemeteries and Crematoria Bylaw 2008 and consider that overall, the bylaw is fit for purpose. The key changes are:

- Individuals will no longer be able to pre-purchase plots, with the exception of the deceased's family having the option to purchase the adjacent plot at the time of burial;
- Extending the times when burials can take place to reflect current practice and meet the needs of a multicultural society;
- Aligning the bylaw with current practices relating to the procedures for burial and the issue of burial warrants;
- Setting out the procedure for disinterment – the current bylaw does not contain this information and legal advice suggested we should include it;
- Adding a section that links this bylaw to Fees and Charges Policy; and
- Adding a section relating to offences and penalties.

## Consultation and Submissions

Council invites the community to give us feedback on the proposed Bylaw to assist it in the decision-making process.

The formal consultation process will take place between **12 March and 12 April 2018**. Council will hold a hearing be held in May 2018.

Any person or organisation is welcome to make a submission on the Draft Cemeteries and Crematoria Bylaw 2018. The Council take into account all submissions when it decides on the final content of the bylaw.

Copies of the Statement of Proposal are available on Whakatane District Council's website <http://www.whakatane.govt.nz>

Hard copies are available from:

- Whakatane District Council 14 Commerce Street, Whakatane
- Whakatane Library 49 Kahahoroa Drive, Whakatane
- Edgecumbe Library 38 College Road, Edgecumbe
- Ohope Library 4 Harbour Road, Ohope
- Murupara Library / Service Centre Civic Square, 48 Pine Drive, Murupara

Formal submissions may be made:

Online: <http://www.whakatane.govt.nz>

Post to: Cemeteries and Crematoria Bylaw, Private Bag 1002,  
Whakatane 3158.

Deliver to: Cemeteries and Crematoria Bylaw, Whakatane District Council, 14 Commerce  
Street, Whakatane.

Email to: [submission@whakatane.govt.nz](mailto:submission@whakatane.govt.nz) Attention Bylaw Review

Informal submissions can be made by commenting on our Facebook page at <http://www.facebook.com/WhakataneDistrictCouncil>

### **Submissions close at 5pm on Friday 12 April 2018.**

Submitters should note that their submission will be copied and made available to the public after the submission period closes.

Your submission should include your name, address, telephone number and email address and should state if you wish to speak to Council in support of your submission. The Council will contact in writing, all submitters who wish to be heard to advise the confirmed time, date and venue of the hearing.