

1. Introduction

Cemetery reserves are special places in the community, they are very valuable to those connected with the deceased buried within, document the community's heritage and provide an open space area. These reserves preserve a valuable resource that can be appreciated today and by future generations.

The Cemeteries Management Plan has been developed to identify appropriate uses and activities within each cemetery and assist with day to day management and decision making. This management plan is a statutory document prepared under the Reserve Act 1977.

This document is an omnibus plan that applies to all cemetery reserves in which New Plymouth District Council (NPDC) is the owner of the land or has been appointed to control and manage under the Burial and Cremation Act (1964). It sets out objectives and policies in order to provide guidance to the Council and community about how these reserves will be managed and developed.

For the purposes of the New Plymouth District Cemeteries Management Plan, a parcel of land is considered a 'cemetery reserve' if it meets the following criteria:

- The land is managed by NPDC and used either actively for burials or has been a public cemetery and is now closed to burials¹.
- The land is used as a cemetery and administered by trustees other than NPDC, with NPDC having been delegated powers to appoint and remove the trustees under the Burial and Cremation Act 1964.

This plan should be read in conjunction with the NPDC General Policies for Reserves (2006). Where any matter is addressed by this document and the general policies, then the provisions in this document must take precedence. **Figure 1** demonstrates how this document fits in the Council's overall strategic framework.

Key points regarding the way the plan deals with activities and the development of reserves are -

- Where an activity or development is contemplated in this plan, this cannot be taken as a guarantee that it will occur. Decision making on particular activities and future development will take into consideration any requirements under the Reserves Act, Resource Management Act 1991 and Local Government Act 2002 as well as funding availability as determined through the Long Term Council Community Plan. Public consultation may also be required, depending on the nature of the activity and the implications for other reserve users, reserve neighbours and the public at large.
- Where an activity is noted as prohibited on a reserve then any proposals for that activity will not be approved unless a subsequent review and amendment of the plan is undertaken, in part or in whole.

¹ The omission to this is the closed cemetery at Marsland Hill, contained in the Historic Reserves Management Plan July 2010.

- If the plan is silent on an activity, the activity may still be considered. Decisions on whether or not to approve the activity will be weighed against the objectives and policies for the reserve and the general policies on reserves.

This management plan contains 17 cemeteries, 13 of which are managed by the Council. The other four cemeteries are administered by cemetery boards, these boards are responsible for how their cemeteries are managed, including policy and bylaws (see 2.2). The plan does not contain other burials grounds existing in the district, such as church graveyard, urupā or private burial ground, as these are not vested in the Council or involve the Council in their management.

This management plan was adopted by Council on 7 August 2012 and revokes the previous 1997 NPDC Cemeteries Management Plan.

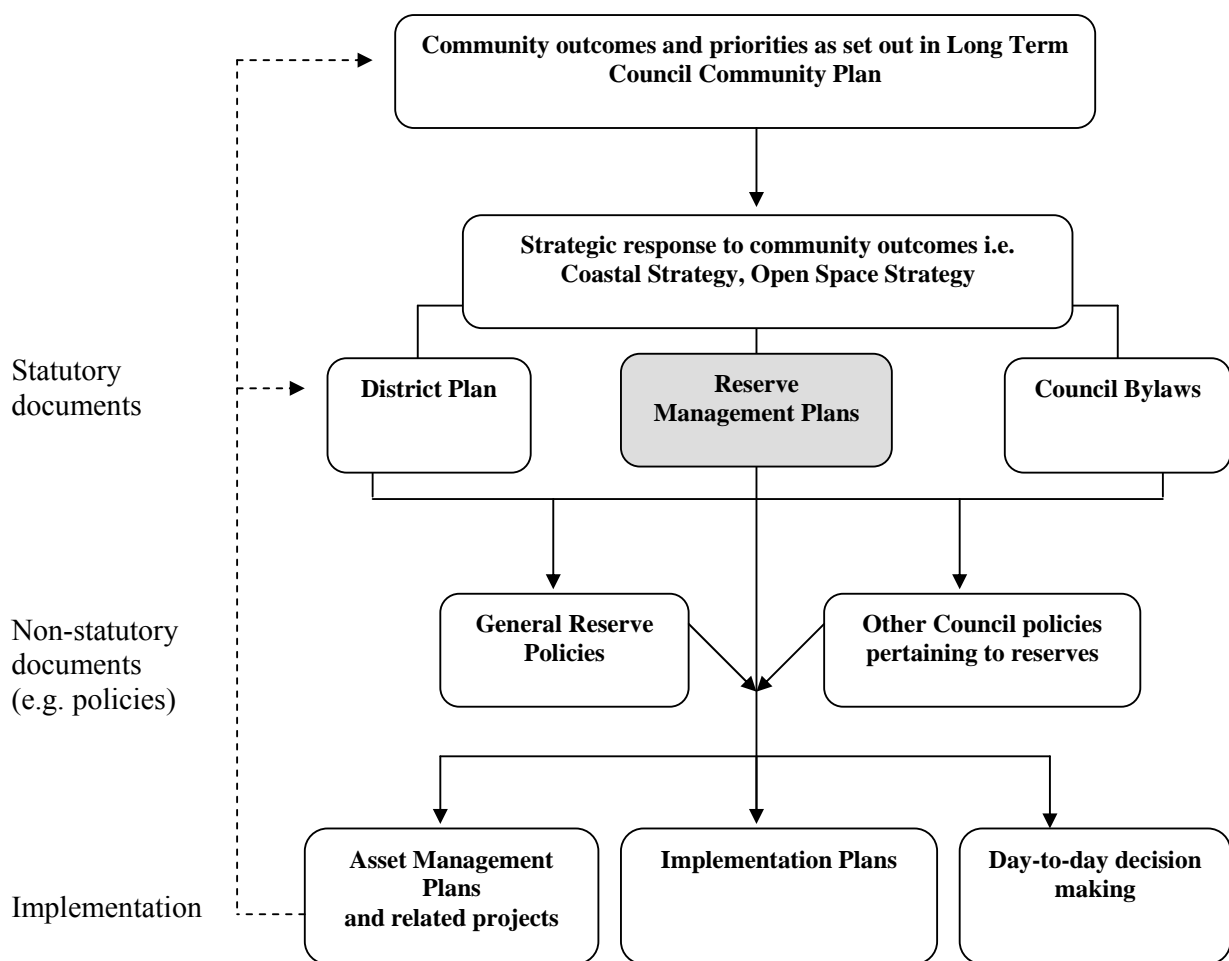


Figure 1: Statutory and non-statutory documents that guide day to day decision making regarding reserves

1.1 Plan overview

Chapter 2	Provides the context within which this management plan has been developed, including national legislation, and plans and policies within Taranaki Region and New Plymouth District.
Chapter 3	Describes considerations particular to tangata whenua in the district.
Chapter 4	Outlines general policies, which apply to all cemetery reserves.
Chapter 5	Levels of service relating to the development of cemetery reserves
Chapter 6	Outlines objectives and policies specific to individual reserves.
Chapter 7	Summarises process for plan implementation, review and amendments.
Glossary	
Appendices	

1.2 Management plan objectives

The following are objectives for the Cemeteries Management Plan:

- To satisfy statutory requirements in the Reserves Act 1977 and subsequent amendments.
- To provide a clear set of policies that allow NPDC to manage its reserves resources consistent with the purpose of each reserve, both now and into the future.
- To prepare a comprehensive document that deals with all cemetery reserves in an integrated manner.
- To provide the people of New Plymouth District an opportunity to have a say in the management of their reserves by making submissions to the preparation and development of this plan.

1.3 Planning process

The process being followed for development and adoption of the New Plymouth District Cemeteries Management Plan is consistent with Section 41 of the *Reserves Act 1977*, and as outlined in the Reserves Act Guide (Department of Conservation 1999).

The intention to prepare the management plans was public notified in September 2010 and the public were invited to submit comments and information to guide its development. In total seven comment forms were received. These were used to aid the development of the draft plan, in particular the policies and aspects of the concept development plans.

A second formal consultation period on the draft plans took place from April 2011 to June 2011, over a two month period. During this time the draft plan was made available to the public at a number of locations and formal submissions invited.

Amendments will be made to the draft plan as a result of the submissions, prior to the plan being presented to the Council for adoption.

1.4 Overview of New Plymouth District Cemeteries

Cemeteries managed by the Council currently contain the following type of cemetery layout:

1. Monumental cemeteries – this older style of cemetery often contains a concrete surround and cover on the grave site. The headstones vary considerably in size and form and are often elaborate.
2. Lawn Cemeteries – a development to reduce the maintenance cost of repairs to monumental type cemeteries. This style involves a concrete strip with plaques affixed horizontally onto the concrete strip. The area between the strips is in grass.
3. Limited lawn cemeteries – this style involves a concrete strip with an upright headstone which is limited in its dimensions and has grass between each concrete strip. Awanui Cemetery is an example of a predominantly limited lawn cemetery.
4. Ash burials – cremated ashes are buried with a memorial plaque installed on a concrete strip beside the grave, either in a lawn or limited lawn format.
5. Natural (eco) Burials – a departure from the previously mentioned casket burials, where the decomposition of the deceased and its associated container are managed in a way to mitigate toxic leaching to the environment. These burials are therefore comparatively shallow and the planting of the grave with trees is the style adopted by the Council.

Other features:

1. Denominational areas – a feature of the older monumental cemeteries is their segregation into sections for different Christian faiths, such as Catholic, Anglican, Presbyterian, Wesleyan and so on. This layout style for cemeteries has not been continued in the more modern parts of cemeteries.
2. Cultural, ethnic and general faith segregation – The establishment of a separate burial area for Muslim believers at Awanui cemetery represents a designated area where differing burial rules are applied compared with the remainder of the cemetery.

2. The Planning Context

2.1 Legislative and policy context

2.1.1 Burial and Cremation Act 1964

The Burial and Cremation Act 1964, is the principle statute regulating the administration and management of activities at cemeteries.

A cemetery is defined in the Act under section two as “any land held, taken, purchased, acquired, set apart, dedicated, or reserved, under the provisions of any Act or before the commencement of this Act, exclusively for the burial of the dead generally, and, where the context so permits, includes a closed cemetery”. Further that cemeteries are to be open to public (section six).

Of the thirteen cemeteries included in this management plan that are managed by the Council, eleven were established by the Crown with Council appointed trustees to control and manage. With these cemeteries, the cemetery land is vested in the Council where a gazette notice is published indicating the authority’s appointment (section 53(1)). Notices have been produced for these eleven cemeteries and therefore the land is vested in the Council. The two cemeteries where land was acquired by the Council are Awanui Cemetery and the new District Cemetery.

The Act places special emphasis on local authorities, as they have a duty to provide cemeteries where sufficient provision is not otherwise made, for the burial of bodies of persons dying within its district (section four).

Section 16 of the Act allows for the local authority to make Bylaws to assist in the management of the cemetery.

The Council has the delegated powers to appoint and remove trustees (section 24(1)) at four cemeteries in the district that are administered by trustees; these involve cemeteries located at Huirangi, Lepperton, Tikorangi and Tongaporutu.

2.1.1.1 Leases, licences and other agreements

The Burial and Cremation Act 1964, under section 21(2) gives the Council the power to grant leases of any unused portion of the land comprised of a cemetery for any term not exceeding five years.

In relation to local purpose (cemetery) reserves, the cemetery nomination indicates the intended purpose for the land and therefore grazing of undeveloped cemetery land is appropriate. Consideration of leases for other purposes could be appropriate in the short to medium term on undeveloped cemetery land, with the longer term view that the land could ultimately be used for cemetery purpose.

2.1.2 Reserves Act 1977

2.1.2.1 Administration of public reserves

All of the cemeteries in this management plan are reserves pursuant to the Reserves Act 1977. A principle application of the Reserves Act in this plan is to classify those cemeteries not yet classified, which is a mandatory requirement under the Act. The other application is to use the management plan process outlined in the Act and through this process the plan becomes a statutory document.

Management plans identify the circumstance in which the Council holds land designated as reserve, and provides a platform to guide day to day management.

All the reserves in this plan are to be classified as local purpose (cemetery). The Reserves Act 1977, does not require management plans for local purpose reserves; however a management plan is a useful tool that assists the Council in managing the land and provides an opportunity for the community to have a say in how the reserves are to be managed and developed.

With most of the reserves included in this plan, the Council has been appointed trustees through the Burial and Cremation Act 1964. This means that the Council is not administrators of the land under the Reserves Act 1977 and the land is held principally under the Burial and Cremation Act 1964.

2.1.2.2 Management planning for reserves

Section 41 of the Reserves Act requires an administering body (in this case NPDC) to prepare management plans for all reserves (except local purpose reserves, although they can be included) under its control, management or administration. The purpose of a management plan is to create policies for the management of reserves so that decisions regarding their use and development do not compromise the long term use of the reserve or conflict unduly with other uses. Management plans are required to be under constant review.

A management plan must “provide for and ensure”:

- The use, enjoyment, maintenance, protection, and preservation as the case may require of the reserve for the purpose for which it is classified;
- The reserve’s development (as appropriate) to the extent that the administering body’s resources permit, for the purpose for which it is classified;
- That the principles set out in section 17 to 23 of the Act that apply to the reserve, are incorporated in the plan;
- Compliance with those principles.

Once a management plan has been approved the Council may exercise certain statutory powers that are conditional upon a management plan being in existence (e.g. the granting of leases, licences and easements over reserve land). These are outlined in the Act itself and in the schedule to the Act entitled *Instrument of Delegation for Territorial Authorities* adopted in March 2004 (see Appendix A).

2.1.3 Other relevant legislation

Health Act 1956

Cemeteries are included in the Health Act 1956 and defined as sanitary works (section 25(1)). It is the duty of local authorities under section 23 of the Act to improve, promote, and protect public health within its district.

A consideration with burials at cemeteries is to avoid the occurrence of a nuisance, which is defined in section 29(b) of the Act as any accumulation or deposit that is in such a state or is so situated, as to be offensive or likely to be injurious to health. With casket burials, the consideration of leachates emanating from caskets entering the water table and/or water courses is of concern and needs to be averted. The creation of a nuisance is an offence under section 30(1) of the Act.

Local Government Act 2002

The Local Government Act 2002 provides the general framework and powers under which New Zealand's local authorities operate. In brief, the legislation sets out:

- The purpose of local government and the role and powers of local authorities.
- The structure of local government and the mechanisms for altering the structure.
- Principles for the governance and management of local authorities and community boards.
- A governance and accountability framework for local authorities' involvement in arms-length organisations - Council-Controlled Organisations and Council organisations.
- An enhanced framework for consultation, planning, decision-making, financial management, and reporting.
- A range of obligations, restrictions and powers, including requiring local authorities to assess their communities' needs for water, and wastewater and sanitary services, and placing an obligation on local authorities to provide water services to ensure continued public ownership of water services.
- The powers of the Minister of Local Government in relation to local authorities.

Funding levels for new development and maintenance of existing parks and reserves is set through a Local Government Act 2002 document called the Long Term Council Community Plan (LTP).

Resource Management Act 1991

The purpose of the Resource Management Act 1991 (RMA), as set out in Section 5, is “to promote the sustainable management of natural and physical resources”. The RMA provides the statutory basis for the New Plymouth District Plan. It is the Council’s role, through the District Plan, to manage and provide for the many recreational activities that occur within the district in a way which will not result in adverse effects on the environment.

The District Plan identifies heritage sites and waahi tapu, through an inventory which gives protection to items listed, particularly those listed as Category A. Cemeteries are listed as category B heritage items in the District Plan, with two monuments at Te Henui Cemetery and one at Waitara Historic Cemetery having a category A status.

Historic Places Act 1993

The Historic Places Act promotes the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. The New Zealand Historic Places Trust (NZHPT) established with the Act, registers historic places and areas, waahi tapu and waahi tapu areas. The register's purpose is to inform public, notify owners and assist in protection of historic places, historic areas, waahi tapu and waahi tapu areas to be protected under the Resource Management Act 1991. None of the cemeteries within the New Plymouth district are registered with the NZHPT, there are some 22 cemeteries or cemetery features on the register across the nation.

Apart from archaeological sites which are protected under the Act, listing on the register does not impart protection from alteration. The provisions of the Resource Management Act 1991 provides for the protection of historic heritage from inappropriate use and development as a matter of national importance. All of the cemeteries contained in this management plan with the exception of the new District and Awanui Cemeteries, have parts of the cemetery that meet the description of an archaeological site, having grave sites pre dating 1900. Two cemeteries also had chapels prior to 1900; Te Henui and Tataraimaka.

An archaeological site is defined as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. If there is a chance that an archaeological site may be damaged, an application to the NZHPT for permission is require. Proposed work that may affect an archaeological site requires an archaeological authority from NZHPT before work commences. If a previously unknown archaeological site is uncovered during earthworks, permission to continue work may be needed. Work must cease and the Trust be contacted for advice on how to proceed.

2.2 Role of other organisations in cemetery management

Cemetery Boards – Trustees

Four of the cemeteries included in this management plan are administered by independent trustees known as cemetery boards. They involve the following cemeteries:

1. Huirangi
2. Lepperton
3. Tikorangi
4. Tongaporutu

The cemetery boards administer and manage the cemeteries, having been appointed to control and manage under part three of the Burial and Cremation Act 1964.

With each of these boards, the New Plymouth District Council has been delegated powers by the Crown, to appoint and remove trustees. Three trustees are required for each board under section 22 (3) of the Burial and Cremation Act 1964. The boards are autonomous in their activities with the same powers and responsibilities as Council

under the Burial and Cremation Act 1964², including the ability to operate under their own bylaws.

At a Council Meeting on 3 November 2009, the Council delegated its power to appoint and remove future trustees of the Huirangi, Lepperton, Tikorangi and Tongaporutu Cemetery Boards, to the Chief Executive.

The Council offers grants to cemetery boards on application, outlined in the policy P93-012 'Management and Funding of Rural Cemeteries'. The total amount of grant funds available across the four cemetery boards is \$8,000. The fund includes annual grants to the boards and payment on application for approved ground works.

Council staff are engaged at the request of the board to prepare burial sites.

The four cemeteries are reserves under the Reserves Act 1977, with land at Tikorangi and Tongaporutu vested in the Council. The cemetery land at Huirangi and Lepperton is owned by the Department of Conservation (DOC).

For the two cemeteries where the land (Tikorangi and Tongaporutu) is vested in the Council, the Council is the administering body of the land with the cemetery board appointed to control and manage activities in the cemetery.

To achieve consistency in management of the districts rural cemeteries, a further action of formally requesting to the Department of Conservation, that Huirangi and Lepperton Cemeteries are also vested in the Council. Vesting under the Reserves Act 1977, is where the land is held in trust to hold and administer for the purpose for which the land is classified.

Veterans' Affairs

Headstones for the graves of service persons are supplied and the cost subsidised by the Veterans Affairs (Department of Internal Affairs). Veterans' Affairs is a unit within the New Zealand Defence Force headed by a General Manager who is also the Secretary for War Pensions, a statutory position responsible for the administration of the War Pensions Act 1954.

Ex-Service personnel who have had war service, or service in a specified armed conflict, peace-keeping force or other operation, and their spouses/partners may be buried in a Services Cemetery. Veterans' Affairs has provision for ex-service memorials and maintenance at 182 Services Cemeteries throughout New Zealand. Services Cemeteries are legislated for under Section 15 of the Burial and Cremation Act 1964.

The Council has set aside a Services Area at three of the Council managed cemeteries:

1. Awanui Cemetery
2. Te Henui Cemetery
3. Waitara Cemetery

² With the exception of rights and powers conferred in s4 and 20 (s25.2) – to provide cemeteries and clearance of disused cemeteries.

The Council currently waives the purchase plot fee for servicemen and servicewomen and their spouses/partners (Council resolution 7 June 2007).

The Veterans' Affairs New Zealand has financially assisted the Council in the establishment and development of the services cemeteries. A maintenance grant is received from Veteran' Affairs for the maintenance of the Services Cemetery; it is not designed to cover all of the costs. All requests for capital works such as landscaping and development work are also considered, but priority is given to the provision of new berms.

Ministry for Culture and Heritage

The Ministry has responsibilities for war and historic graves in New Zealand. The ministry funds the maintenance of war and historic graves at the following seven cemeteries managed by the Council, listed in detail in Appendix B:

- Inglewood
- Okato
- Tataraimaka
- Te Henui
- Waireka
- Waitara
- Waitara Historic Cemetery

War and historic graves are defined as:

- New Zealand Wars
Graves of military and civilian casualties 1840-1872, from both sides.
- South African War
Graves of those who served with the New Zealand Contingents in the South African Wars 1899-1902 and died within New Zealand within a year of discharge from the forces, from war related causes.
- WWI Commonwealth War Graves
Graves of serving members of the forces who died within New Zealand between 4 August 1914 and 31 August 1921.
- WWII Commonwealth War Graves
Graves of serving members of the forces who died within New Zealand between 3 September 1939 and 31 December 1947.

The ministry also maintains war and historic graves and monuments as described above in the New Plymouth District where they occur outside of the Council's cemeteries.

The Commonwealth War Graves Commission is responsible for "true" war graves – that is the graves of those service personnel who died during, or shortly after, World Wars One and Two, both overseas and in New Zealand between the dates as listed above. The Ministry for Culture and Heritage is the New Zealand agent for the

Commonwealth War Graves Commission and enquiries regarding “true” war graves should be made directly to the Ministry.

Returned and Services’ Association (RSA)

The Returned and Services’ Association (RSA) represents their members as an advocacy group promoting their concerns and are involved with the development of those cemeteries that contain a Services Area.

Ministry of Health

Every three years in conjunction with the Long Term Plan, the Council prepares an Assessments of Water and Sanitary Services (for full detail see under 2.3). Included in the category of sanitary services are the district cemeteries. In preparing the assessment, the Council under section 128 of the Local Government Act 2002, is required to consult with the appropriate Medical Officer of Health and take in the duties of section 23 of the Health Act 1956.

The Medical Officer of Health at the Taranaki District Health Board is also consulted on other issues, such as the appropriate depth for burials in the natural burial area.

Taranaki Regional Council

The Taranaki Regional Council (TRC) also has responsibilities that may affect the management of reserves. Regional Councils’ responsibilities include

- Developing regional policies on managing natural and physical resources
- Promoting sustainable land management and soil conservation
- Managing freshwater, land, air and coastal resources by developing regional policy statements, regional plans and issuing of consents
- Managing rivers and undertaking river control and flood protection
- Contributing to regional emergency management and civil defence preparedness
- Undertaking regional land transport planning, providing passenger transport services and undertaking harbour management
- Undertaking pest management, and
- Carrying out resource investigation, monitoring and environmental enhancement

New Zealand Historic Places Trust

The Trust’s mission is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. The Trust maintains the register of historic places, historic areas, waahi tapu and waahi tapu areas. The Trust also has the responsibility of processing applications to destroy, damage or modify historic the whole or part of an archaeological site.

None of the district’s cemeteries are currently registered as a historic place by the trust. However, two cemeteries include archaeological areas (see 2.1.2) and therefore contact with the trust would be required for any development work in these areas.

2.3 New Plymouth District Council plans and policies

2.3.1 Parks Asset Management Plan

Assets at cemeteries are covered in the asset management plan including roads, footpaths, buildings, rubbish bins and water taps.

The asset plan also includes the monuments and seats at Te Henui Cemetery, war memorials at Awanui, Oakura, Te Henui and Waitara Historical Cemeteries as well as gates and pillar at Inglewood and Te Henui Cemeteries along with retaining walls at Oakura and Te Henui Cemeteries.

The management plan includes a valuation and estimated life expectancy of each asset. This involves depreciation of the assets initial worth and consideration of the assets future replacement.

2.3.2 Sanitation Assessment

Cemeteries are a part of the sanitary assessment which is a component of the Council's three yearly Long Term Plan. The assessment considers the Council's ability to effectively provide cemetery facilities for the community, involving a statement of current and estimated future demand.

2.3.3 Long Term Plan

The Long Term Plan (LTP) is the overarching planning and policy document for New Plymouth District. It is updated tri-annually and sets out the Council's priorities over the medium to long term to provide for the wellbeing of the district. This wellbeing is measured against seven community outcomes developed through public consultation:

- vibrant,
- prosperous,
- sustainable,
- secure and healthy,
- skilled,
- together, and connected.

The LTP provides a framework for funding and implementation of Council projects and programmes, including policy and planning. Funding for the implementation of this reserves management plan will be decided through the LTP process, which will next occur in 2012.

2.3.4 District Plan

The District Plan is a statutory document, carrying legal weight under the Resource Management Act 1991. The plan recognises that open spaces, such as reserves, are valued by the community and require recognition and protection. Open space is defined in the plan as "an area of open land, with or without associated buildings, which fulfils a community desire for aesthetic and/or recreational pursuits". The District Plan zones such areas, which may occur on public or private land, as Open Space Environment Areas (OSEAs). Within OSEAs, rules and standards are in place

to control activities that have the potential to adversely affect the character of the areas. These rules primarily relate to buildings, advertising signs and other structures erected within OSEAs.

The District Plan also has provisions to protect specific features that occur within reserves, such as historic sites, waahi tapu and notable trees.

Activities within Council administered reserves have to comply with rules set out in the District Plan, primarily with regard to buildings and structures and other developments on reserve land. However, the plan also recognises that reserve management plans are the most appropriate tool for the management of reserves and the effects arising from multiple uses of reserve land³.

The District Plan not only considers activities within areas zoned as OSEAs, but also the potential impacts of activities in proximity to OSEAs. Objectives and policies are in place to ensure that “activities within an area should not have adverse effects that diminish the amenity of neighbouring areas, having regard to the character of the receiving environment and cumulative effects”⁴ and that new activities are “sensitive to the elements that define the character of the area in which they intend to locate”⁵. Rules within the District Plan specify standards to achieve these policies and provide for the application of conditions on resource consents to mitigate adverse effects.

Other aspects of the District Plan that affect management of reserves include policies related to the maintenance of natural values. These include the following:

- Assessment criteria associated with plan rules include consideration of the impact of development on the natural character of the coastal environment, wetlands, lakes, rivers and their margins⁶. Conditions may be placed on resource consents, where appropriate, to avoid, minimise or mitigate impacts.
- Activities on and in proximity to indigenous vegetation or habitats may be controlled through conditions on resource consents in order to ensure that subdivision, use or development does not adversely affect the quality and intrinsic values of these areas⁷.

The majority of cemeteries contained in this plan are within open space environmental areas. In addition, two monuments at Te Henui Cemetery and one at Waitara Historic Cemetery are listed as category A in the District Plan, with eight of the Council managed cemeteries and three of the trustee administered cemeteries listed as category B heritage sites in the district plan. The cemeteries not included as category B are: Awanui, District, Purangi, Urenui and Waitara Historic cemeteries and of the trustee managed, Tongaporutu Cemetery.

³ See Policy 8.2 of the Operative District Plan 2005.

⁴ Policy 1.2 of the Operative District Plan 2005.

⁵ Policy 1.3 of the Operative District Plan 2005.

⁶ See Objective 14 of the Operative District Plan 2005 and associated policy and methods of implementation.

⁷ See Policy 16.2 of the Operative District Plan 2005 and associate methods of implementation.

A resource consent is required from New Plymouth District Council (Consents Team) in relation to the effects that the new cemetery activity will have on traffic generation. The process involves an application which includes ways that the development will avoid, remedy or mitigate any adverse effects likely to be caused by the new activity. The district council will assess the application and if approved may apply conditions on the consent/activity.

2.3.5 General Policies for Council Administered Reserves 2006 (P06-003)

The General Policies for Council Administered Reserves is an overarching reserve policy document that includes policies on the Conservation of Cultural Heritage Values and the Conservation of Natural Values. For areas of cultural heritage value, policies exist to protect areas of identified cultural heritage, including consultation with mana whenua and the attainment of an archaeological assessment of a site prior to approving any proposed works. There are also processes outlined if an artefact is revealed during the event of development work.

Policies for the Conservation of Natural Values includes that reserves are planned and managed to avoid, minimise or mitigate damage to ecological values as a result of public access and use. Areas of significant conservation value are to be mapped in management plans.

2.3.6 Cemetery Capacity Review

Ongoing review of the capacity of cemeteries is undertaken as part of the sanitary assessment in the Community Plan. There are also reports to the Council on capacity that give more detail and propose various actions for Council to decide on, to improve the provision in the district.

Through the process of reviewing cemetery capacity, the need for more cemetery land to service the New Plymouth and Inglewood areas became apparent, with both Awanui and Inglewood Cemeteries approaching capacity. The search for a new cemetery has resulted in the development of land at Plantation Road, as a new cemetery intended to service to entire district, as other localised cemeteries reach capacity.

2.3.7 Heritage Strategy

The Council is preparing a heritage strategy for the district, to ensure there is strategic direction, planning and integration of Council's involvement in heritage. Other aims of the strategy are to inform, engage and involve the community and other stakeholders in Council heritage, to identify and define new and existing heritage, to protect and preserve heritage. Further aims are to record, collect, share and make heritage accessible and to fund and assist heritage.

2.3.8 Council bylaws and other policies

Bylaws relevant to the Cemeteries Management Plan

Day to day operations in parks and reserves are also controlled by the district's bylaws; cemeteries have their own specific set of bylaws:

Bylaw 2008 Part 3: Cemeteries and Crematoria

Bylaw 2010 Part 3a: Cemeteries and Crematoria (Supplementary to
Cemeteries and Crematoria New Plymouth District Council Bylaw 2008)

The above bylaws control activities in cemeteries such as appropriate behaviour in cemeteries, conditions of burial, physical works associated with plots and maintenance of plots.

Reserve policies should be read in conjunction with the New Plymouth District Council Bylaws 2008, which include the following that specifically relate to reserves:

- Part 2: Animals
- Part 5: Public Places
- Part 6: Recreational and Cultural Facilities
- Part 7: Signs
- Part 8: Skateboarding
- Part 10: Stock Control
- Part 12: Trading in Public Places and Itinerant Traders
- Part 13: Traffic

As well as the following New Plymouth District Council Consolidated Bylaws 2010
Part 2: Dog Control

Other policies relevant to the Cemeteries Management Plan

Over time the Council has adopted a number of policies that are relevant to the management of cemetery reserves. There are a number of individual policies that provide direction to reserves management (listed below).

Unless this management plan specifies an alternative approach to management generally or for specific reserves these policies should be considered where relevant as part of any decision made about a cemetery reserve.

- Boundary Fencing (P00-022)
- Advertising Signs on Reserves (P00-023)
- Barrier Free District Policy (P01-015)
- Reduction to UV Exposure (P04-003)
- Memorials in Public Open Spaces (P04-009)
- Heritage Trails (P05-017)
- District Tree Policy (P06-002)

Note that policies may be reviewed, replaced or amended over time.

3. Tangata Whenua and Cemetery Reserves Management

Background

Taranaki has been settled by humans for approximately 800 years, with the arrival of many waka over the centuries. There are six intertwined iwi groups having rohe in New Plymouth District: Ngati Tama, Ngati Mutunga, Te Atiawa, Ngati Maru, Taranaki, and Ngati Maniapoto. Most iwi trace their ancestry back to the last wave of waka migration, namely Mataatua, Tainui, Tokomaru and Kurahaupo waka⁸.

Some of the hapu groups within the district are Hapu o Poutama, Manukorihi, Ngati Rahiri, Pukerangiora, Otaraua, Puketapu, Ngati Tawhirikura, Ngati Te Whiti, Ngati Tuparikino, Hamua Te Matehou, Ngati Tairi and Nga Mahanga.

Much of the coastal land in New Plymouth District was settled by Maori prior to the arrival of European settlers, from the Hangatahua (Stony) River in the south to the northern boundary of the district near Mokau.

The Crown assumed ownership of a large amount of land at the time of European settlement and in later years as the district developed. Over a million hectares of land was confiscated during the 1860 land wars. Subsequently, lands were taken for public works such as the railway and schools. These events disrupted the relationship between tangata whenua and their rohe and the kaitiakitanga, or stewardship, role that they traditionally held with regard to those lands and resources.

Issues related to land ownership are still in the process of being resolved. The Treaty of Waitangi settlement process has given statutory acknowledgement to Ngati Tama and Ngati Mutunga of their relationship to lands and resources with their rohe. Te Atiawa Iwi Authority entered into a Heads of Agreement with the Crown in 1999 and is working towards a Deed of Settlement. Additional settlements may occur in the future as iwi bring forward claims to the Waitangi Tribunal.

Kaitiakitanga

The Mana Whenua Mana Moana document prepared by the Mana Whenua Reference Group in 2005 describes the history and connection of each iwi and hapu group with their rohe. The document notes that “One of the most important issues for tangata whenua is land and land use, whether it is in their ownership, private ownership or local authority ownership. Their responsibilities of kaitiakitanga do not alter”(page 5). The Mana Whenua Mana Moana document describes kaitiakitanga as follows:

“KAITIAKITANGA in the traditional concept was an obligation and responsibility of tangata whenua to be protectors and caretakers of the tribal estates, interests and resources. This included the ability to put in practice particular protection methods such as rahui. The modern concept of kaitiakitanga is the responsibility on tangata whenua to advocate and practice sustainable development.”

⁸ New Plymouth District Council, Tangata Whenua website:
<http://www.newplymouthnz.com/tangata+whenua/history.htm>

One of the most immediate ways for the Council to acknowledge the kaitiaki role of tangata whenua within their rohe is to provide opportunities for participation in decision-making processes on issues related to the management of land and resources, including reserves owned and/or administered by the Council. Mana Whenua Mana Moana notes that “It is of utmost importance that any decision regarding land and resources will be of significance to tangata whenua.”

Legislative context

As a partner to the Treaty of Waitangi / Te Tiriti O Waitangi, Maori are given special recognition under the Conservation Act 1987, Resource Management Act 1991 and Local Government Act 2002. All persons exercising powers and functions under these Acts are required to have regard to these matters.

Section 4 of the Conservation Act 1987 requires that the Reserves Act 1977 be interpreted and administered to give effect to the principles of the Treaty of Waitangi⁹. This management plan must therefore take into account the principles of the Treaty. The Council must consult with and have regard to the views of tangata whenua before undertaking action and making decisions about reserves for which the Council is the administering body. At the same time, any actions and decisions made by the Council for the purposes of managing a reserve must comply with the Reserves Act and be in accordance with the primary and secondary purposes for which the reserve is classified.

The Resource Management Act 1991 and the Local Government Act (LGA) 2002 contain requirements to involve tangata whenua in decision-making regarding lands and resources that are within their traditional rohe but outside of their ownership. Parts [2](#) and [6](#) of the Local Government Act 2002 outline principles and requirements for local authorities to facilitate participation by Maori in local authority decision-making processes.

Section 77(1)(c) of the LGA 2002 requires that any significant decision made by a local authority in relation to land or a body of water, “take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga”.

Section 81(1) of the LGA 2002 requires a local authority to:

- a. Establish and maintain processes to provide opportunities for Maori to contribute to the decision-making processes of the local authority, and
- b. Consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of the local authority, and
- c. Provide relevant information to Maori for the purposes of paragraphs (a) and (b).

Tangata whenua considerations in the Cemeteries Management Plan

Iwi and hapu were consulted regarding their interests and concerns related to cemeteries management during the initial information gathering period and will have

⁹ Crown Law Office opinion is that the Conservation Act 1987 binds the Acts listed in Schedule 1, including the Reserves Act 1977.

the opportunity to make a formal submission on the draft plan during the second round of consultation early in 2010. As an outcome of the consultation to date and gathering of information, the following was incorporated into the Plan.

- For each reserve in the Cemeteries Management Plan, the interests of tangata whenua are noted.
- The plan contains a general policy that the Council will consult with the relevant tangata whenua group(s) regarding proposals for any significant developments or activities on cemetery reserve land within their area of interest.
- Tangata whenua will have the opportunity to provide input into reserve names as part of an ongoing process, with the goal of identifying Maori names to be included in signage and Council documents pertaining to Council administered reserves. This is consistent with council policies on reserve naming and concurrent with the Council signage strategy.

Urupā are not included in this management plan, as the plan is limited to cemeteries that are vested in or have Council involvement in their management.

Additional information with regard to tangata whenua interests may be added to this plan as new information becomes available.

4. General objectives and policies for management of cemetery reserves

The General Policies for Council Administered Reserves (2006), and other Council policies referenced therein, apply to all of the reserves in this management plan. These policies should be considered, where relevant, as part of any decision made about a cemetery reserve.

The following goals, objectives and policies apply to all cemetery reserves.

Table 2 - Summary of Goals and objectives for all Council managed cemeteries¹⁰.

No.	Goals	Objectives
1	Compliance with the Burial and Cremation Act 1964 and the Reserves Act 1977	To manage all cemeteries in accordance with the requirements of the Burial and Cremation Act 1964 and with the local purpose reserve classification assigned under the Reserves Act 1977.
2	Protection of cultural heritage features at cemeteries	To protect cultural heritage values contained within cemeteries, where known.
3	Management of cemetery activities and landscape features within cemetery reserves	<p>To manage and develop burial areas in an efficient and integrated manner.</p> <p>Cemetery areas will be designated for a particular style of burial, where appropriate.</p> <p>To manage, maintain and enhance flora so as to add to the amenity value of cemetery reserves.</p> <p>To provide facilities and amenities that enhance and encourage a range of recreation and leisure opportunities where appropriate, for cemetery reserves that include areas used for recreational activity.</p>
4	Accessible cemeteries	<p>To provide information and facilitate comprehension of each cemetery's layout, grave site location and cultural heritage.</p> <p>To ensure cemeteries are identifiable and accessible to local residents and visitors.</p>
5	Safe cemeteries	<p>To manage cemeteries so that they are safe to visit during daylight hours.</p> <p>To make fixtures safe for visitors and those working in cemeteries.</p>

¹⁰ This excludes those cemeteries administered by autonomous cemetery boards.

6	Cemeteries development managed through consultation	To ensure the community has a sense of ownership over, and is actively involved in the development of cemetery reserves through community consultation.
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Goal 1 – Compliance with the Burial and Cremation Act 1964 and the Reserves Act 1977

Objectives

Objective 1

To manage all cemeteries in accordance with the requirements of the Burial and Cremation Act 1964, and to manage the land in accordance with the local purpose reserve classification assigned under the Reserves Act 1977.

The Council acknowledges the obligations and powers granted to it under the Burial and Cremation Act 1964, and the local purpose (cemetery) reserve status pursuant to the Reserves Act 1977, for the cemeteries it manages. It is noted that the Burial and Cremation Act 1964, is the dominant statute in the management of the Council's cemeteries.

Policies

Cemetery bylaw and policy – are to be compliant with the stipulations of the Burial and Cremation Act 1964.

Reserve classification – each reserve will be utilised and managed in accordance with the Reserves Act provisions pertaining to its classification.

Goal 2 – Protection of cultural heritage features at cemeteries

Objectives

Objective 1

To protect cultural heritage values contained within cemeteries, where known.

Cemeteries are sites of significant local, regional and sometimes national cultural heritage.

Cemeteries constitute an outdoor social and cultural museum. The fixtures contained in cemeteries can attain an artistic dimension, through the content of the inscription, the texture of the materials or the form and embellishment of the memorial.

Disappointingly, many of the figurines at Te Henui Cemetery have been vandalised, along with damage to headstones. Controlling vandalism in cemeteries is difficult and the Council's has prosecuted those apprehended in the past.

Of the 17 cemeteries included in this management plan, only two of them (Awanui and District Cemetery) do not contain graves that pre date 1900. Those pre 1900 graves and associated cemetery development that was conducted pre 1900, makes those area an archaeological site. Maps have been included in each management plan to identify indicative areas of pre 1900 development.

Further, two cemeteries had pre 1900 chapels located on them – Te Henui and Tataraimaka – with the possibility that a chapel was also located at Waireka Cemetery. Archaeological investigation at Waireka Cemetery in 2011 was inconclusive regarding the existence of a chapel, considering that either the building footings were such that no evidence remained or that the chapel was located elsewhere in the cemetery or on a neighbouring farm.

One site is also listed in the District Plan as waahi tapu. With any artefacts found after 1 April 1975, these are protected under the Antiquities Act 1975.

Site works such as excavation, removal of mature trees, fencing, laying pathways or any activity that would destroy, damage or modify the whole or part of an archaeological site will require a consent from the Historic Places Trust.

Policies

***Cultural heritage values* – identified areas of cultural heritage value at cemetery reserves will be protected, preserved and maintained including the installation of barriers as appropriate.**

Work carried out on graves should be in accordance with the ‘ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value’. The charter includes eight conservation processes¹¹:

- 1. Non-intervention (not carrying out any work)**
- 2. Maintenance (the protective care of a historic place)**
- 3. Stabilisation (the arrest of process of decay)**
- 4. Repair (the making good of decayed or damaged material)**
- 5. Restoration (returning a place as nearly as possible to a known earlier stage by reassembly, reinstatement and /or the removal of extraneous additions)**
- 6. Reconstruction (the introduction of new material to replace that which has been lost and can only be carried out where sufficient evidence is available and the need is essential)**
- 7. Adaption (modifying the place to suit it to a compatible new use involving the least possible loss of cultural heritage value)**
- 8. Interpretation (making the heritage values of the structure accessible).**

***Management of vandalism* – where vandalism occurs, the damaged fixtures will be made safe or removed, whichever is more appropriate. Where those causing an act of vandalism are identified, the Council will prosecute or seek compensation for repair/reinstatement. Where possible, the families connected with the memorial will be contacted and advised of the situation.**

¹¹ The eight points are taken from the Mount Street Cemetery Conservation Plan.

Archaeological site management – archaeological sites are to be managed in accordance with the Department of Conservation’s guideline for managing archaeological sites¹² and in compliance with the Historic Places Act 1993.

Areas of potential archaeological value should first be inspected by an archaeologist recognised by the New Zealand Historic Places Trust (NZHPT), following their determination, development can either proceed or the archaeologist will apply to the NZHPT for an archaeological authority. Development cannot take place until an authority is attained.

An accidental discovery protocol is to be applied at cemetery sites that pre date 1900. This protocol should be made known to any person undertaking work on the land, such as Council staff, contractors as well as inclusion in grazing licenses. The protocol to be applied is as follows:

1. Any accidental discovery of items of archaeological value require work to cease immediately, with
2. the site being secured to ensure the archaeological remains are undisturbed and the site is safe in terms of health and safety requirements. Work may continue outside of the site area.
3. The contractor/works supervisor/owner will notify the Area Archaeologist of the NZHPT, tangata whenua and any required statutory agencies¹³ if this has not already occurred.
4. NZHPT will appoint/advise a qualified archaeologist who will confirm the nature of the accidentally discovered material.
5. If the material is confirmed as being archaeological under the terms of the Historic Places Act 1993, the landowner will ensure that an archaeological assessment is carried out by a qualified archaeologist and if appropriate an archaeological authority attained from the NZHPT before work recommences.
6. If burials, human remains/koiwi tangata are uncovered, steps 1 to 3 above are to be taken and NZHPT, the New Zealand Police and the iwi representative for the area must be contacted immediately. The area must be treated with discretion and respect and the human remains/koiwi tangata dealt with according to law and tikanga.
7. Work at the site shall not recommence until an archaeological assessment has been made, all archaeological material has been dealt with appropriately and statutory requirements met.

Interment of ashes and caskets into an existing pre-1900 grave can be undertaken without authority from NZHPT, provided the excavation does not interfere with any existing casket or grave items¹⁴.

¹² Refer to the Department of Conservation’s ‘Caring for archaeological sites’ as a guideline for managing archaeological sites.

¹³ Such as the New Zealand Police in the event that human remains are found

¹⁴ This has been verified by NZ Historic Places – see DM 1224526.

Development work on archaeological sites – where development work is proposed on reserves that are archaeological sites, involving any excavation such as fencing, laying pathways, along with the removal of mature trees, or any activity that would destroy, damage or modify the whole or part of an archaeological site, a consent from the Historic Places Trust will be attained prior to work commencement. Garden maintenance activities that include digging to replace existing plants does not require a consent.

Tree removal on archaeological sites - the removal of mature trees from any part of a cemetery containing archaeological values, will require a consent from the Historic Places Trust.

Built Heritage - built heritage exists at some cemetery reserves and where considered appropriate, Conservation Plans will be prepared in line with the International Charter for Conservation and Restoration of Monuments and Sites (ICOMOS) New Zealand Charter, to protect their integrity.

Goal 3 – Management of cemetery activities and landscape features within cemetery reserves

Objectives

Objective 1

Burial areas will be developed and managed in an efficient and integrated manner.

As a cemetery is progressively developed with additional areas for burials, there is a need to consider the importance of the overall layout of the cemetery over time incorporating aspects of accessibility and amenity features to be integrated across the entire site.

Policies

Development of burial areas - the development of burial areas is to be conducted with consideration of the overall layout and future development of the cemetery, being of an integrated nature.

- the development of a cemetery as a burial ground is the first priority. Secondary to this is the amenity features of a site. Cemetery development should aim to integrate the two elements to form a cohesive whole.

- development is subject to the preservation and management of the heritage features of the site. Burial areas, amenity planting and open space turfed areas may be developed at cemetery reserves.

- where excavation work in an area recognised as an archaeological site is required to achieve development objectives, a consent is required from the Historic Places Trust prior to work commencement.

Management of headstone and monuments - headstones and monuments are the property of the families who installed them. The Council will repair or remove

headstones or monuments that present a potential hazard to cemetery visitors and staff.

***Capacity management* - cemetery capacity is monitored, with options of maximising existing cemetery use explored before the acquisition of more cemetery land is pursued.**

***Unexpected burial discovered* – if human remains are discovered in the cemetery through being located in a position where a burial is not recorded or known of, all work should cease immediately and the site be secured to ensure the remains are undisturbed and the site is safe in terms of health and safety requirements. Work may continue outside of the site area after the circumstances be reported to the New Zealand Police and the Cemetery Officer.**

Objective 2

Cemetery areas will be designated for a particular style of burial, where appropriate.

The segregation of Council cemeteries into differing Christian denominational areas¹⁵ had concluded by 1935 at Te Henui Cemetery, with the establishment of a nondenominational area in that year for all comers. This assisted with the management of the cemetery by reducing the imbalance of areas used.

The effective management of cemetery land for adult plot size burials is compromised when areas are set aside for the exclusive use of selective groups. This is because the process of reserving land for a group can result in land not being used, and the determining of how much land to set aside for a particular group may mean too large or small an area is set aside in proportion to the whole cemetery. It is far more efficient to manage the burial area of a cemetery with no specific group areas set aside.

Separate areas have been established at some cemeteries such as children's' area, stillborn and neonatal areas and cremated ashes area. These areas involve plots that are of smaller dimensions than adult plots.

An area has also been set aside for people involved with Military Service¹⁶, through the creation of Services Area at Awanui, Te Henui and Waitara Cemeteries.

The setting aside of areas for plots that differ in size to that of an adult plot, such as the children's and cremated ashes areas, is practical, as differing row dimensions are required.

The setting aside of a Muslim burial area and a natural burial area are other examples.

The setting aside of a natural burial area at the Council's cemeteries involves land that would not be used for traditional style burials as it is too steep a contour for this type

¹⁵ The setting aside of an area in a cemetery for any religious denomination is optional under section 11 of the Burial and Cremation Act 1964.

¹⁶ The setting aside of an area for persons who have been in operational service in Her Majesty's Forces, and their spouse/partner, is also optional under section 15 of the same Burial and Cremation Act 1964.

burial. The concept of access to a natural burial grave is not required, as the area will be planted in native vegetation.

Policies

Designated areas – the designation of a specific area in a cemetery requires the approval of the Council. Any area considered for establishment must not contravene the stipulations of the Burial and Cremation Act 1964. The designation of an area for exclusive use by a specific group in a Council cemetery is not encouraged, and must have some compelling reason to justify the establishment of such an area.

Natural burials – natural burials will be conducted in accordance with the Natural Burials Guidelines at designated cemetery areas, as adopted by the Council.

Objective 3

To manage, maintain and enhance flora so as to add to the amenity value of cemetery reserves.

All landscapes within cemetery reserves hold cultural and heritage values, some also contain significant ecological areas including native bush and exotic tree plantings. Together with other vegetated open space, cemetery reserves act as ecological corridors for wildlife as well as adding natural character and amenity value to urban areas.

The Council acknowledges the importance of both natural and planted areas and aims to protect and enhance the vegetation and landscape values of cemetery reserves consistent with the classification of the reserve.

The management of cemetery land involves a range including developed areas of concrete and memorial fixtures, mature bush, grazed or mown grass, and planted areas.

Policies

Maintenance of vegetation - - maintenance of the natural areas and/or amenity plantings will be carried out in accordance with industry best practice and the Council policies including the District Tree Policy 2004.

Trees causing damage to graves - where an existing tree is causing damage or disturbance with a grave, the protection of the grave area takes precedence.

Grazing – grazing is used as a management tool for undeveloped sites and only light stock will be used. As a condition of any grazing license the public maintain the right to access and pass through a grazing area.

Objective 4

To provide facilities and amenities that enhance and encourage a range of recreation and leisure opportunities where appropriate, for cemetery reserves that include areas used for recreational activity.

Cemeteries such as Awanui, Te Henui and Urenui, contain land that is part of a formed walkway with established tree plantings. The enhancement of these walkway features will occur when considered appropriate.

Cemetery reserves are used for passive recreation and leisure pursuits including walking and relaxing. Facilities and other amenities, which are important to users include seating and toilets.

The decision to place amenities within cemetery reserves is carried out in accordance with the proposed policies outlined below as well as the levels of service in chapter five.

Policies

***Public toilets* – the addition of public toilets at cemeteries will be carried out dependent on the Toilet Programme outlined in the Community Plan and Annual plan decision on implementation of the programme.**

***Park furniture, hard surfaces and barriers* – all park furniture, hard surfaces and barriers shall be designed, constructed and coloured in accordance with the parks hard asset standard manual (Parkscape Standards Manual 2010).**

***Facilities maintenance* - maintenance of facilities within cemetery reserves will be carried out in accordance with industry best practice.**

***Boundary fencing* – the Council will work with its neighbours to maintain suitable boundary fencing. The contribution made to new boundary fences is set out in the Parks Boundary Fencing Policy.**

Goal Four – Accessible cemetery reserves

Objectives

Objective 1

To provide information and facilitate comprehension of each cemetery's layout, grave site location and cultural heritage.

Cultural heritage contained at cemeteries relates to the social and cultural history of the site, recorded in the inscription on the memorials, and also in the artistic elements of individual or collections of memorials.

The identification of graves through the Council's cemetery search website, which identifies the location of a grave by plot number, the row the plot is contained in and the block that row is part of.

Policies

Signage – Interpretative signage to be considered at cemetery reserves on a case by case basis and sign descriptions are to involve where applicable, consultation with mana whenua, heritage officers and interest groups.

Sign form - All new signs on cemetery reserves will be erected in accordance with the New Plymouth District Council Sign Manual.

Block labelling - To facilitate orientation in a cemetery by providing block labelling clearly identifying each block that contains a number of rows.

Objective 2

To ensure cemetery reserves are identifiable and accessible to local residents and visitors

Cemetery reserves need to be identifiable and accessible to the community. A number of aspects can affect accessibility of a reserve including design, the event of a funeral and grazing.

Policies

General access – Where cemeteries have entrance gates, access to cemeteries by persons using vehicles is restricted to gate opening hours, which generally reflect daylight hours. Cemeteries are open to pedestrians at all hours.

Goal five – Safe cemetery reserves

Objectives

Objective 1

To manage cemetery reserves so as they are safe for use during daylight hours.

The Council has a duty to maintain cemeteries and to make them safe under section 9(h) of the Burials and Cremation Act 1964. There is a responsibility for public safety in cemeteries, which includes the structural integrity of fixtures in the cemetery such as headstones.

Managing cemetery reserves so they are safe means taking reasonable and practical steps to prevent, reduce or contain the environmental factors which affects people's use of cemetery reserves. It includes preventive measures to reduce accidents. Safe has a different meaning to different people and it is acknowledged that at any one time there may be factors out of the Council's control which may contribute to the level of safety within a reserve e.g. unsupervised.

A number of aspects relating to safety on reserves are covered in the Council's bylaws.

Policies

Day time use - Cemeteries will be managed for day use only.

Safe design – where feasible the development of cemetery reserves will incorporate safe urban design principles including those outlined in the Crime Prevention through Environmental Design Guidelines (CPTED).

Standard of facilities – a regular inspection programme will be performed so that facilities on parks and reserves meet standards of health, safety and condition in accordance with levels of service in the Parks Assets Management Plan.

Grave digging activity – when graves are dug in preparation for a burial, the open grave is covered and secured in accordance with the health and safety practice set down by the Council.

Animals – the control of animals at cemetery reserves will be managed in accordance with the Council bylaws. The Dog Control Bylaw 2010 states that dogs are to be under control when at a cemetery.

Anti social behaviour on reserves – where anti social behaviour occurs on reserves, either during the day or night, the Police will be informed.

Objective 2

To make fixtures safe for visitors and those working in cemeteries.

The Council is obliged under section 9(h) of the Burial and Cremation Act 1964 to make safe, any monument or tablet that is considered unsafe.

Grave site in poor condition - where it is identified that a grave's condition is in poor state of repair and likely to cause physical harm or psychological distress, remedial action will be undertaken to address as far as practical.

Goal six - Cemeteries managed through consultation

Objectives

Objective 1

To ensure the community has a sense of ownership over, and is actively involved in the development of cemetery reserves through community consultation.

It is important that the New Plymouth District's network of cemetery reserves is one that the community have sense of ownership over. Local communities are recognised as users and in many cases also neighbours to the parks and reserves in their area and have valuable local knowledge.

Often the local community is very willing to be involved in the management of cemetery reserves including decision-making, vandalism reporting and partnership developments.

There are a number of community groups that have played a part in shaping cemetery reserves.

The Council aims to facilitate and encourage community partnership and ensure stakeholders including users, neighbours and tangata whenua continue to be informed.

Policies

Community Consultation –development or proposed change in management of a park or reserve will involve consultation with the affected community as appropriate and as required by legislation.

Reserve neighbours – all development on cemetery reserves will be done in consultation with the immediate neighbours in order to mitigate any adverse effects.

Community Partnerships – the Council supports and promotes community initiatives with residents, community service groups, stakeholders and tangata whenua to be involved in the development of cemetery reserves. The roles and responsibilities of these groups (in relation to the cemetery reserves) will be defined on a case by case basis with Council officers and could include the formation of a memorandum of understanding between the Council and an interest group.

5. Levels of Service

Service levels are essentially the performance goals of the Council for a particular activity. They provide a common ground upon which the Council can use to guide and drive its efforts.

Three factors contribute to the development of levels of service from a customer perspective, these are - customer expectations, community outcomes and compliance requirements. The relationship between these three factors and levels of service are illustrated in figure 2 below. The customer expectations and the compliance requirements also contribute to the achievement of the community outcomes and corporate goals.

There are costs associated with providing all levels of service. During the development of levels of service costs are also considered and the aspirations of the customers are balanced against the cost of providing the service.

Levels of service outlined in this plan relate to the development of cemetery reserves, i.e. the provision of amenities such as seating, pathways, entrance signs as well as vegetation; and the purpose for which the Council provides these amenities.

The provision of cemetery reserves in terms of the land asset, its location and distribution is determined through the Council's Open Space Strategy (currently under development). This strategy will determine service levels for the provision of all categories of parks and reserves.

The maintenance of cemetery reserves is also determined by levels of service. These are set out in the Parks Asset Management Plan as well as Parks operations plans.

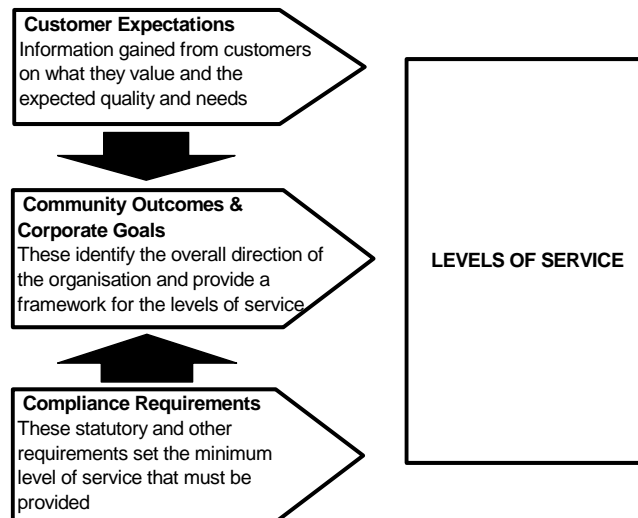


Figure 2 - Relationship between key factors for developing levels of service

Table 3 – Levels of Service: Cemetery Reserves¹⁷

Compliance with the Reserves Act 1977	
Level of Service	How the Council will deliver the service
Parks and reserves are managed in compliance with the Reserves Act 1977.	The classification of reserves and production of management plans for these reserves will be undertaken as resources permit.

Protection of cultural heritage features in cemetery reserves	
Level of Service	How the Council will deliver the service
Cultural heritage is protected.	Barriers will be installed where appropriate to prevent damage to historic features.

Management of cemetery activities and landscape features within cemetery reserves	
Level of Service	How the Council will deliver the service
To manage, maintain and enhance flora to add to amenity values of cemetery reserves.	Vegetation will be planted in cemetery reserves appropriate to location and in consideration of the heritage values of the site.
The Council may designate an area of a cemetery for a particular style of burial.	Areas will be developed for a particular style of burial, where a designated area is approved by the Council, with appropriate facilities provided for that area.
Provision of facilities to enhance and encourage a range of recreation activities, where appropriate.	Open space areas within cemetery reserves will be planted and maintained in turf where appropriate. Appropriate pathway surfaces will be installed and maintained, depending on location and ground conditions.

¹⁷ This excludes those cemeteries administered by autonomous cemetery boards.

Accessible Cemetery reserves	
Level of Service	How the Council will deliver the service
Interpretative signage installed where appropriate.	Interpretative signage installed when appropriate, to facilitate comprehension of each cemetery's layout and grave site location.
To ensure cemetery reserves are identifiable and accessible to local residents and visitors.	Signage at cemetery entrance and street signage where appropriate. Gates to cemeteries will be open for a set period during daylight hours.

Safe Cemetery Reserves	
Level of Service	How the Council will deliver the service
To manage cemetery reserves so as they are safe for use during daylight hours.	Design, planning and management processes to include Ministry of Justice crime prevention through environmental design (CPTED) principles.
To make fixtures safe for visitors and those working in cemeteries.	Fixtures at cemetery reserves will be inspected annually to identify any unsafe fixtures and to make these fixtures safe, either through repair, dismantling or removal.

Cemetery reserves managed through consultation	
Level of Service	How the Council will deliver the service
To ensure the community has a sense of ownership over, and is actively involved in the development of cemetery reserves through community consultation and partnerships.	Appropriate community consultation undertaken with partnership opportunities encouraged and facilitated. Agreement outlining roles and responsibilities to be developed with the four cemetery boards.

6. Individual Cemetery Reserves – Management Objectives and Development concepts

This omnibus plan provides direction for the management of 13 cemetery reserves¹⁸ administered by New Plymouth District Council (NPDC) and information on the four cemetery reserves administered by autonomous cemetery boards. The general policies in **Section 4 and 5** apply to all of these reserves. In addition, the following section outlines specific management objective and development concepts for each reserve. If there is inconsistency between the general policy and the reserve-specific policy, the reserve-specific policy will take precedence

The development concept plans have been prepared for each reserve (excluding those reserves that are small or have limited development potential). Funding for the various aspects of development concepts is conditional on decisions made as part of the Long Term Council Community Plan process. An implementation plan has also been prepared as part of this reserve management process. This plan outlines the priority order in which reserve development will be implemented once the funding is made available.

The mana whenua associated with each reserve are noted. For some reserves there is more than one group with historic and cultural connection to the area.

For the aerial map photographs contained in this Section 6:

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Disclaimer: NPDC does not warrant the accuracy or completeness of any information supplied. Information is to be used for indicative purposes only.

¹⁸ The omission to the omnibus plan is the closed cemetery at Marsland Hill, contained in the Historic Reserves Management Plan July 2010

District map identifying location of cemeteries

