

Cemeteries & Crematoria NSW

# Fact sheet 3: Did you know?

Interesting facts and FAQs  
about burial, cremation,  
funerals and ways to  
commemorate life

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There can be a lot to consider when planning for after death. This factsheet provides you with answers to questions you may not have considered.

It's an honest, surprising and myth-busting guide to after-death scenarios in NSW.



## Planning for after death

### Planning for after death means:

- thinking about and talking with others about our choices for burial or cremation
- planning for a funeral or other ways of being remembered, including personal and individual touches.

By educating yourself, you may feel more empowered to make the best decisions. **Whether you are young or old, taking time to consider your wishes and explore the options** can make planning for after death less stressful for you, your family and friends when the time comes.



## It's not only about distributing assets and money

It is a common myth that only people who have accumulated assets or are older need to consider plans for after death.

While there are legal requirements for what needs to happen when someone dies, planning ahead is your opportunity to have a say in:

- the music played at your funeral
- who you would like involved with your funeral—including food by your favourite chef, particular friends to deliver eulogies, tributes or stories about you
- what happens to your body.

Making plans early can help reduce some of the stress on family and friends in the event of your death. It leaves them with a valuable guide to your wishes and provides you with the opportunity to consider what is important to you and to make plans that reflect your personal preferences.

**You're never too young or too old, too rich or too poor to start planning for after death. Here is a useful [factsheet](#) and [checklist](#) to help you take those first planning steps.**

## You can update your plans for after-death

Your wishes may change over time, so it's best to review your plans every few years. Setting a reminder in your calendar or phone might be a good trigger. Many people update their will when there is a major life event, such as getting married. Remember to also write down and share with friends and family your updated wishes for after death.

## Your will and interment rights

An interment right, where you have purchased a burial plot for example, is part of your assets and can be distributed with other assets in your will.

Complications can arise in families when there are multiple beneficiaries and it is not clear which beneficiary in the will has been allocated the interment right.

This is further complicated if you die intestate (without a will) or you have not specified in your will what your intentions are in relation to the interment right. A will that is specific about what you would like to do with your interment right can help avoid these situations.

## A will may not always ensure your burial, cremation or funeral preferences are honoured

Wishes and directions set out in a will regarding burial or cremation are not legally binding. The exception is an objection to cremation in your will.

Conflict within a family may arise if you have not communicated your burial, cremation and funeral preferences to the executor of the will or next-of-kin. To avoid disagreements, communicate your wishes so that your family and friends understand and feel able to follow through with them. Quite often, a will is made available after a funeral has taken place.

If you do have a dispute, you can find out more information about what to do through [Law Access](#).

## Talking about death is healthy

It may be challenging to know how to talk about death. You might be afraid talking about it will bring death on. Or maybe, you think it's important but it's so far in the future that it's not a priority right now.

Starting the conversation early can help many people prepare emotionally for death and it also ensures your wishes are met when the time comes.

If you're involved in an accident, die suddenly or get a terminal illness, it can be much harder on you, your family and friends if you have never had a conversation about death.

If you need help to get the conversation going with family and friends, try:

- the [Dying to Talk discussion](#) starters developed by Palliative Care Australia
- our [after-death planning checklist](#).

If you would rather practice by raising the topic with a stranger, [Death Cafe](#) is a social event that exists all over the world. There are 448 Death Cafes listed in Australia. You can join a casual gathering in your area to 'eat cake and discuss death'.

Once you're more experienced at exploring this challenging conversation, you might like to host your own event using the resources provided by [Death over Dinner](#).

## What to do if you don't have any next-of-kin

If you do not have a next-of-kin, you can still outline your preferences in a will or leave plans with a funeral director.

You can nominate [NSW Trustee & Guardian](#) as the executor of your will. While it is more usual for family and friends to organise after-death plans, NSW Trustee & Guardian can organise them if they are advised of your death immediately. The fees for making these arrangements are paid from your estate.

Contact [LawAccess NSW](#) if you or the person who died cannot pay for a funeral. You will usually be cremated unless you outline an objection in your will.

## Can you make plans without paying for them?

**Yes.** Planning your funeral or sharing your preferences for a type of burial or cremation does not necessarily mean you need to pay for them in advance.



# Options for after death

## Making plans for after death is personal—there is no right or wrong choice

In NSW, you have the option of cremation or burial. Many factors, such as your values, personal priorities and finances are likely to influence your decision for after-death plans.

There are many ways of being remembered. For families who live long distances apart, cremation may be an easier way to return remains home.

A direct cremation (a cremation without a funeral ceremony at the time and location of the cremation) provides families with the flexibility to hold a funeral in another location prior to the cremation, to hold a funeral at all, or to have a memorial at a later time and place. A grave in a cemetery with perpetual interment rights can be a permanent place to honour and remember a person for generations to come.

Learn more about [your options](#) for after death.

The choice between burial and cremation is one part of your after-death choices. There are more questions to consider, including:

- Where do you want your remains to be buried or scattered?
- What urn would you like your remains to be kept in?
- Do you want a funeral or memorial ceremony?
- What music should be played?

Answering these questions and others early can help your family and friends in the future and will help ensure that your final wishes are carried out.

Here is a useful [factsheet](#) and [checklist](#) to help you consider what to plan.

## When someone dies, they do not always need to be immediately transported to a funeral home

In NSW, if you die at home, your body can potentially stay there for up to five days before being transferred into the care of the funeral director. Given the legal requirements and practicalities involved with body transportation, most people engage an experienced funeral director to support some or all of the planning for a home funeral prior to a person's death.

If you want to die at home or have a home funeral, you should communicate your plans with family and friends and confirm they have the knowledge and ability to support you with this choice, with the advice of an experienced funeral director.

Learn more about your at home [options](#) for after death.

## A body does not need to be embalmed to be buried

In NSW, embalming is only legally required when a body is being buried in an above-ground mausoleum or crypt, or if it is to be transported overseas or interstate. It is not true that embalming is necessary for all burial to prevent the spread of disease. However, there are several circumstances where families may want to arrange for a partial or full embalming, in particular:

- to make the body presentable for a viewing or visitation
- if there will be a long delay between the death and the funeral.

## When you bury someone or their remains, you might be able to choose a renewable interment

In NSW, burial lots can be purchased in perpetuity—meaning forever—or as [renewable interment](#) for between 25 and 99 years.

At the end of a renewable interment, the remains are to be removed and placed in an ossuary box and reburied in the same grave or placed in an ossuary house. The grave, crypt or niche can then be reused. However renewable interment is not available at all cemeteries.

**It is not mandatory for a cemetery to provide renewable interment rights and consumers do not need to choose this option.**

## You can be buried in a shroud without a coffin

In NSW, you must use a casket or coffin for burial or cremation. However, you can apply for an exemption to be buried in a shroud on both religious and non-religious grounds.

Learn more about shrouded burial in your [options](#) for after death.

## You can choose what coffin you would like or make one

There is a wide range of coffin materials and price points in the market. If you like, you can buy a coffin or shroud directly from a supplier—it may be timber, cardboard, wicker or wool. Some people build their own coffins.

Check with your funeral director or crematorium staff to get the correct specifications before you make it to ensure it can be transported and accommodated by the cremator and is combustible.

Grave sites have specific size limits, so check plot specifications with your funeral director or cemetery staff.

In NSW, most coffins have a liner to contain body fluids during transportation, as the coffin must be watertight at this time. Natural liners can be used for biodegradable coffins.

Learn more about choosing coffins in your [options](#) for after death.

## What happens to your body if you donate it to science?

Universities use donated bodies for scientific research and education.

In NSW, laws govern the donation of bodies, and programs are administered individually by universities.

Bodies are generally embalmed using a formaldehyde solution in order to preserve them for continued use. Universities may keep bodies for up to four years.

After the program has no further use for the body, or at the end of the four-year period, the body is generally cremated. They can be buried upon request, usually at cost to the donor's family.

Further information about body donation to science is available in Cemeteries & Crematoria NSW's [General consumer guide to interment rights in NSW](#).

## What happens to pacemakers, jewellery and metal hips at cremation?

Battery-powered medical aids such as pacemakers explode while inside cremators, so these must be declared so they can be removed before cremation.

Many other metal components that have been surgically implanted such as artificial joints, plates or screws, are not dangerous to the equipment and will not be removed prior to cremation. However, they are also not destroyed during the cremation process.

Many cremation facilities recycle metal items to reduce landfill. You can ask your funeral director



or crematorium manager what their policy is for recycling metals after cremation.

Soft and precious metals melt during the cremation process and are dispersed throughout the remains. These cannot be recovered and returned to the family, so it is recommended that jewellery is removed prior to cremation.

## Cremation ashes don't get mixed

A common concern for people considering cremation is whether the ashes get mixed with the ashes of other people cremated previously.

In NSW, only one body is allowed to be placed in the cremator at any time. That means there is no risk that your ashes or those of a loved one will contain ashes from another person.

## Families can watch a cremation

Some crematoriums have a window to view the coffin entering the cremator. If you would like to watch, ask your funeral director or the crematorium if this option is available. This is called a witness insertion.



## Funerals and ways of being remembered

### You can use a funeral director, organise a DIY funeral or choose a mix of both

A funeral director can provide a complete funeral service. While there is no legal requirement to have a funeral or to use a funeral director, many people prefer to have an experienced professional support and guide them through the process.

DIY funerals represent a small but growing number. Some families opt for a mix of DIY and a funeral director.

If you or your family engage a funeral director, it is still useful to know what to ask for so that together you can make the best possible plans. Take the time to do your research and [understand your options](#).

## It's your choice to hold a funeral or memorial

While the law states that you must have a burial or cremation, there is no law stating that you must have a ceremony, either before or after body disposal.

A funeral ceremony often takes place before a burial or cremation. Some people choose to hold the funeral at different time or place to the cremation or burial. Others don't want their families and friends to have a funeral for them when they die because they do not want any fuss.

A ceremony generally helps those left behind to process their emotions and honour the person in a respectful way.

**While it is not legally required to have a funeral, remembering someone's life and farewelling them is important for relatives, friends, colleagues and the wider community. It is an important ritual to help people process death, to grieve and live on.**



## When you pre-purchase an interment site, the price may not include all the costs for a burial and funeral

An [interment right](#) allows interment of human remains, including burial of cremated ashes, to take place in a particular location in a cemetery. Interment can be either in the ground or above ground in a mausoleum, vault, columbarium, niche wall or other structure designed for this purpose.

It is usually less expensive to purchase cemetery plots or crypts in advance, rather than purchase them after the death. Cemeteries may even give discounts for multiple plots purchased together, allowing more than one body to be buried in the same plot. In NSW, if you want to purchase more than two plots, you will need specific permission from Cemeteries & Crematoria NSW.

If you want to be buried or interred alongside family members, consider discussing your plans with family members to make sure any arrangements meet everyone's needs. You should also consider what will happen to the plots or crypts you're purchasing if family circumstances alter. For example, when divorcing, the interment right cannot always be sold back to the cemetery.

Keep in mind a burial plot or interment right may or may not include memorialisation such as a headstone. Generally, it also doesn't include related costs such as the funeral, flowers, a coffin or digging the grave.

Further information is available in Cemeteries & Crematoria NSW's [General consumer guide to interment rights in NSW](#).



# Cemeteries

## Cemetery capacity in urban areas is scarce

In Australia's capital cities, there is a shortage of burial land. If there is no change to existing burial rates, cemetery capacity in metropolitan Sydney will be exhausted by 2051, and sooner in more established areas such as eastern, northern and southern Sydney.<sup>1</sup>

## Cemeteries are increasingly popular places for recreation, such as running and picnics

As land becomes increasingly scarce, particularly in our cities, cemeteries are becoming both places of remembrance and reflection and important open spaces for urban communities.

Many modern cemeteries provide recreational space for walking and cycling, sculpture gardens, spaces for reflection, meeting places and community facilities such as cafés.

Burial plots are often provided in rows within a manicured lawn area and memorials and plaques are minimal.

## Can I skip the cemetery and be buried on land I own?

Maybe. To be buried on your own land in NSW, there are several conditions that must be met. The property must be greater than five hectares, the burial must not risk contaminating drinking water and it must be approved by the local authority (usually the local council).

If you're interested, start your research and enquiries early. Even if this option is possible, it may take more planning than opting for burial in a cemetery.

**Learn more about burials at home and on private land in your [options](#) for after death.**

## Does my religion restrict which cemetery or the kind of cemetery I can choose?

For some people it is very important to be buried in a dedicated area of a cemetery among people with the same faith. Other people do not have expectations of where they should be buried. If you're not sure, check with your religious leaders or funeral director to determine if there's a specific cemetery or type of cemetery recommended by your faith.

## Is a 'green' cemetery the right choice for me?

Maybe. If you're concerned about sustainability or love the outdoors, you may want to consider a natural burial ground.

Natural burials usually involve burying a body that's not embalmed in a biodegradable vessel or shroud, which can also be done in a conventional cemetery. However, natural burial grounds commonly limit the opportunity for physical memorialisation.

Natural burial sites are currently available in metropolitan Sydney, Lake Macquarie, Lismore and Southern Highlands. It is expected over time that more natural burial sites will become available. **Learn more about green burials in your [options](#) for after death.**

## Can I plant a tree or flowers or leave toys or mementos at the gravesite of a relative or friend?

The cemetery you choose might have guidelines or restrictions about what can be planted and left at a gravesite. Be sure to check with them before planting or leaving anything.

<sup>1</sup> Cemeteries and Crematoria NSW Metropolitan Sydney Cemetery Capacity Report (2017)

Cemeteries & Crematoria NSW (CCNSW) is the part of NSW Government that regulates cemetery and crematorium operators and provides information on burial and cremation options to the public. Its objectives are to ensure that everyone in NSW has the right to a dignified burial or cremation that is respectful of religious and cultural beliefs. CCNSW also holds a critical role in ensuring land is available for affordable and accessible burial and cremation options in NSW, now and in the future.



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