



31 October 2020

Via email: [burialandcremation@health.govt.nz](mailto:burialandcremation@health.govt.nz)

Dear Sir / Madam,

**DEATH, FUNERALS, BURIAL AND CREMATION: A REVIEW OF THE BURIAL AND CREMATION ACT 1964 AND RELATED LEGISLATION**

Thank you for the opportunity to present Queenstown Lakes District Council (QLDC) submission on *Death, Funerals, Burial and Cremation: a Review of the Burial and Cremation Act 1964 and Related Legislation*. QLDC is supportive of the move to modernisation to provide a fit-for-purpose legislative framework for burials, cremation and funerals. QLDC's submission focuses on Section C of the review document – Burial and cemetery management, and touches on Section B – Regulation of the funeral services sector.

QLDC has concerns over the increase in local government resources that many of the proposals contained in the document will require. While QLDC agrees that community involvement and consultation is an important step in informing Council policy, the resourcing of the functions identified in the document moving from the Ministry to local government will be challenging. Not only will there be the challenge of recruiting and/or training within an already under resourced area, there will also be cost associated with this increase in function. At a time where many local and regional councils have reduced rates increases to simply maintain levels of service, legislated increases in local government functions will cause severe resourcing issues.

QLDC would welcome national guidance on scattering and interring ash remains in public areas as the trend towards higher cremation rates is increasing. Within this guidance, tikanga Māori and areas of cultural significance to Māori must be considered and recognised, and spatial planning can be a significant tool in this endeavour.

When looking more broadly to our community, the financial effects felt due to COVID-19 has meant that many people have had to become more selective deciding how and where to spend their money. Funeral services also fall into that category especially where significant budgetary pressures and cultural preferences/needs meet. Transparency of costs and disclosure of optional services will allow individuals and families to manage a significant expense while still being able to make choices that fit with their particular customs and proclivities.

Please note that this submission reflects the position of officers and has not been ratified by Council.  
Thank you again for the opportunity to comment.

Yours faithfully,



Mike Theelen  
**Chief Executive**

## 1.0 Section C: Burial and Cemetery Management

1.1 QLDC broadly agrees with Option 3 proposed by the Ministry in Section C: Burial and cemetery management.

- 1.1.1 QLDC welcomes the clarity concerning the maintenance of monuments including heritage sites. Sources of funding for this maintenance must however be identified.
- 1.1.2 QLDC agrees that there should be no additional provision for private cemeteries at this time.
- 1.1.3 QLDC is in agreement with the continuation of resource consent requirement for burial on private land rather than removing this provision. There is concern however that there may be additional administrative pressure put on this process should powers be devolved from the Ministry to Local Territorial Authorities (LTA).

## 2.0 Local Territorial Authority Resourcing

2.1 QLDC has significant concerns over the resources that will be required for the reduction in Ministry responsibilities and increasing responsibilities for LTA proposed in the review document.

- 2.1.1 A shift in functions from central government to local government will put significant strain on an already under-resourced area. The level of expertise required regarding human health and communicable disease for example, is not currently available in the sector and significant funding will be required for the training and recruiting of staff in this area as well as other underserved skill sets.
- 2.1.2 There are concerns over disinterment process currently undertaken by Ministry moving to LTA due to political influencing of matters should strict rules/ guidelines not be put in place.
- 2.1.3 New provisions for community cemeteries must ensure the maintenance of comprehensive records to a minimum standard. Standardisation will increase efficiency and aid in the clarity of record keeping and auditing.

## 3.0 Ash Scattering and Ash Interments

3.1 QLDC requests national guidance be made available on ash scattering and ash interments in public places.

- 3.1.1 Cremation rates are increasing throughout the Queenstown Lakes district, now standing at a 50% cremation rate. There has been also been a trend towards higher numbers of visitors wishing to scatter ashes in the district and therefore national guidelines would be welcomed to inform both residents and visitors to the area.
- 3.1.2 Cultural perspectives, particularly tikanga Māori regarding the disposal of human remains within the landscape, must be considered and recognised within national guidelines.
- 3.1.3 QLDC is currently undertaking a Spatial Plan of the district, mapping areas of cultural significance, *wāhi tūpuna* and *nohoanga*. Spatial planning should be used nationally where available and integrated within the guidelines regarding the disposal of human remains. This spatial integration can also be used within the context of local government cemeteries.

## 4.0 Local Government Cemetery Processes

4.1 QLDC welcomes the intent for the development of modern and fit-for-purpose legislation supporting the local government cemetery processes.

- 4.1.1 Tikanga Māori must be considered specifically in terms of burial practices within local authority cemeteries where culturally appropriate as urupā (referred to in the BCA 1964 as a Māori burial ground) are not available in all districts.
- 4.1.2 QLDC strives to provide for the needs of the members of the community where possible within local authority cemeteries. The Act must go further and provide for those with preferences and cultural requirements other than religion.
- 4.1.3 Where practicable, consultation with the public should inform council policy for providing burial areas and/or services for groups with religious or cultural burial requirements. This must include good health and safety practises in all instances.

## **5.0 Community and Consumer Matters**

5.1 QLDC is in agreement with SOLGM's submission in respect Section B4: Informing Consumers about the Costs of Funeral Services, and supports Option 3, making it mandatory to disclose all component prices of funeral services.

- 5.1.1 Full transparency of costs for funerals and funeral services would allow individuals and families to select the most appropriate service provider for their particular preferences and budgets. Optional services should also be made clear so that more choice is available to the consumer.
- 5.1.2 The Queenstown Lakes District has community that is highly engaged in environmental sustainability and as such provision of an area to offer natural burials has been made available in the district. With full transparency of cost of services and clarity on which services are optional, environmentally sustainable choices can be made by individuals where and when required.