

*“He toa taki tini taku toa,
E hara i te toa taki tahi”
“My strength will only be achieved
Because of the efforts of us all.”*

Rātū 19 Paenga-whāwhā 2016

**Council Chambers, 175 Rimu Road, Paraparaumu
10.00 am**

Committee Membership:

Rupene Waaka (Ngā Hapū o Ōtaki) (**Chair**)
Ann-Maree Ellison (Te Āti Awa ki Whakarongotai –
Charitable Trust)
Carol Reihana (Ngāti Toa Rangatira)
Mayor Ross Church (Kāpiti Coast District Council)

Mahinarangi Hakaraia (Ngā Hapū o Ōtaki)
Cherie Seamark (Te Āti Awa ki Whakarongotai –
Charitable Trust)
Hohepa Potini (Ngāti Toa Rangatira)
Cr Janet Holborow (Kāpiti Coast District Council)

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MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

Minutes of a six-weekly meeting of Te Whakaminenga o Kāpiti on Tuesday 8 March 2016, commencing at 10.00am in the Council Chambers, Ground Floor, Civic Administration Building, 175 Rimu Road, Paraparaumu.

MEMBERS

Mr	H	Potini	Ngāti Toa Rangatira (Acting Chair)
Ms	M	Hakaraia	Ngā Hapū o Ōtaki
Ms	A-M	Ellison	Te Āti Awa Charitable Trust
Cr	J	Holborow	Mema o Te Kaunihera
Ms	C	Reihana	Ngāti Toa Rangatira (Ngāti Haumia)

IN ATTENDANCE

Mr	D	Te Maipi	Kaumātua
Mr	P	Dougherty	Tumuaki
Ms	M	Fraser	Kaiwhakahaere Tairangawhenua
Mr	K	Black	Kaiwhakahaere Ratonga Rangapū
Mr	M	Cole	Kaiwhakahaere Wai
Mr	S	McArthur	Kaihautū Rautaki me te Rangapū
Ms	V	Starbuck-Maffey	Kaiwhakahaere Ratonga Manapori
Ms	M	Whiterod	Te Āpiha Tairangawhenua

APOLOGIES

The meeting opened with a karakia by Don Te Maipi.

In Rupene Waaka's absence the group elected Hohepa Potini to chair this meeting.

Te Whakaminenga o Kāpiti 16/03/248

TUKU AROHA/APOLOGIES

MOVED (Holborow/Hakaraia)

That Te Whakaminenga o Kāpiti accepts apologies from Rupene Waaka, Mayor Ross Church and Cherie Seamark.

CARRIED

Te Whakaminenga o Kāpiti 16/03/249

PUBLIC SPEAKING TIME

There were no public speakers.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

Te Whakaminenga o Kāpiti 16/03/250

ADDITIONAL AGENDA ITEMS

There were no additional items.

Te Whakaminenga o Kāpiti 16/03/251

CONFIRMATION OF MINUTES – 26 KOHITĀTEA (JANUARY) 2016

There were no amendments. The Chief Executive Pat Dougherty mentioned that in a recent meeting with the New Zealand Transport Agency (NZTA) it was confirmed that the next project would be known as P2Ō (Pekapeka to Ōtaki i.e. with the correct spelling of Pekapeka).

MOVED (Potini/Ellison)

That the minutes of the meeting of Te Whakaminenga o Kāpiti on 26 January 2016 are confirmed as a true and accurate record of that meeting.

CARRIED

Strategic Work Programme

Te Whakaminenga o Kāpiti 16/03/252

MARAE MAINTENANCE FUND 2016 (SP-16-1829)

Monica Fraser introduced this report.

MOVED (Hakaraia/Ellison)

That Te Whakaminenga o Kāpiti notes the process and panel for allocation of funds through the Marae Maintenance Contribution Fund as set out in report SP-16-1829.

CARRIED

Te Whakaminenga o Kāpiti 16/03/253

MĀORI ECONOMIC DEVELOPMENT – PROCES FOR GRANT DISTRIBUTION (SP-16-1828)

Monica Fraser introduced this report.

MOVED (Ellison/Reihana)

That Te Whakaminenga o Kāpiti notes the process for the allocating funds through the Māori Economic Development Grants Fund as set out in report SP-16-1828.

CARRIED

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

Te Whakaminenga o Kāpiti 16/03/254

UPDATE : ANNUAL PLAN

Kevin Black, Manager of Corporate Planning and Reporting spoke to this item and gave a powerpoint presentation about the development of the 2016/17 Annual Plan (AP).

While legislation still required an Annual Plan to be developed, amendments now allowed Council to decide not to consult on the content of the AP provided the Plan contained no significant or material differences to the content of the Long Term Plan (LTP). Examples of material change would include changes to existing levels of services, or significant new expenditure, or changes to rates and borrowings projections and none of these thresholds applied to this Council. The proposed approach is to inform the community on progress made delivering Year 1 of the LTP and consult on proposed changes for Year 2 (2016/17).

He described the development process to date including three workshops, discussing items such as proposed budget increases and savings, changes to current and planned infrastructure activities, community board proposals, savings proposals, three waters revaluation, changes proposed to fees and charges over and above CPI, and an update on the Charging Regime Advisory Group's (CRAG's) work. The 4.6% rates increase signalled in the LTP is the starting point for the upcoming consultation process.

There would also be project updates as well, eg the seawall at Paekākāriki and expressway development timings which provide an opportunity to bring some projects forward to align with that work.

Two papers would be tabled at the Council meeting on 17 March. Council will be asked to adopt the components of the AP and to approve a 2015/16 consultation document, which would be promoted through a variety of channels. The consultation period would be over four weeks between 4 and 29 April.

A draft version was circulated to members and the document structure explained. Cr Holborow and Ann-Maree Ellison were invited to comment as they had attended the Council workshops in February. There was always a desire to reduce the rates increase but without reducing levels of service. It was noted that Community Boards had been involved and consulted at a much earlier time than usual, as per the feedback during the LTP process, but this had created the need to manage expectations around the proposals put forward which nearly always involved increased expenditure. Perhaps suggestions or proposals by Boards could be put forward within the context of the next LTP. It was also noted that one suggested area for cutting expenditure was Māori Economic Development but this had not been taken up.

As part of the consultation effort there would be 'drop-ins' at Paraparumu and Waikanae and this was queried. Most of the issues in the consultation document focus on those two communities but efforts would be made to ensure that Paekākāriki and Ōtaki were given equal opportunity to comment and the Community Boards would be useful in this respect, with Standing Orders being suspended during the meetings to allow the community to participate. Community Boards would still be able to make a submission to the Plan. Any panui should go to ART for discussion.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

Te Whakaminenga o Kāpiti 16/03/255

UPDATE : LOCAL GOVERNMENT COMMISSION DETERMINATION ON REPRESENTATION ARRANGEMENTS

Vyvien Starbuck-Maffey, Democracy Services Manager spoke to this item, explaining that the Local Government Commission had issued its determination regarding the Council's review of representation arrangements, a process which unfolded according to statutory timeframes throughout 2015, and which involved a formal submission process. The Commission had upheld the Council's final proposal which retained the status quo in terms of Councillor numbers, wards, and community boards and included some boundary adjustments between Ōtaki and Waikanae. The robust discussions and input from the Working Party was acknowledged and the work of staff and Councillors in the process was commended.

Te Whakaminenga o Kāpiti 16/03/256

PRESENTATION : WAITANGI DAY 2016

Maia Whiterod Iwi Relationships Project Officer gave her mihi and provided an update on the outcomes of 2016 Waitangi Day. A powerpoint presentation was given. The 2016 event marked 176 years since the signing of the Treaty. Five hundred people attended the pōwhiri alone at Whakarongotai marae from throughout the District. A variety of activities were on offer, from street art interactive creations, historic bus tours, poi making, art exhibitions, music and kapa haka performance, market stalls, and hangi and high tea. There were 1,285 visitors to Mahara Gallery over the three weeks of their exhibition 'Whakatupuranga Past, Present and Future Generations'. Sites of significance bus tour was booked out very quickly. Eighty families participated in the 'History Hunt' and 300 hangi were sold. The whole community supported the event. The Working Party was thanked. The involvement of Te Papa as well as local businesses was noted. Te Papa had extended an invitation to visit the current taonga collection and this invitation would be submitted through Te Whakaminenga o Kāpiti.

Updates / Other Matters

Te Whakaminenga o Kāpiti 16/03/257

IWI UPDATES

Ngā Hapū o Ōtaki

- The Māoriland Film Festival programme was circulated: those present were invited to join tāngata whenua to welcome manuhiri at a pōwhiri at 9,30am on 23 March at Raukawa Marae.
- A query was made about the slip at Ōtaki Gorge Road.

Te Āti Awa

- the new Charitable Trust and Marae Trustees had been appointed and are currently undergoing trustee training.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

Ngāti Toa Rangatira

- Members requested a minute to pay respects to the memory of Council Arts and Museums Manager Catherine Scollay who had recently passed away. The range of Catherine Scollay's work and achievements were detailed.
- There were two new employees at the rūnanga
- The Beach Carnival hosted by Hongoeka marae was a success.
- The Chief Executive referred to an address on treaty settlements at a conference he had attended last year and asked why Kāpiti was one of the few areas highlighted where iwi were not engaging with the Crown. It was agreed that an update on Treaty Settlements would be provided to the next meeting.

Te Whakaminenga o Kāpiti 16/03/258

COUNCIL UPDATES

- The Ōtaki Kite Festival had been a huge success and was one of three major events that had received funding from the Council (the others being Coastella and the Māoriland Film Festival).
- The Mayor had attended the first event of Parks Week which included a walk and BBQ at Haruatai Park in Ōtaki.
- There would be a public opening of the Te Arawa Walkway on 9 April
- The Chief Executive informed members that Ōtaki Community Board member Colin Pearce had passed away early this morning.
- Local body elections were in October and a pre-election protocol has been circulated amongst staff. The Communications Manager Janice McDougall would be supervising the Customer Services team as well as her own while Jude Wadsworth was released to focus on her role as Electoral Officer.
- There had been a high-level examination of stormwater issues informed by lessons from the June 2015 floods. This was one of the biggest issues that Council faced and an earlier estimate of \$140 million to improve stormwater capacity was now set at \$200 million largely in the wake of global warming forecasts which included a greater rainfall intensity. This would be a challenge for the new Council in terms of next LTP.
- The slip at Ōtaki Gorge Road – the situation has worsened with other big cracks opening up and a report had recently been received from a geologist about the scale of the damage and whether it could be fixed. It could be repaired but at significant cost and Council's approval would need to be sought before action could be taken.
- Expressway – the Alliance was planning to open M2PP to traffic in February 2017 with a stretch target before Xmas 2016.
- Raumati Straights – a complete rebuild was envisioned which was presented to Council, with a reworked duration estimate of eight months. NZTA were aware of traffic congestion and other effects and it was explained why they couldn't do the work at night. It was expected to be finished by the start of September.
- The Transmission Gully project was in commencement phase with a proposal to install lights at Sang Soo Corner. This had been resisted but overall it was expected that due to these large projects traffic congestion along the route would get a lot worse over the next couple of years. NZTA were monitoring traffic from MacKays Crossing to Poplar Avenue but they needed to monitor further south.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

- Kāpiti Road – Council was proposing to bring forward funding in the budget to finish the upgrading work on Kāpiti Road.
- An update was provided on the Proposed District Plan (PDP) process with hearings starting in April.
- The 2015 Local Government New Zealand (LGNZ) had been attended by Ann-Maree Ellison and Mahinarangi Hakaraia. It was proposed that Te Whakaminenga o Kāpiti should be put forward for an award as the longest productive partnership between a local authority and iwi. While the Conference did feature an Awards section in the programme, none of the award categories was pertinent. It was proposed to ask LGNZ if Council could have a speaking slot on the programme to highlight the partnership's achievements and this was supported. There was overall a cultural element lacking in the conference.
- A meeting had been held with M2PP project group concerning stormwater and there was work to be done on culverts and drains to lessen flooding impacts.

Te Whakaminenga o Kāpiti 16/03/259

PRESENTATION: BIO-SOLIDS

- Martyn Cole Water and Wastewater Asset Manager gave a powerpoint presentation, providing an update on progress. Biosolids were currently disposed of at the Silverstream landfill in the Hutt. The treatment process was explained. Otaihanga Landfill was closed to biosolids last year. A number of composting trials were being held of vermicomposting and a Strategy being developed. The cultural acceptability of the Strategy was critical. Options for consideration included continued disposal to landfill or beneficial re-use through application to land. Currently the latter option of application to land was considered a restricted discretionary activity and the work to date was outlined. The issue had been referred to the ART Forum who had done a lot of work in the background, including a recommendation to prepare a cultural impact assessment (CIA).
- Iwi members commented that they were concerned about biosolids going into the sand and peat that formed so much of the District's environment.
- ART had approached Ngāti Toa for CIA their approach (as they had already done a CIA on biosolid disposal to land in Nelson).
- The Chief Executive outlined his experience with in Nelson where the biosolids in liquid form had been sprayed between pine trees on plantations in Bell's Island and Rabbit Island. This process worked very well.
- The issue of tapu to noa was discussed, and there were very serious cultural concerns about the process that Council would consider carefully.
- It was agreed that alternative end uses would be explored.

MOVED (Ellison/Hakaraia

That work continue on developing the Terms of Reference which will inform the selection of a specialist to undertake the Cultural Impact Assessment.

CARRIED

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 8 POUTŪ-TE-RANGI 2016	10.00 AM

Te Whakaminenga o Kāpiti 16/03/260

CORRESPONDENCE

There was no correspondence received.

Te Whakaminenga o Kāpiti 16/03/261

OTHER BUSINESS

There was none.

The meeting closed at 12.22pm with a karakia by Don Te Maipi.

.....
Chair

.....
Date

KĀPITI COAST DISTRICT COUNCIL CEMETERIES BYLAW 2010

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1. Title, Commencement and Application

- 1.1. This Bylaw may be cited as the Kāpiti Coast District Council Cemeteries Bylaw 2010 and shall come into force on 01 February 2010.
- 1.2. This Bylaw applies to any part of the Kāpiti Coast District.

2. Cemeteries Bylaw Validation

- 2.1. The Kāpiti Coast District Council Cemeteries Bylaw 2010 was approved at a meeting of the Kāpiti Coast District Council held on 28 January 2010 after completion of the Special Consultation Procedure.
- 2.2. The Common seal of the Kāpiti Coast District Council was affixed hereto, pursuant to a resolution of Council on 28 January 2010 in the presence of:

.....
Jenny Rowan

Mayor

.....
Pat Dougherty

Chief Executive Officer

3. Objective

- 3.1. The purpose of this Bylaw is to enable the Council to control and set standards for the operation of cemeteries within the Kāpiti Coast District under the Council's ownership or administration. This does not include recognised urupā reservations not owned or administered by Council.
- 3.2. This Bylaw is made pursuant to section 145 & 146(b)(v) of the Local Government Act 2002 and section 16(1) of the Burial and Cremation Act 1964.
- 3.3. Nothing in this Bylaw shall derogate from any provision of or the necessity for compliance with:
 - a) The Burial and Cremation Act 1964;
 - b) The Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967;
 - c) Cremation Regulations 1973;
 - d) Health (Burial) Regulations 1946;
 - e) Any other relevant future legislation; and
 - f) Any other relevant Kāpiti Coast District Council Bylaws or District Plan requirements.

Interpretation

3.4. In this Bylaw, the following terms are used:

Approved Person	means any person appointed by the Sexton to open and close the ground for burial and assist with the burial process in general.
Cemetery	means any cemetery vested in or under the control of the Council and dedicated as a cemetery.
Sexton	means any person appointed by the Council to manage the day to day activities of any cemetery under its jurisdiction.
Mind-altering substance	<p>means any substance whether synthetic or naturally occurring, which may alter consciousness, mood or emotions, or which might intoxicate or induce pleasurable sensations. It includes substances used for activities such as glue sniffing or substance abuse, but does not include:</p> <ul style="list-style-type: none"> (a) medically prescribed substances ingested by the person for whom they were prescribed; (b) substances purchased from a pharmacy without medical prescription; and (c) nicotine.
Statutory Holiday	means a Sunday, Good Friday, Easter Monday, ANZAC Day, Labour Day, the Sovereign's Birthday, Waitangi Day, Christmas Day, Boxing Day, New Year's Days, the day after New Year's day and the day of the anniversary of the Wellington Province.
'Out of District'	means any resident or child of any resident who has not lived at or owned a property in the District for at least six months prior to death is liable to higher interment fees.

4. Exclusive Right of Burial and Sale of Plots

- 4.1. Burial plots sold by the Council shall be sold upon the terms and conditions as decided by the Council and the exclusive right of burial may be granted for such limited period as the Council decides.
- 4.2. Exclusive Right of Burial may be sold by the council. When a person purchases a plot, they gain the Exclusive Right of Burial for that plot. This means that the purchaser owns the right to be buried in that plot; this does not mean they own the piece of land on which the plot sits.
- 4.3. The purchaser of an exclusive right of burial may designate an assignee to administer the right of burial if the purchaser is no longer able to. This assignee will be considered the primary person able to make decisions regarding the right of burial if the purchaser is deceased or incapacitated. If no assignee is designated or available, the executor of the estate of the purchaser will hold responsibility for decisions regarding the right of burial. Council may satisfy itself as far as practicable that a person is eligible to make any such decisions and will not be responsible for any disputes arising from any decisions so made. Council will generally deal with only one representative of the deceased as far as practicable to ensure consistency of decision making.
- 4.4. Where doubt of ownership of a plot exists, the council may satisfy itself, so far as practicable, that the burial is authorised.
- 4.5. Any application for the purchase of the exclusive right of burial in any plot or ground not previously used for interment shall lapse unless the purchase is completed by payment within six (6) calendar months from the date of the application.
- 4.6. To avoid non-use of burial plots, the Exclusive Right of Burial is held by the purchaser for a maximum of sixty (60) years without any burial taking place. After this time, if no burial has taken place in that plot, the Exclusive Right of Burial may, at the sole discretion of Council, revert back to the council with no entitlement for refund of the purchase price. Such plots may be resold by Council.
- 4.7. Council may satisfy itself of the intent of a purchaser to use the Exclusive Right of Burial. Therefore, if no burial has taken place within fifteen to sixty (15-60) years of purchase of an Exclusive Right of Burial; the Council may, at its discretion and following appropriate enquiries as to the current relevance of the Exclusive Right of Burial, require the holder to surrender the Exclusive Right of Burial back to the council upon reimbursement of the original purchase fee. Where the original purchaser or their immediate family cannot be contacted; the Right of Burial will revert back to Council ownership with no right of refund. Such plots may be resold by Council.

- 4.8. Where the purchaser of the exclusive right of burial (or assignee, executor or immediate family if the purchaser is deceased) no longer wishes to use the exclusive right of burial, the Council may at its discretion purchase back any unused exclusive right of burial on such terms and conditions as it thinks fit, provided that the price refunded shall not exceed the original purchase price, however an allowance may be made for inflation since the date of original purchase at the sole discretion of Council. Exclusive rights of burial that have been bought back may be resold by the Council.
- 4.9. The purchaser of an exclusive right of burial may transfer that right to a close relative subject to the approval of the Council and on payment of any prescribed transfer fee.
- 4.10. Exclusive rights of burial may not be on-sold by the original purchaser to any other party apart from Council. Only Council may sell exclusive rights of burial for council administered cemeteries.
- 4.11. Where application is made to the Council for the interment of a deceased indigent person, the applicant shall provide a declaration signed by a Justice of the Peace, certifying that:
- a) Such deceased person has not left sufficient means to pay all the prescribed fees; and
 - b) All the prescribed fees are not covered by an Accident Compensation or Government entitlement or subsidy; and
 - c) The deceased person's relatives are unable or unwilling to pay the same.
- Additional proof to confirm the declaration may be required by the Council
- 4.12. No permanent monuments or crosses are permitted on an indigent grave as the exclusive right of burial has not been purchased and still belongs to the Council. If a family wishes to erect a monument on an indigent's grave this can be facilitated when all Council fees and charges have been paid.

5. Burials and Ashes Interments

- 5.1. The Council Sexton must be contacted at least 24 hours prior to any interment taking place. No interments will take place prior to Monday 12pm unless the Council Sexton has been notified prior to Friday 4pm.
- 5.2. Interments may take place with less than 24 hours notice under special circumstances with the prior approval of the Sexton¹.
- 5.3. In every case of intended burial within the District, the person responsible for the burial shall make application to the Council for a warrant authorising the burial; and in support of their application shall produce such information and evidence as the Council may reasonably require.
- 5.4. No burial shall be made in any Council cemetery without a burial warrant.

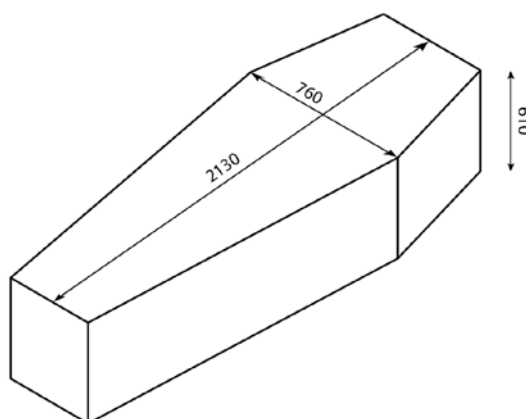
¹ The intent of this clause is to allow for different cultural practices and for special health circumstances to be accommodated.

- 5.5. No such warrant shall be issued until the fee for interment has been paid. Provided, however, that in the case of an interment under the management or control of a funeral director, the Council may render an account.
- 5.6. The burial warrant must be completed and returned to the Sexton the day prior to the funeral. The burial warrant, when received by the Sexton, shall be sufficient authority for burial.
- 5.7. No person shall place any monument on a plot until all prescribed fees have been paid, except for temporary markers provided by the funeral director.
- 5.8. Burial and ashes plots cannot be reserved. Burials and ashes interments shall take place in such plots as the Sexton shall determine.
- 5.9. The maximum number of interments in Kāpiti Coast District Council administered cemeteries, subject to ground conditions and space permitting, is:
 - a) Up to one (1) casket and four (4) ashes urns interred in one grave plot; or
 - b) Up to two (2) caskets and two (2) ashes urns interred in one grave plot; or
 - c) Up to eight (8) ashes urns interred in one grave plot; and
 - d) Up to four (4) ashes urns interred in one monumental cremation plot; and
 - e) Up to two (2) ashes urns interred in one garden cremation plot; and
 - f) Up to four (4) ashes urns interred in one ashes niche

The Sexton has the authority to approve special dispensation requests received in writing if the situation is deemed to be appropriate by the Sexton.

This size of any plot or niche will be determined by Council and it will be the responsibility of the holder of the Exclusive Right of Burial, their Assignee or Executor to ensure that any casket or urn is suitable for interment in the designated location.
- 5.10. Burial plots will normally be double depth, allowing space for one additional interment, unless the Sexton deems a single depth plot is needed for health and safety reasons or the burial plot is within any natural burial area.
- 5.11. The Council may set aside areas of cemeteries for the scattering of ashes. Ashes may be scattered in those areas once relevant forms have been completed and approved by Council and all applicable fees have been paid to Council.
- 5.12. Ashes may not be deposited in a public place without prior written approval by the Council. This includes the scattering of human ashes in any cemetery, reserve, river or beach.
- 5.13. No animal(s), including birds or fish, either as ashes or as a body, may be interred in a Council cemetery.

- 5.14. If an interment involves a non-standard or couch style casket this must be notified on the "Application for Interment" form. All caskets must be suitable for burial by Approved Persons. The Council retains the right to determine what a suitable casket is.
- 5.15. A casket for an adult burial plot should not usually exceed 2130mm (length) x 610mm (depth) x 760mm (width). If a larger casket is required the Sexton must be advised at least twenty four (24) hours in advance so that suitable arrangements can be made for burial.



6. Conditions for Natural Burials

- 6.1. The ultimate goal of natural burial is for the area to regenerate into native bush, therefore maintenance will only be carried out to the extent necessary to promote natural growth of native species and no permanent memorials are to be included within the natural burial area.
- 6.2. All items placed within a natural burial plot must comply with the principles of a natural burial. Primarily that all objects and materials must be natural and biodegradable with minimal negative impacts on the soil and ecology. All shrouds and caskets presented for burial must be suitable for a safe burial process regardless of material.
- Sustainably grown timber caskets are preferred.
 - Caskets made of plywood glued together with non-toxic PVA glue are acceptable.
 - Handles can be made of natural materials or natural rope.
 - The casket lining must be of bio-degradable material e.g. Cotton.
 - The deceased should be dressed in natural fibre clothing, with no undue additional synthetic substances.
 - Chemicals and embalming fluids etc. are not permitted.

- 6.3. Materials that cannot be used are as follows:
- a) Any types of plastic or metal fittings (not including nails or screws).
 - b) Treated timber varnish, toxic glues or plastic sheeting inside the casket.
 - c) Non bio-degradable material inside or outside the casket.
- 6.4. If a shroud is to be used instead of a casket they must be suitably prepared.
- a) Woollen shrouds with a solid base are acceptable. The solid base which assists in lowering into the ground can be of natural timber and contained within the shroud.
 - b) Contents of shrouds must be fastened to a solid base to prevent movement to one side.
 - c) The top and sides of a grave must be reinforced with timber when a body is buried in a shroud.
- 6.5. Unacceptable caskets or shrouds:
- a) Cardboard caskets.
 - b) Caskets or shrouds leaking fluids.
 - c) Caskets or shrouds having an offensive smell.
- 6.6. If the deceased died from or with a communicable disease then they must be transferred to the gravesite and buried in a leak proof eco-casket.
- 6.7. Natural burials can only take place in Council approved cemeteries and in pre-determined natural burial lots allocated within the cemetery. Plots cannot be reserved and will be allocated in sequence by the Council. All plots will be recorded using GIS technology.
- 6.8. Secondary interment is not permitted.
- 6.9. To promote rapid breakdown and decomposition, where possible bodies are buried 800 - 1000mm below the surface to the top of the coffin or shroud.
- 6.10. A native shrub is planted on top of the burial plot during the planting season following interment. A list of plant options will be provided by the Council which can be selected by friends and family of the deceased; this may vary as the natural burial area becomes established and different species become suitable as natural succession occurs. The cost and maintenance of any plant is included in the plot purchase price. Council will be responsible for staking plants but bears no responsibility for the failure of any tree. Council will replace dead or damaged memorial plants at the family's request and for an additional charge.

- 6.11. No permanent memorials are permitted within the natural burial section of any cemetery, and no other memorials or additional plantings are permitted in any natural burial area without the approval of the Sexton.
- 6.12. Council will manage maintenance of burial plots to avoid soil erosion.

7. Opening and Closing the Ground for Burial

- 7.1. Only the Sexton or an Approved Person shall open a grave or open the ground for burial in any part of the cemetery. Ground conditions permitting, the minimum depth of cover for any casket shall be no less than one metre, with the exception of interments in any natural burial area.
- 7.2. Any person being the family or friends of the deceased may, with prior approval, close any grave or area opened for burial under the supervision of the Sexton or Approved Person, provided it is considered safe to do so by the Sexton. Requests for approval of the family or friends of the deceased to close the grave must be received at least 24 hours prior to the interment. Council will provide appropriate equipment for the closing of the grave if requested, any such request must be presented at the same time as the approval to close request.

8. Fees

- 8.1. Fees are reviewed annually and set by Council resolution. The fees and charges may from time to time be amended or added to by resolution of the Council, and any such resolution may from time to time, be amended or rescinded, by a further resolution of the Council.
- 8.2. In the event of friends or relatives of the deceased not using a funeral director a representative or relative of the deceased must pay the prescribed fees.
- 8.3. In the case of fees payable by a funeral director, the Council will charge the funeral director on the basis of a monthly account.
- 8.4. "Out of District" fees may be payable in the case of a burial of a deceased person not residing in or not a ratepayer of the district. Out of District fees of such amount as the Council may determine by resolution from time to time shall be payable in the case of the burial of the deceased person not residing in the District for at least 6 months immediately prior to date of death, and in the case of a stillborn child unless one of whose parents, was a resident or a ratepayer of the district for 6 months prior to the birth of such child. Residence by a person in a hospital or institution in the district shall not be deemed resident in the District and the Council shall decide in each case whether an "Out of District" fee is payable in respect of such person. The Sexton has the authority to waive this charge if, in the circumstances, the fee is deemed to be inappropriate.
- 8.5. There is an additional surcharge for Saturdays and out-of-hours interments. These charges may vary and will specifically cover all costs associated with out-of-hours operations.

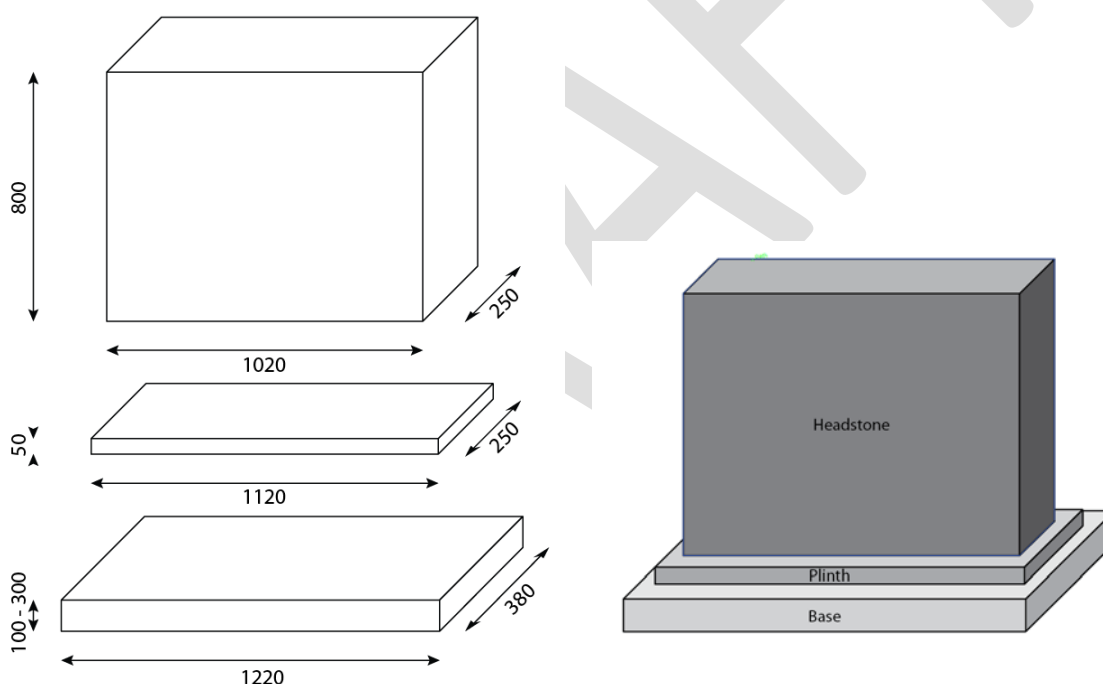
9. Hours of Operation

- 9.1. Normal operating hours are Monday to Friday 9.00am – 3.30pm.
- 9.2. Arrangements can be made in special circumstances for a Saturday interment between the hours of 9.00am – 1.00pm. Dispensation will be considered by the Sexton for special circumstances.
- 9.3. No interments will take place on statutory holidays. However, dispensation will be considered by the Sexton for special health circumstances approved by the Medical Officer of Health.

10. Monuments

- 10.1. All monuments should typically be of the general type and style of the surrounding monuments in the area of the cemetery into which they are being placed. In certain circumstances this may allow for deviation from the standard dimensions and requirements, generally this will be in older areas of a cemetery and not for new interments.

- 10.2. Monumental Headstone Sections - Maximum allowable dimensions



- 10.2.1. All bases are to be of standard dimension and may be granite, marble or plastered concrete. The dimensions are not to exceed:

Width	1220 mm
Depth	380 mm
Height	100 mm at the lowest point. 300 mm at maximum height (to be uniform with existing bases if the ground is sloped).

10.2.2. A plinth is to be supplied with all headstones and may be marble or granite (not plastered concrete). The plinth must not exceed the following dimensions but may have a bevelled edge:

Width	1120 mm (50 mm clearance either end of base)
Depth	250 mm
Height	50 mm

10.2.3. All tablets/headstones must comply with the following dimensions:

Maximum width	1020 mm (50 mm clearance either end of the plinth)
Maximum depth	250 mm (can't be deeper than the plinth)
Maximum height	800 mm (excludes base & plinth)

10.2.4. A tablet or headstone must be made of suitable permanent materials, such as granite, capable of lasting two hundred years or more in a structurally safe condition and having a surface on which inscriptions can be made which remain legible for the life of the monument.

10.2.5. Dispensation for 'special'² tablets and headstones may be given where:

- a) over-width (but not height) memorials are requested which may extend over two or more side by side burial plots; or
- b) a softer stone or another material is used (with these materials a more permanent panel must be affixed for the inscription, such as granite or bronze).

All requests for dispensation must be made in writing to:

The Open Space Manager/Sexton

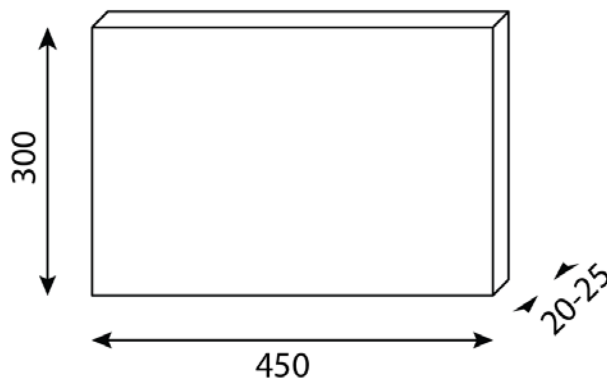
Kāpiti Coast District Council

Private Bag 60601

Paraparaumu

² The intent of the Bylaw (where reasonably possible) is to provide a level of flexibility for differing cultural preferences.

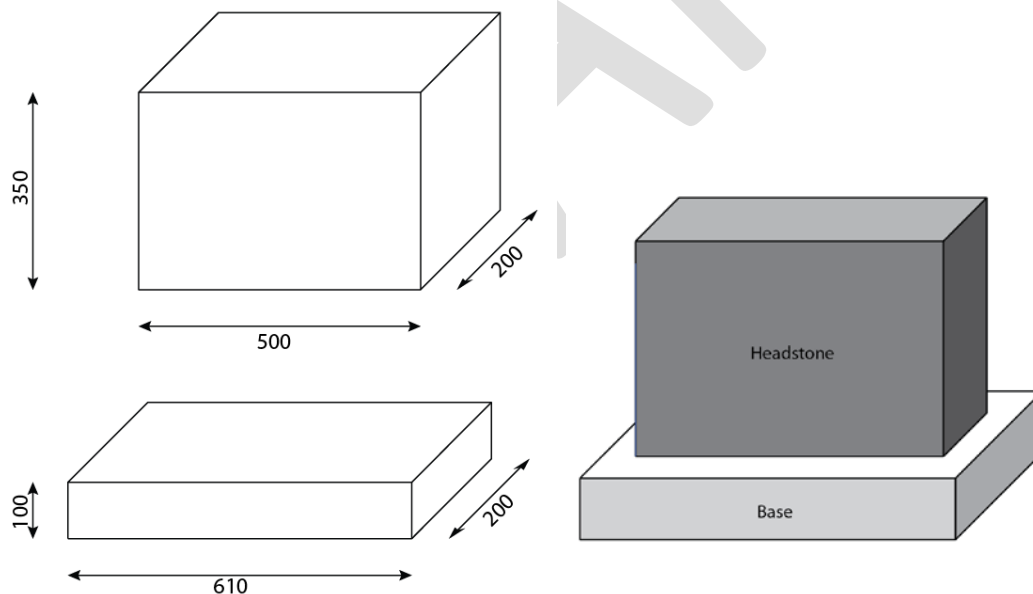
10.3. Lawn Plaques Section



10.3.1. Only granite plaques with polished edges that have the following dimensions are accepted in this section:

Width	450 mm
Depth	300 mm
Thickness/Height	20 – 25 mm

10.4. Cremation Beam Headstones Section - Maximum allowable dimensions



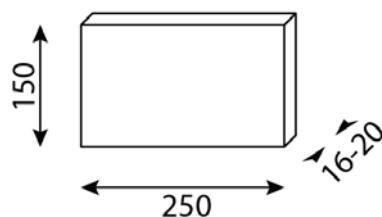
10.4.1. Bases are to be of marble, bronze or granite only and must not exceed the following dimensions:

Width	610 mm
Depth	200 mm
Thickness/Height	100 mm

10.4.2. No plinths are permitted in this section. All Tablets/Headstones must not exceed the following dimensions:

Width	500 mm (allowing 50 mm base clearance)
Depth	200 mm
Thickness/Height	350 mm (not including base)

10.5. Cremation Garden Plaques Section



10.5.1. Only granite plaques with polished edges and bronze plaques that have the following dimensions are accepted in this section:

Width	250 mm
Depth	150 mm
Thickness/Height	16 – 20 mm

10.6. Some unique areas of the cemeteries have non-standard monument size requirements. Council will advise these requirements upon application for interment in any of these areas.

10.7. Children's Section

10.7.1. Children under six (6) months are also able to be buried in the Cremation Beam Headstone Section of the cemetery upon application to the Sexton, provided there is room to accommodate the burial. The monument regulations for this section shall apply.

10.7.2. The Council may set aside areas for children's burial, and may determine appropriate fees as outlined in 8.1 for children's interments.

10.7.3. Specific permission may be granted to families who wish to inter a child from a Foetal or Neonatal death in the Cremation Garden area.

11. Monument Maintenance

11.1. Minimum structural design, installation and renovation for all monuments shall be those specified in New Zealand Standard for Headstones and Cemetery Monuments NZS4242:1995 (materials and components).

11.2. All above ground grave structures, enclosures, memorial headstones and other monuments shall be kept in good order or repair by the holder of the exclusive right of burial, their assignee or next of kin to the satisfaction of the Sexton. The Council does not take any responsibility for damage or vandalism to any monument.

- 11.3. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, and after making attempts to contact the family of the deceased, the Council may remove any installation/s of any kind that presents a health and safety risk or falls into a state of decay or disrepair. A photographic record of the memorial shall be taken prior to removal and retained in cemetery records.
- 11.4. The Council may remove any unauthorised memorials from the cemetery.
- 11.5. A permit must be obtained from the Council before any monumental mason or other person commences any work on any plot in any cemetery including construction, removal or modification of any monument. Any monuments must be constructed of approved stone or permanent materials, and comply with any other requirements set by the Sexton.
- 11.6. No new vaults, kerbing or fencing around plots are permitted in any cemetery. Repair or replacement of existing structures is permitted.
- 11.7. No monumental mason or other person erecting, maintaining or repairing any headstone, monument or memorial shall place any tools or materials on any footpath or other part of the cemetery for a longer time than is reasonably necessary for the purpose of completing such work.
- 11.8. Any person undertaking authorised works associated with any plot must adequately protect the surrounding plots, monuments and cemetery infrastructure. Any damage to surrounding plots, monument and cemetery infrastructure caused by the person undertaking work will be the responsibility of that person to repair or pay for repair. All unused construction materials must be removed from the cemetery on completion of the works.
- 11.9. No work is allowed on weekends without the prior approval of the Sexton.
- 11.10. Plaques, monuments adornments and decorations placed on plots must not be offensive or illegal, or contain offensive or illegal text or images. Council retains the right to determine what is offensive. Council may at its discretion remove any plaque, monument, adornment or decoration of any kind that it determines to be offensive or illegal.
- 11.11. Adornments may not inhibit the proper maintenance of the cemetery or other graves. The council may remove unapproved receptacles, ornaments or memorabilia from graves at any time to facilitate the maintenance of those graves.
- 11.12. Jars, vases or receptacles likely to break (e.g. glass) are not permitted to be used as flower containers.
- 11.13. The Council may at its discretion remove any unauthorised physical works or structures associated with plots.

11.14. Council is responsible for maintenance work which includes maintaining grassed areas, gardens, trees and shrubs, paths, steps, roads, signs, fences, toilets and beams. Maintenance does not include the upkeep, painting and repair of any monumental work, kerbing, stone or hard surface on any plot, or any item within the exclusive burial area.

12. Floral Tributes, Adornments and Other Decorations

12.1. No person shall, without the authority of the Sexton, remove or take from any grave in any cemetery, any vase, wreath, plant, flower or other object, except that the Sexton may cause to be removed any dead flowers or foliage, or any other items or materials placed on or around the burial site.

12.2. The Council may permanently remove any vases, planters, containers, receptacles, memorabilia or other items which are neglected, unsafe, broken or unsightly.

12.3. The Council may permanently remove any object that impedes or constrains the Council's ability to maintain the cemetery or causes littering.

12.4. No decorations may be placed in any garden within the cemetery.

12.5. Artificial or natural cut flowers or foliage will be removed and disposed of when they are dead or damaged.

12.6. The Council shall be under no liability to any person in respect of such removal, destruction or disposal.

12.7. Any objects caused to be removed by the Sexton will be held awaiting disposal instructions from the deceased's next of kin for one month, after which period such objects may be disposed of by the Council. Except that flowers, damaged items or items in contravention of this bylaw may be immediately disposed of.

12.8. Funeral wreaths and floral tributes may be placed on a plot for up to one calendar month following the date of interment.

13. Trees, Shrubs and Plants

13.1. No tree, shrub or plant shall be planted in any part of any cemetery without the written consent of the Sexton first being obtained. However, no tree, shrub or plant will be planted on any plot unless in a natural burial portion of the cemetery.

13.2. Any trees, shrubs or plants in any portion of any cemetery may at any time be trimmed, maintained or removed by the Council. This may include renovating gardens through replacing any or all plants. Council does not guarantee that the same plants will always be planted in any garden including ashes gardens.

13.3. No person shall disturb, damage, take or pick any cutting or flower from any tree, shrub, plant or other vegetation in any cemetery without the consent of the Council. No person shall plant, cut down or destroy any tree or shrub in any cemetery without the consent of the Council.

14. Vehicles

- 14.1. Except with the permission of the Council, no person shall drive or park a vehicle in any cemetery except in areas set aside for the driving or parking of vehicles.
- 14.2. No vehicle shall be driven at a greater speed than indicated on any road within the cemetery, and in any other direction other than indicated by traffic notices.
- 14.3. Every person driving or in charge of any vehicle in any cemetery shall stop or move such vehicle as directed by the Sexton or an Approved Person.
- 14.4. On any road within the cemetery all vehicles shall yield unconditional right of way to any funeral procession.
- 14.5. No vehicles will be permitted within any cemetery after sunset or before sunrise without the prior approval of the Sexton.
- 14.6. These provisions will not apply to an emergency vehicle (as defined in the Land Transport (Road User) Rule 2004) used at the time to save or protect life or health, or prevent injury or serious damage to property.

15. Conduct and Activities within Cemeteries³

- 15.1. No person in or near a cemetery or crematorium shall behave in a manner that creates a nuisance or is offensive or is likely to create a nuisance or offense to any other person lawfully within a cemetery.
- 15.2. No person will bring into or exhibit in any cemetery or crematorium any article that is a nuisance or is offensive to any other person.
- 15.3. No person shall, in or near any part of a cemetery, prevent, interrupt or delay the burial of any deceased person.
- 15.4. No person shall damage, deface or interfere with any burial place, headstone, monument, memorial or memorial tree, or any building or property within a cemetery. The Council accepts no responsibility for the effects of vandalism or intentional damage.
- 15.5. Any person installing or maintaining a memorial in a cemetery shall withdraw for the duration of any funeral service.
- 15.6. No person shall, without the permission of the Sexton, hold in any cemetery any memorial or monument unveiling or other service or ceremony of any kind.
- 15.7. No person shall, in any cemetery, advertise or solicit any order from any other person for any work whatsoever, or for the sale, preparation or supply of any article, material or item. No person shall solicit any order or custom from any other person, in the cemetery, for any work whatsoever, or for the sale, preparation or supply of any article. No person shall in the cemetery, accept or take any such order or custom.

³ For further rules on conduct in public places please refer to the Kāpiti Coast District Council Public Places Bylaw

- 15.8. No person shall without the consent of the family and funeral director, take any photographs or moving images at a funeral.
- 15.9. No person shall carry or consume alcohol or mind altering substances within a cemetery.
- 15.10. No person shall light or allow any fires to be lit in the cemetery.
- 15.11. No person shall dump household, commercial or industrial waste in cemetery bins or in any part of the cemetery.
- 15.12. No person shall enter any cemetery during the hours of darkness without the approval of the Sexton.
- 15.13. No person may discharge any firearm in any Cemetery, whether for a military funeral or otherwise, without the approval of the Sexton.
- 15.14. No person shall be permitted to bring any livestock into any cemetery for any purpose without the approval of the Sexton.
- 15.15. All dogs must be on a leash at all times and owners shall promptly remove their animals from the cemetery if requested by the Sexton, an Authorised Officer, Approved Person, Animal Control Officer or member of the Police.

16. Disinterment

- 16.1. Where a request for disinterment and/or a re-interment is received by the Council or other cemetery owner, the disinterment shall be conducted pursuant to sections 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of such fees as the Council decides.
- 16.2. If a grave is rendered empty due to disinterment, and where there is no valid exclusive right of burial, or intent by the holder of the exclusive right of burial to use the plot in the future, or the exclusive right of burial holder cannot be found, that plot will revert back to the council and the council will not be liable to make any refund of the cost of that burial plot. Such plots may be resold by Council at its discretion.
- 16.3. The party responsible for disinterment shall be responsible for removing any remaining memorial, plaque, headstone or other installation and shall be responsible for all costs associated with any such removal.
- 16.4. Where a request for a disinterment is received by the Council, the disinterment shall be conducted pursuant to section 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of the prescribed fees.
- 16.5. It will be the responsibility of the Council to open the grave only to the extent of exposing the lid of the casket. Removal of the casket from the grave will be the responsibility of the funeral director present or organiser of the disinterment.
- 16.6. No refund of the cost of the original burial or any part of that cost will be made.

- 16.7. The disinterment may only be conducted in the presence of:
- a) Council officer(s); and
 - b) A funeral director; and
 - c) Ministry of Health Inspector(s) or Health Protection Officer designated under the Health Act 1956; and
 - d) Any other person only with prior approval of the Council

- 16.8. The fee payable to the Council for the exhumation of the body of any deceased serviceman and the re-interment in the War Graves section of the cemetery, if application is made by the War Graves Branch of the Department of Internal Affairs, shall be such as may be agreed upon between the parties from time to time.

17. Records

- 17.1. The Council will keep plans of the cemeteries it controls, records of all rights of burial granted, and a record of all burials in the cemeteries. Plans and records will be open for inspection by the public at the offices of the Council during normal office hours.
- 17.2. Subject to the provisions of section 50 of the Burial and Cremation Act 1964 the Council will maintain records of each burial including the location of each person, or the ashes of each person buried or interred or disposed of in the cemetery.

18. Closing Cemeteries

- 18.1. As deemed appropriate, the Council may apply to officially close cemeteries under Part VI of the Burial and Cremation Act 1964. The Council shall maintain such cemeteries in perpetuity, subject to conditions as set under Part IV of the Act.

19. Offences and Penalties

- 19.1. Any person who fails to comply with the requirements of this Bylaw commits an offence and shall be liable on summary conviction to the penalty set out in section 242(4) of the Local Government Act 2002, being a fine not exceeding \$20,000.

20. Kāpiti Coast District Council General Bylaw

- 20.1. The provisions of the Kāpiti Coast General Bylaw 2010 and any bylaw passed in amendment or substitution are implied into and form part of this bylaw.