

RURAL CITY LIVING



CEMETERIES

HANDBOOK 2022

Adopted at the Council meeting held on Tuesday 12 July 2022 in conjunction with the Cemeteries Bylaw 2022
V1.0

TABLE OF CONTENTS

1.0	INTRODUCTION	4
2.0	INTERMENTS	5
2.1	Interring	5
2.2	Permission for interment	5
2.3	Notification of interment and bookings system	5
2.4	Time of arrival and notification of expected time of arrival	5
3.0	PLOTS	6
3.1	Cemetery owner and Manager	6
3.2	The exclusive burial right owner	6
3.3	Exclusive burial right purchased before 2003	6
3.4	Lapsing of exclusive burial rights	6
3.5	Transfer of interest in unused plots	6
3.6	Pre-purchase	6
3.7	Burial plots	7
3.8	Ashes beam plots	7
3.9	Scattering of ashes	7
3.10	Interment of burial or ashes	7
3.11	Plot assignment	8
3.12	Digging of graves	8
3.13	Closing in of graves	8
4.0	RETURNED SERVICES SECTION	8
4.1	Returned Services person	8
4.2	Returned Services plots	8
4.3	Eligibility	8
4.4	Returned Services memorial plaque	8
5.0	INDIGENT PERSONS	9
6.0	DISINTERMENT	9
6.1	Removal of human remains or cremated ashes	9
6.2	Ashes	9
6.3	Legal process of burials	9
6.4	Bookings	9
6.5	Transfer of interest in disinterment plots	10
7.0	INTERMENTS GENERAL	10
7.1	Hours for interments	10
8.0	GRAVES	10
8.1	Location	10
8.2	Grave testing	10
8.3	Concrete breaking	10

8.4	Grave preparation	10
8.5	Grave reinstatement	10
8.6	Maintenance of graves	10
8.7	Provision of grave markers	11
9.0	MEMORIAL INSTALLATION	11
9.1	Erection of monument	11
9.2	Monument permits	11
9.3	Removal of monuments	11
9.4	Monument work	11
9.5	Keeping In order	12
9.6	Deposit of materials	12
9.7	Deposit	12
9.8	Plaques	13
10.0	CEMETERIES GENERAL	13
10.1	Genealogical research	13
10.1.1	Search fees	13
10.2	Vehicles in cemeteries	13
10.2.1	Special vehicles	13
10.3	Animals	14
10.4	Misconduct	14
10.5	Soliciting of orders	14
11.0	FEES	14
11.1	Schedules of fees	14
11.2	Weekend fees	14
11.3	Cemetery fees	14
12.0	SHRUBS TREES AND FLOWERS	15
13.0	SAFETY RESPONSIBILITIES	15
14.0	TERMS OF TRADE	15

1.0 INTRODUCTION

The Gore District Council Cemeteries Handbook (handbook) contains the rules and conditions that apply to provision of services, operational requirements, and acceptable conduct in cemeteries owned by, or operated by the Gore District Council (the Council).

The handbook also provides information to assist the smooth running, operation, and provision of information to the public about council cemeteries.

The rules and conditions applicable to Council cemeteries contained in the handbook were made in accordance with the Gore District Council Cemeteries Bylaw 2022.

The Gore District Council administers the following cemeteries:

- Charlton Park
- Gore
- Mataura
- Pukerau
- Otaraia (closed 2005)

The Waikaka Cemetery is operated and administered by the Waikaka Cemetery Trustees.

The District contains one known Urupa which is part of the Tuturau Reserve.

For interments in these cemeteries please contact the Cemeteries Administrator, phone (03) 209-0330 between the hours of Monday to Friday 9.00am to 5.00pm. Email: cemeteries@goredc.govt.nz. Web: www.goredc.govt.nz

These policies and procedures must be read in conjunction with the following Acts and Bylaws:

- Burial and Cremation Act 1964 and amendments
- Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 and amendments
- Cremation Regulations 1973 and amendments
- Health (Burial) Regulations 1946 and amendments
- Gore District Council Cemeteries Bylaw 2022
- Local Government Act 2002
- NZS 4242:1995 for Headstones and Cemetery Monuments
- Health Act 1956 and amendments
- Health and Safety at Work Act 2015
- The Heritage New Zealand Pouhere Taonga Act 2014
- Coroners Act 2006

- Reserves Act 1977
- Resource Management Act 1991
- Veteran Affairs Regulations (www.veteransaffairs.mil.nz)

NB: This handbook supersedes and replaces all previous operational policies and procedures.

2.0 INTERMENTS

2.1 Interring

It is unlawful to inter human remains or cremated ashes in any Gore District cemetery without permission being obtained from the Gore District Council or Sexton.

2.2 Permission for interment

No interment (burial or ashes) shall be made, or any works undertaken, in any cemetery under the control of the Gore District Council without permission first being obtained from the Council and the appropriate fee as specified in the schedule of fees paid (refer to fees and charges on the Council website, www.goredc.govt.nz).

The Application for Burial (<https://www.goredc.govt.nz/services/cemeteries>) must also be approved by the Sexton.

2.3 Notification of interment and bookings system

Notification of an intended burial must be given to the Sexton at least 8 working hours prior to the time of interment. This notification may initially be made by telephone, and confirmation given in writing on the application for burial form no later than the morning of the interment. Receipt of the application and approval of the same will be acknowledged.

Notification of ashes interment must be given to the Sexton at least 4 hours prior to the interment. Interments may only take place during cemetery operating hours.

Time of interment will be at the discretion of the Sexton. More than one service may take place in a cemetery at one time. All reasonable steps will be made to accommodate the time requested.

Completed and signed burial application forms must be forwarded to the Sexton prior to grave work commencing.

2.4 Time of arrival and notification of expected time of arrival

The expected time of arrival shall be stated on the application for burial form.

The Sexton may be notified directly by cell phone of the approximate arrival time prior to the burial. If the time varies greatly from the intended time, alternate arrangements must be made with the Sexton.

3.0 PLOTS

3.1 Cemetery owner and manager

The owner and manager of the District cemeteries is the Gore District Council. A person may only purchase the exclusive right of burial. The Council owns the land and this is not sold. The Council may sell the exclusive right of burial for a limited period in any part of any cemetery.

3.2 The exclusive burial right owner

The owner of the exclusive burial right is the person who, at the time of interment, fills out the application for burial when a new plot is required or has his/her name placed as the plot owner.

3.3 Exclusive burial right purchased before 2003

If the owner of the exclusive burial rights is deceased, then **ONLY** the immediate next of kin may be interred in the same plot. The degrees of relationship are the spouse, parent, child, or siblings of the deceased. As per the Matrimonial Act, this also includes de facto partners, subject to available room.

Application for burial must be made on the appropriate form. If the burial rights owner is deceased, the authority must be given by the immediate next of kin, or a person acting on behalf of the deceased or the deceased's estate.

3.4 Lapsing of exclusive burial rights

Any application for the purchase of the exclusive right of burial in any plot not previously used for interment shall lapse unless the purchase is completed by making full payment within **six** calendar months of the date of the application.

The exclusive right of burial not previously used for interment shall lapse if, at any time after the purchase, **sixty** years pass without a burial taking place.

3.5 Transfer of interest in unused plots

Any purchaser or owner of the exclusive right of burial of any plot in which no burial has taken place may transfer their interest in such ground to another willing purchaser. Appropriate paperwork indicating the change of ownership must be completed and filed with the Gore District Council. A fee may apply. The Gore District Council will **NOT** repurchase any plot previously sold.

3.6 Pre-purchase

The Council does not pre-sell any of the exclusive burial rights in any of the District's three main cemeteries, ie Charlton Park, Gore or Mataura. The exclusive burial rights can only be purchased at the time of interment.

Pukerau Cemetery operates under a different model that allows for the controlled pre-purchase of burial plots.

3.7 Burial plots

Burial plots are currently available in the following cemeteries:

- Charlton Park
- Mataura
- Pukerau
- Waikaka (via the Cemetery Trustees)

The size of a standard burial plot is 1.2m x 2.7m. If a larger plot is required, arrangements must be made at the time of booking and confirmed with the Cemeteries Administrator.

The standard depth of interments shall be sufficient to enable ground cover, to the existing ground level, of at least a minimum of:

- Single interment: 1.7m
- Double interment: 2m

No more than two caskets and four ash interments can be interred in each burial plot.

Beam plots

The Council provides ashes beam plots for sale. They are currently available in the following cemeteries:

- Charlton Park
- Mataura
- Gore

The width of any ashes beam plot will be 600mm.

Family ashes plots, 1.2m in width, may accommodate more than two.

3.9 Scattering of ashes

Ashes will be scattered in specified areas designated by the Gore District Council and/or Sexton.

No unauthorised scattering of ashes is permitted in any of the Gore District cemeteries at any time.

3.10 Interment of burial or ashes

Permission must have been obtained from the Burial Rights owner and the appropriate fee paid.

A Council representative is not required to be in attendance at ashes interments.

3.11 Plot assignments

Burial shall take place in such plots, as determined by the Sexton.

Any relative of a person to be interred may, at the time of burial only, purchase one adjacent plot.

3.12 Digging of graves

The Council staff will prepare all graves and will be in attendance to assist the Funeral Directors.

3.13 Closing in of graves

The cemetery staff will close in all graves. Special requests from family to close in a grave can be obtained through the Sexton. These requests will be considered in line with current health and safety guidelines.

4.0 RETURNED SERVICES SECTION

4.1 Returned Services person

All men and women who have served with the New Zealand armed forces or its allies in time of war as defined in the attached information sheet '*Eligibility for Burial in Services Cemetery*' may be buried in the Returned Service section of the Gore District Council cemeteries.

4.2 Returned Services plots

The Council will provide Returned Services plots free of charge. The Exclusive Right of Burial will be retained by the Gore District Council. They are currently available in the following cemeteries:

- Charlton Park
- Maitāura

4.3 Eligibility

Eligibility to be interred in the services section requires that the first interment must be that of a returned service person and any second interment may only be the spouse/partner of the service person.

4.4 Returned Services memorial plaques

Only bronze plaques are permitted in the Returned Services area. These can be purchased through the Veteran Affairs Office in Wellington.

5.0 INDIGENT PERSONS

5.1 The Burial and Cremation Act 1964 requires the Council to bury the bodies of poor persons, and persons from any hospital, penal institution, or other public institution free of charge upon order from a Justice of the Peace. An application for interment form must still be completed by an authorised agent before the burial takes place.

The Council may waive fees for the interment of any indigent persons provided that an application is made on the approved form.

Such application must be made to the Council, where possible, at least 48 hours prior to the interment taking place. The application must first be investigated and approved by a Justice of the Peace.

The interment shall not take place unless the Council has given prior approval.

The cemetery and plot to be used for the interment will be chosen at the discretion of the Sexton.

6.0 DISINTERMENT

6.1 Removal of human remains or cremated ashes

It is unlawful to remove any human remains or cremated ashes from any Gore District cemetery without prior permission. In the case of human remains, a licence from the Ministry of Health must be granted prior to disinterment. For ashes, permission must be sought from the Council or the Sexton.

6.2 Ashes

Ashes may be disinterred from any Gore District cemetery on application to the Council and payment of the prescribed fee (*see Appendix 3*).

6.3 Legal process of burials

Where the Council receives an application for disinterment, the disinterment shall be conducted pursuant to Sections 51 and 55 of the Burial and Cremations Act 1964 and any amendments, the Heath Act 1956 and any amendments thereto, and be subject to the payment of any fee as the Gore District Council may determine.

6.4 Bookings

All exhumation enquiries must be directed to the Sexton. A convenient time for all parties will be negotiated.

6.5 Transfer of interest in disinterment plots

Any purchaser or owner of the exclusive right of burial of any plot in which a disinterment has taken place may transfer their interest in such ground to any willing purchaser. In these circumstances, the plot may only be used for the interment of ashes and not for further burials.

7.0 INTERMENTS GENERAL

7.1 Hours for interments

Cemeteries operated by the Council are open for public visiting seven days a week. Cemeteries are open for interments Monday to Saturday, as follows:

- Summer hours: 9.00am – 4.00pm
- Winter hours: 9.00am – 3.30pm
- Cemeteries are closed for interments on Sundays and public holidays.

8.0 GRAVES

8.1 Location

Graves can be located by contacting the Sexton. A fee may apply.

8.2 Grave testing

To ascertain room for further burials in graves, the Sexton can conduct a test of the grave. A fee may apply.

8.3 Concrete breaking

A separate fee will apply when concrete breaking is required.

8.4 Grave preparation

No person, other than the approved cemetery staff, shall dig any grave in any part of the cemeteries.

The minimum depth of cover for any casket shall not be less than 1 metre.

8.5 Grave reinstatement

It is the responsibility of the owner or client to re-instate the concrete covering on the grave after the burial.

8.6 Maintenance of graves

In the normal course of business, the Council will maintain its cemeteries.

If undue sinkage occurs after a burial graves will be levelled up. If sinkage is observed it can be reported to the Sexton and the grave will be levelled as soon as practicable.

Floral tributes will be removed 10 days after a burial has taken place.

8.7 Provision of grave markers

The Council makes no provision for the maintenance of white cross grave-markers. Any neglected grave marker placed in the cemetery will be removed.

Grave markers are only permitted for a period of twelve months or until such time as a monument or headstone is installed.

8.8 Special procedures for Maori burials

The Council recognise, and provides for, the spiritual and cultural values of Maori regarding the departure of mate (dead people). These include the choice to select a plot this is significant to them, the availability of water at the cemetery, the opportunity for Maori to fill in the grave and to have a ceremony to unveil the headstone, if desired.

8.9 Religious denominational burials

Pukerau Cemetery has specific areas set aside for Catholic and Muslim religious denominational burials.

9.0 MEMORIAL INSTALLATION

9.1 Erection of monuments

Owners of the exclusive right of burial, or if the owner is deceased, the immediate next of kin, may give permission for a memorial plaque or headstone to be erected.

9.2 Monument permits

Monument permits (*refer to the Council website www.goredc.govt.nz*) must be applied for and approved by, the Sexton prior to all monument work commencing.

No monument work will be authorised until the Gore District Council has received full payment of all interment fees.

9.3 Removal of monuments

No mason or any other person shall, except with the consent of the Sexton, remove from any cemetery or grave, any headstone or monument.

9.4 Monument work

Concrete based work for all memorials shall not stand higher than 150 mm above the highest point of the concrete base or ground level, whichever is the higher, and must be laid to the satisfaction of the Council and in accordance with sound engineering principles as set out in the Standards New Zealand NZS 4242:1995.

All headstones shall not be wider than 1m in the case of a single plot or 2m in the case of a double plot and stand no higher than 1.5m.

All monuments to be placed in a cemetery MUST be of solid material and have a minimum protected service life of 50 years.

All material displaced when placing a monument MUST be removed by the person who applied for permission without delay.

No person shall make use of any footpath or roadway in any cemetery for the purpose of mixing cement or mortar other than on a watertight platform and shall take all necessary precautions to ensure that no damage is done to footpaths, roadways, plots and lawns.

The Council does not accept any responsibility for damage or vandalism to headstones, structures or material added to a plot enclosure.

No responsibility is taken for damage to a monument that is removed by Cemetery staff for the purpose of digging a grave.

9.5 Keeping in order

All kerbs, enclosures, headstones and other monuments shall be kept in proper state of repair by the purchaser of the Exclusive Rights of Burial or their representatives or assignee/s. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, all monuments, fences or erections of any kind which shall fall into a state of decay or disrepair may at any time be removed from the cemetery by order of the Gore District Council subject to Section 9 of the Burial and Cremation Act 1964. In the event of there being no next of kin or relation available to affect repairs or permit removal, a photographic record of the plot shall be taken before removal and filed at the cemetery office.

9.6 Deposit of materials

No mason or other person erecting or repairing any headstone, monument, fence or other work in, on, or around any grave in any cemetery, shall make use of the footpath or other part of the cemetery for placing or depositing tools, planks, casks or material in connection with the work of such erection, construction or repair for a longer time than is reasonably necessary. Any such mason or other person who, after receiving notice in writing signed by the Sexton requesting the removal of such equipment in a specified time, shall be liable to prosecution for any offence against the part of the applicable Bylaw (*Cemeteries Bylaw 2022*).

9.7 Deposit

If the Gore District Council so requires, a deposit shall be lodged with every application for a permit to carry out such work as outlined in clause 9.4. Such deposit shall be refunded when the work has been completed to the satisfaction of the Sexton.

9.8 Plaques

Plaques must have a minimum clearance of 10mm from the edge of the plaque to the edge of the plot on any ashes beam and be no more than 20 mm thick.

A plaque larger than 150mm x 100mm must be fixed by the client or their representative. It is the responsibility of the plot owner to ensure that the plaque is of the correct dimensions for the particular plot concerned.

10.0 CEMETERIES GENERAL**10.1 Genealogical research**

Search fees shall be payable for genealogical research as published annually by the Council on its website (www.goredc.govt.nz).

10.2 Vehicles in cemeteries

No person shall take any vehicle of any kind into any cemetery except between the hours of sunrise and sunset, or at such time as the Council decides.

No person shall permit any vehicle of any kind under their control to remain in any cemetery after sunset on any day without the permission of the Council and/or Sexton.

No person in control of any vehicle shall drive or conduct the same or permit the same to be on any part of the cemetery except the roads open for vehicular traffic unless authorised by the Council and/or Sexton.

No person shall drive or conduct any vehicle of any kind in any cemetery at a greater speed than 20km/h, or as indicated on any road within any cemetery.

All vehicles, other than hearses, shall yield unconditional right of way to any funeral procession.

Every person driving or conducting any vehicle in any cemetery shall stop or move the vehicle as directed by the Sexton or their assistant.

No person shall drive or conduct any vehicle in any cemetery except in the direction indicated by traffic notices.

10.2.1 Special vehicles

No person shall be permitted to bring into any cemetery any large mechanical items for display eg helicopters, earthmoving machinery etc without the prior approval of the Sexton. All requests must be made in writing to the Sexton at least 8 working hours prior to the commencement of a service.

10.3 Animals

No animals are allowed in any Council cemetery. Special permission must be approved by the Sexton if any animals are to attend their owner's funeral.

10.4 Misconduct

No person shall, in any part of any cemetery, by any violent or improper behaviour, prevent, interrupt, or delay a funeral service.

10.5 Promotional activity

No person shall, in any cemetery, advertise or solicit any order or custom from any other person for any work whatsoever to be done in or in connection with any cemetery, or for the sale, preparation or supply of any article, material, or thing to be set up, affixed, placed, or used in any cemetery.

Except at the specific request of a purchaser of plots or their representatives or assignees, no person shall, in any cemetery, accept or take any such order or custom as aforesaid.

No commercial photographer shall, without the consent of the funeral director, or special permission in writing for the occasion from the Sexton, attend any funeral for the purpose of taking photographs.

11.0 FEES

11.1 Schedule of fees

A table showing applicable cemetery fees can be found on the Council website along with application forms for accessing cemetery related services. Applicable fees will be set for all services offered by the Council and these are subject to review and possible change on 1 July each year. All fees will be publicly notified by the Council.

Changes to fees will be made to meet the Cemeteries funding policy.

11.2 Cemetery fees

The applicable fees must be paid in full prior to the event (e.g. burial right, interment, disinterment, maintenance) taking place. Payment can be made by automatic payment or directly to the Council. The person requesting an interment or disinterment must submit the appropriate forms to the Council's Cemeteries Administrator who will confirm the fee applicable, prior to the interment taking place. Further detail and arrangement regarding prior payment will be communicated to the applicant by the Cemeteries Administrator.

12.0 SHRUBS TREES AND FLOWERS

No shrubs, trees, or flowers shall be planted or removed in any cemetery except where directed by the Gore District Council or the Sexton.

13.0 SAFETY RESPONSIBILITIES

All persons entering and/or working in any cemetery MUST abide by the Health and Safety at Work Act 2015 and amendments and any relevant health and safety policies of the Council.

Contractors are responsible for familiarising themselves with such Acts and relevant policies.

14.0 TERMS OF TRADE

Local Funeral Directors may operate an account for payment of cemetery fees with the Council provided payment is made by the 20th of the month following the burial.

If a member of the public wishes to arrange an interment without involving a Funeral Director, all fees will be paid to the Council prior to the burial taking place.