

Cemeteries and Crematoria NSW

Strategic Plan

2015-20



Cemeteries &
Crematoria NSW

Cemeteries and Crematoria NSW Strategic Plan

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JTN 13733

Message from the Minister

Cemeteries and crematoria are special community places. They provide essential services to the people of NSW, often at the most difficult time of their lives.



The NSW community expects that an individual's right to a dignified interment will be respected and that religious and cultural practices will be protected and supported. Community members also expect to be able to access

cemeteries reasonably close to their home, so they can regularly visit these special places for remembrance and reflection.

The passing of the *Cemeteries and Crematoria Act* in 2013 demonstrated the NSW Government's commitment to meeting these community expectations.

For the first time, the Act recognises and protects the right of all people in the state to respectful and accessible interment services. It also ensures that affordable burial and cremation services are available for all members of the community, with a range of services available at a range of prices.

The Act set up a new independent agency to support and oversee the interment industry and provide information to the community. This stemmed from the recognition that strategic and regulatory oversight of the industry is needed to enable services to be provided in a consistent, transparent and accountable manner.

Importantly, the Act establishes a new framework for interment rights. This ensures the community has clarity and certainty when purchasing an interment right. It also enables the industry to consider innovative ways to deliver interment services. This will help ensure that cemeteries, graves and gardens are well maintained - now and into the future.

This Strategic Plan shows how Cemeteries and Crematoria NSW will work closely with its partners over the next five years to continue to meet community expectations and improve burial and cremation services. I am pleased to present this plan as another significant milestone in the NSW Government's reform of this critical sector for the people of our state.

The Hon. Niall Blair, MLC
Minister for Primary Industries, and
Minister for Lands and Water

A handwritten signature in black ink, appearing to read 'Niall Blair'. The signature is fluid and cursive, written in a professional style.



Message from the Chair



On behalf of the Board, I am very pleased to present Cemeteries and Crematoria NSW's first Strategic Plan.

The establishment of Cemeteries and Crematoria NSW is a result of the NSW Government's landmark cemetery reforms.

The reforms were initiated in 2012 in response to a number of serious challenges facing the interment industry. There was a growing awareness that cemetery space in the Greater Sydney area is fast running out. A need was also identified to improve the governance of cemeteries on public land and to ensure that all cemeteries are maintained in perpetuity.

Other challenges identified as part of the reforms included providing certainty and consistency to the community and industry about the system of interment rights. At a broader level, there was also seen to be a lack of overarching legislative and regulatory oversight of cemeteries and crematoria, making it difficult for issues to be identified and addressed across the sector.

The Government's response to these challenges started with the restructuring of the Crown trusts which look after cemeteries on public land. It also included establishment of the new legislative framework, developed in close consultation with the interment industry and community.

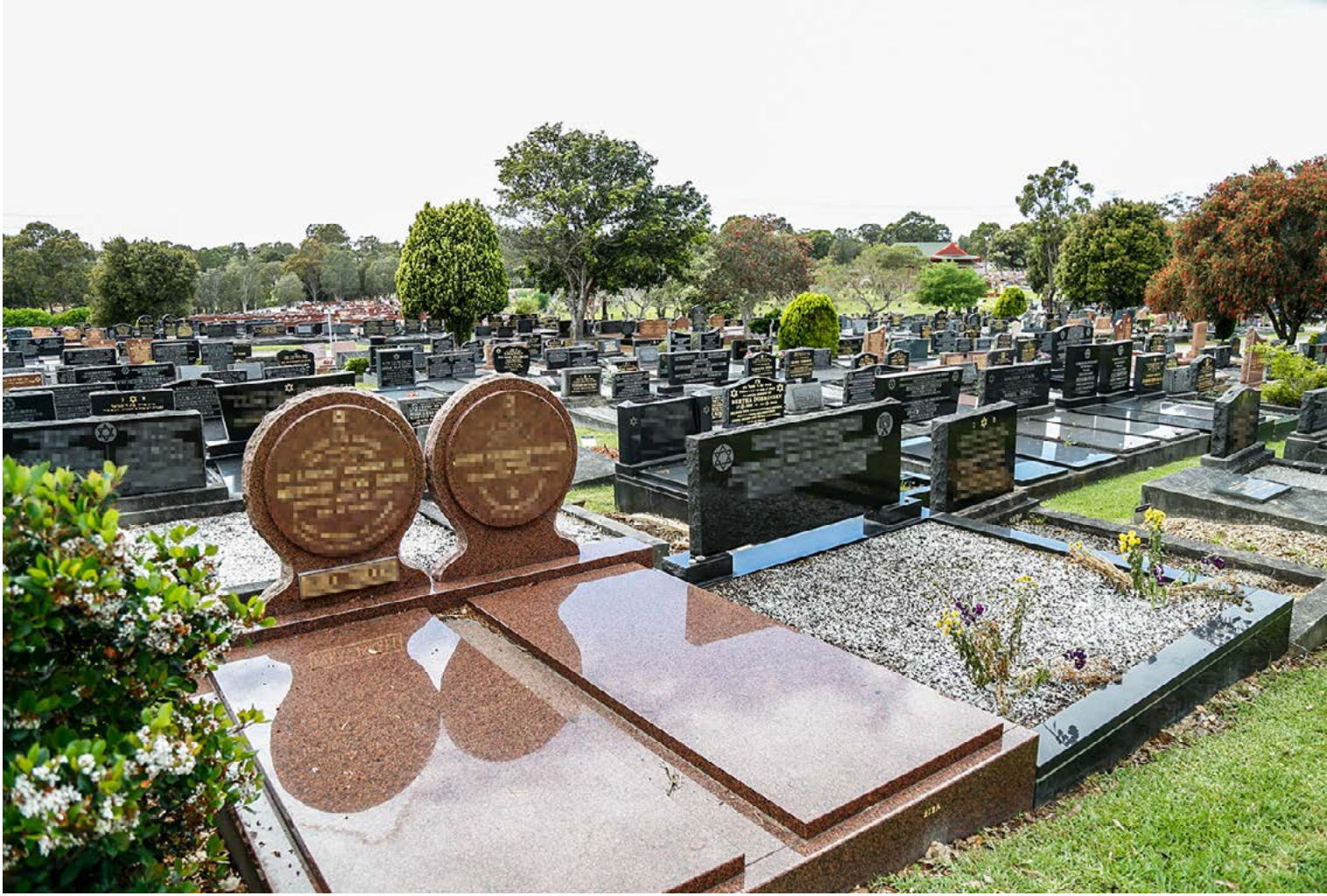
The *Cemeteries and Crematoria Act* was passed in 2013 and commenced in 2014 when the Board was appointed and the agency created. Since that time, we have been focused on activities such as developing the first cemeteries and crematoria register in NSW.

This Strategic Plan sets the blueprint for the next five years. It describes how we will work collaboratively with our partners to meet ongoing challenges and ensure the communities of NSW have respectful, accessible, consistent and affordable burial and cremation services.

Dr Stepan Kerkyasharian AO

Chair of the Board

A handwritten signature in black ink, which appears to read 'Stepan Kerkyasharian'. The signature is written in a cursive, flowing style.



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Section 1 – Introduction

About the industry

Cemeteries and crematoria are critical community infrastructure and provide essential services to the people of NSW. They are vital places for remembrance and reflection, a rich source of cultural and environmental heritage and provide valuable open spaces.

Information about the industry here and elsewhere in this document is sourced from the Cemeteries and Crematoria NSW Activity Survey 2014-15 of all cemetery and crematorium operators.

CULTURAL DIVERSITY CREATES DIFFERING NEEDS

The rich diversity of our community means there are a wide range of needs and expectations for burial and cremation services. Information compiled by Multicultural NSW shows that NSW is home to:

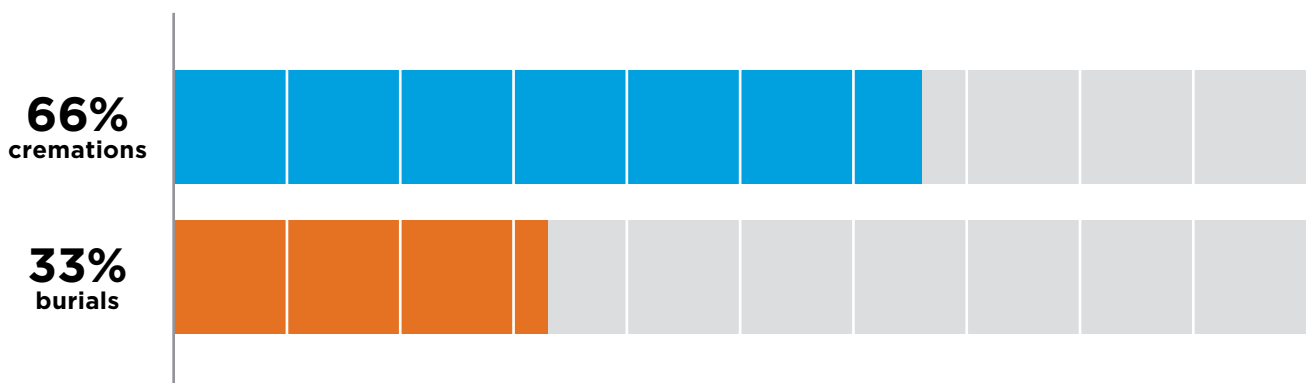
200+
languages

125+
religions

300
ancestries

WHAT IS THE SPLIT BETWEEN INTERMENT SERVICE TYPES IN NSW?

There are over **50,000** deaths a year in NSW with many more cremations than burials overall.



WHO PROVIDES BURIAL AND CREMATION SERVICES?

Over 230 operators provide interment services across NSW.

Crown trusts

- » five large trusts in Sydney
- » five smaller trusts in regional NSW
- » Crown trusts conduct around 70 per cent of burials in Sydney.

Local councils

- » manage around 950 cemeteries in NSW
- » 80 per cent of council-run cemeteries are closed or conduct 10 or fewer burials per year
- » manage 8 crematoria in NSW
- » conduct around 50 per cent of burials in NSW and only 10 per cent of burials in Sydney.

Private operators

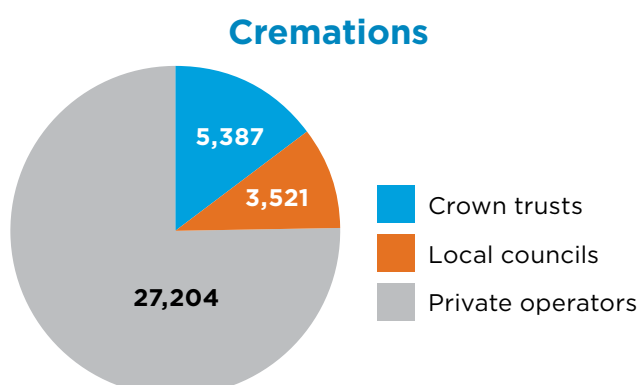
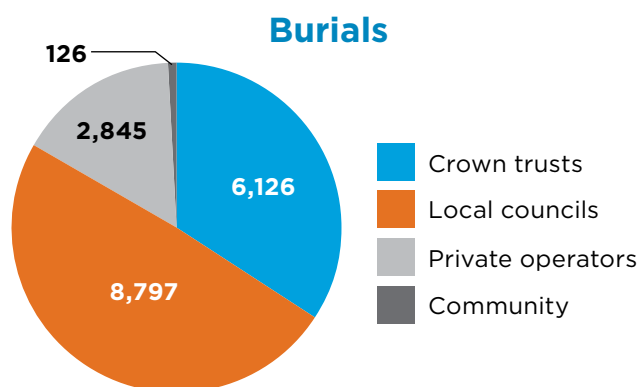
- » manage over 70 per cent of crematoria in NSW
- » manage around 2 per cent of cemeteries in NSW
- » conduct 75 per cent of cremations in NSW.

Community operators

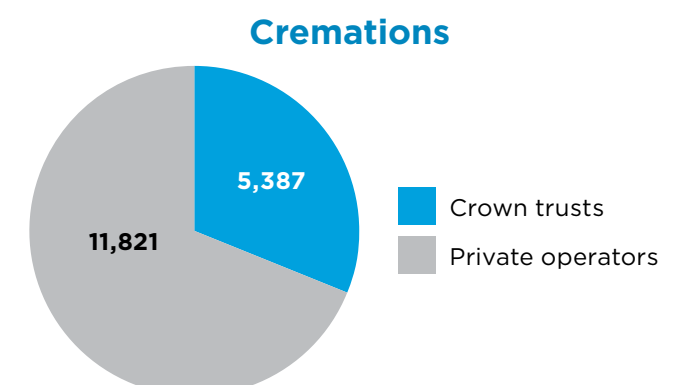
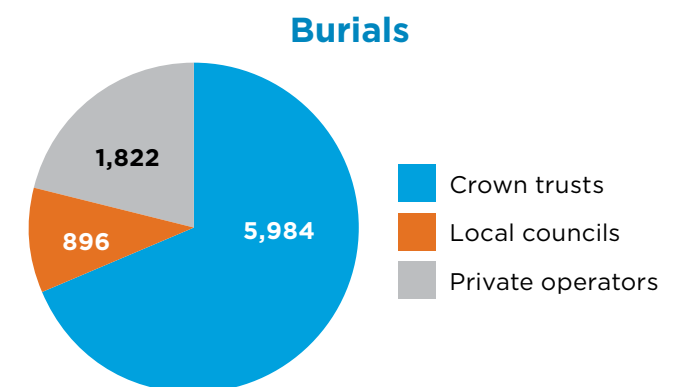
- » oversee small, closed cemeteries
- » local communities and religious entities manage around 10 per cent of operational cemeteries in NSW
- » conduct around one per cent of burials across NSW and no cremations.

WHERE DO SERVICE PROVIDERS OPERATE?

NSW

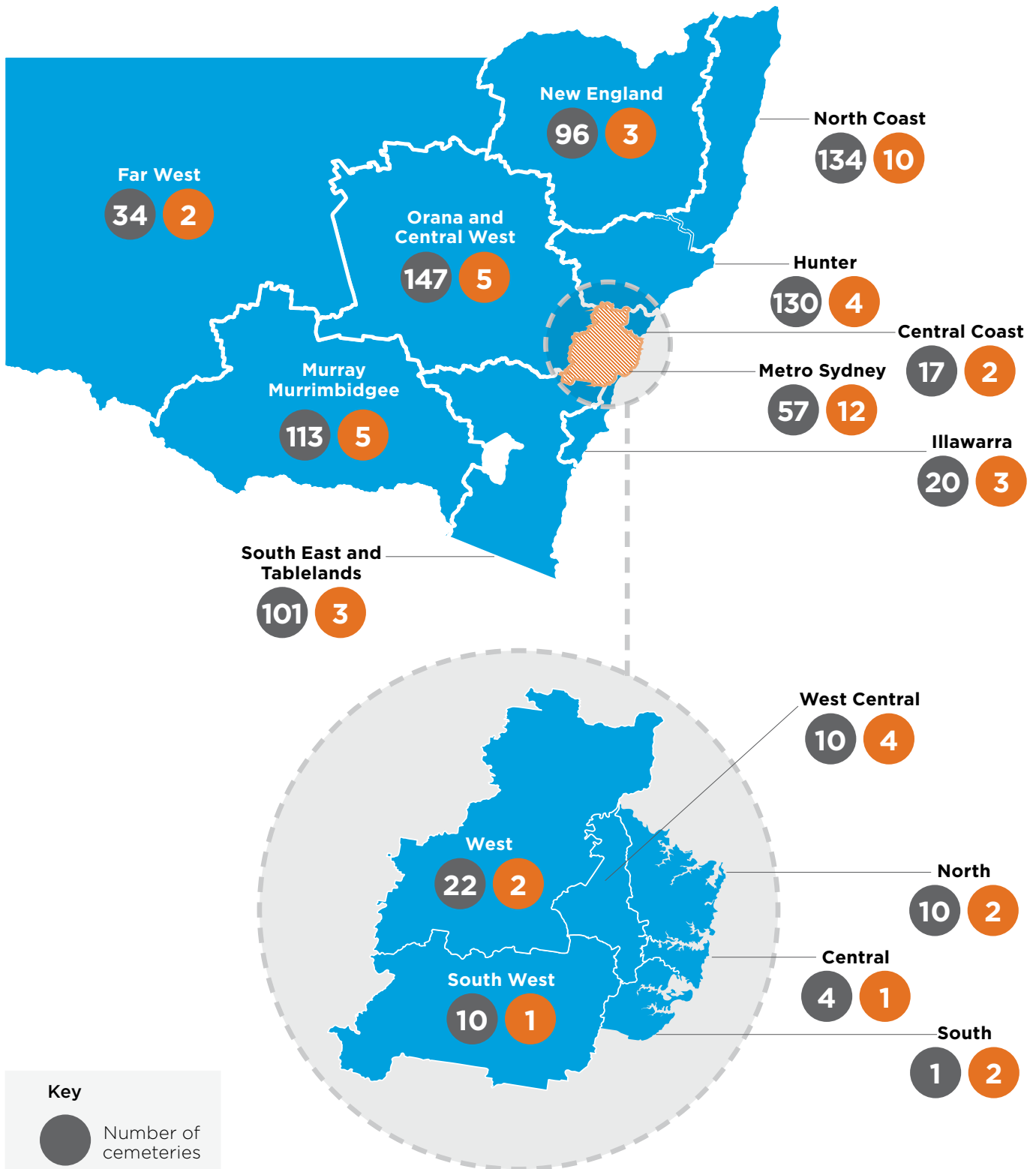


Sydney



NUMBER OF CEMETERIES AND CREMATORIA IN NSW

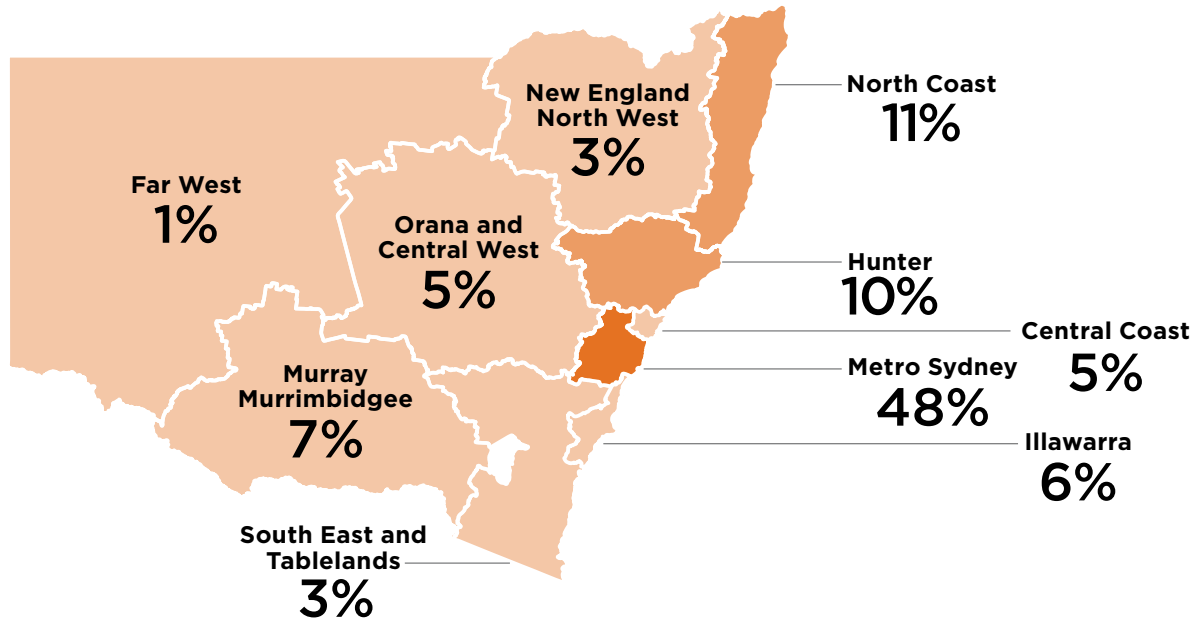
These are shown by region in the map below.



This graphic uses NSW Department of Planning and Environment regional boundaries.

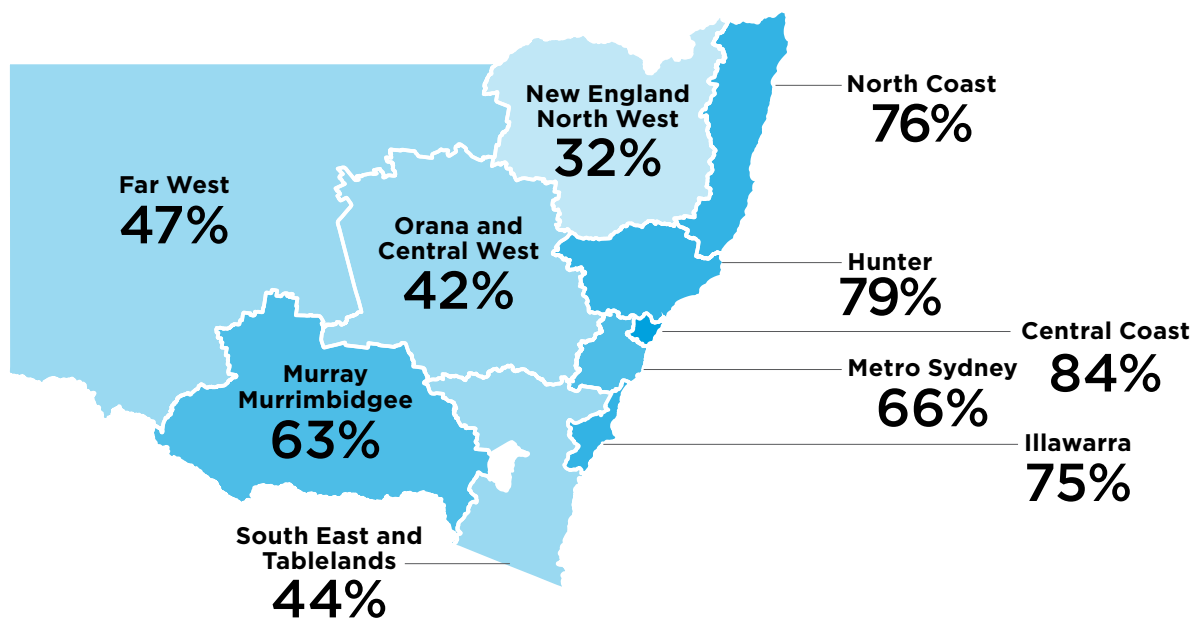
DISTRIBUTION OF TOTAL BURIALS AND CREMATION SERVICES ACROSS NSW

These are shown by region in the map below.



CREMATION RATE BY REGION

The cremation rate is calculated as the number of cremation services divided by the number of total cremation and burial services.



About the organisation

Who is Cemeteries and Crematoria NSW?

Cemeteries and Crematoria NSW is a statutory body created under the *Cemeteries and Crematoria Act 2013*. We operate as a standalone authority, which is administered within the NSW Department of Primary Industries.

Cemeteries and Crematoria NSW is led by an independent Board appointed by, and responsible to, the Minister for Primary Industries. The Board has four voting and seven non-voting members. Under the *Cemeteries and Crematoria Act 2013*, the non-voting members comprise representatives from:

- » Crown Lands Division
- » Department of Planning and Environment
- » NSW Fair Trading
- » NSW Health
- » Office of Environment and Heritage.

There is also a non-voting member with local government expertise.

A specialist Business Unit of Department of Primary Industry employees supports the Board and enables Cemeteries and Crematoria NSW to carry out its functions.

When were we created?

The *Cemeteries and Crematoria Act 2013* was passed in November 2013. It came into effect in November 2014, at which time the Board was appointed and the agency created.

Why were we created?

The agency was created in response to the need for a coordinated, strategic approach to providing interment services across NSW.

We also play a key role in assisting the industry to respond to policy challenges. These currently include:

- » safeguarding the interment practices and dignity and beliefs of all community groups
- » allocating enough land for cemeteries
- » ensuring cemeteries are well maintained now and into the future
- » promoting affordable and accessible interment options for everyone
- » maintaining good governance of cemeteries and crematoria.

WHAT DOES INTERMENT MEAN?

Interment means the placement of human remains in the earth or in a mausoleum, crypt, vault, columbarium, niche wall or other structure designed for the placement of such remains. The term 'interment' applies to both cremated and uncremated remains.

What do we do?

Cemeteries and Crematoria NSW has three main roles.

INFORMATION

We:

- » keep an up-to-date register of all cemeteries and crematoria in NSW
- » provide analysis about cemetery capacity and demand
- » assist the community to understand and compare the costs and service levels of burial and cremation services.

SUPPORT

Working with our partners, we:

- » ensure the interment practices and beliefs of all religious and cultural groups are respected
- » ensure enough land is acquired and allocated to meet cemetery needs
- » ensure that cemetery and crematorium operators demonstrate accountability, transparency and integrity
- » promote the environmental sustainability of the interment industry, including provision for natural and private burials.

REGULATION

We also:

- » ensure that cemeteries on public land are managed sustainably and in accordance with best practice
- » oversee the consistent system of interment rights across NSW
- » develop a regulatory framework to address trends and emerging issues for the interment industry.

How do we work?

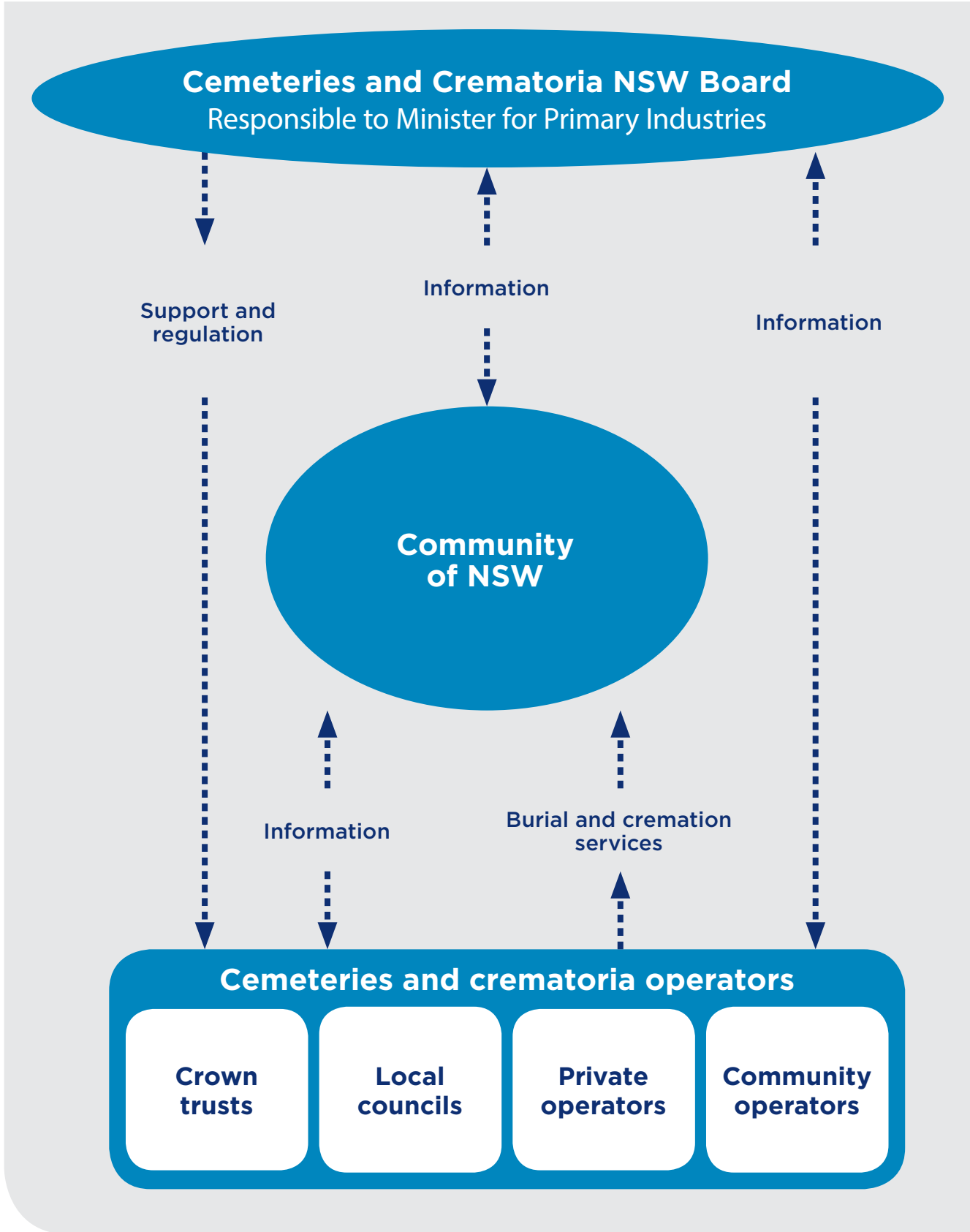
We recognise that partnerships are crucial to our success. We are committed to working with our partners to develop practical and efficient solutions to current challenges.

Our close partnerships with faith-based and other community groups helps us to understand community needs for interment services. We also provide guidance and information to help consumers make informed decisions.

We work closely with operators to develop voluntary approaches to address identified challenges. Our team supports and monitors the implementation of voluntary approaches, such as codes of practice. Only where voluntary measures do not achieve the desired outcomes will we consider the development of mandatory requirements.

Our regulatory framework provides the flexibility for this collaborative approach.

The way we work with our partners and the community is shown in the diagram on the following page.



Who benefits from this work?

Our work provides benefits to the community, the interment industry and to the state.

COMMUNITY

- » consumers receive consistent, best practice burial and cremation services across NSW
- » increased choice of interment services for consumers, with strong consumer empowerment and safeguards in place
- » interment rights are offered on a consistent basis across all cemetery sectors in NSW
- » more burial space for communities in regions facing critical space shortages
- » guidance is set to meet community expectations regarding cemetery maintenance.

INTERMENT INDUSTRY

- » operators have a clearer understanding of their legal obligations
- » enhanced consumer confidence in the industry across NSW
- » clarity on possible sustainable services
- » opportunity to refine and develop a renewable rights service offering with proper regulatory oversight
- » improved access to information on capacity and demand which assists with planning cemetery proposals.

THE STATE

- » ongoing monitoring of trends, preferred service delivery options and whole-of sector planning
- » a strategic approach to cemetery development that focuses on priority areas of need
- » policy is able to be applied consistently and with consumer protections in place
- » regulatory oversight of Crown sector performance and continuous improvement in performance.

About this plan

Why was this Strategic Plan prepared?

This plan was prepared to articulate our role and priorities to the community and industry partners. It describes the way we will deliver the NSW Government's commitment to ensuring community needs and expectations for interment services are met. The plan also sets out a blueprint for implementing the new regulatory framework for the interment industry.

The *Cemeteries and Crematoria Act 2013* requires Cemeteries and Crematoria NSW to prepare and publish a Strategic Plan within 12 months of being established. The preparation of a Strategic Plan is also a core element of good governance for any public sector organisation.

What was the process for preparing this plan?

The preparation of this plan has been one of the key areas of focus for Cemeteries and Crematoria NSW in our first year of operation. The views of key stakeholders informed the development of the plan.

What is the structure of this plan?

This plan contains four main sections:



Section 1 includes information about the interment industry and the organisation overseeing cemeteries and crematoria in NSW.



Section 2 is a short but important section which describes our vision, purpose and values.



Section 3 describes our priority areas for the next five years, along with the associated strategies and short, medium and long term targets.



Section 4 sets out the priority actions targeted for completion within one and two years from the commencement of the plan.

In 2014-15 there were
851 operational cemeteries
and **49** operating
crematoria in NSW. These
were managed by **234**
registered operators.



Section 2 – Our vision, purpose and values

**CEMETERIES AND CREMATORIA NSW AIMS TO BE A WELL GOVERNED,
FINANCIALLY SUSTAINABLE PUBLIC SECTOR AGENCY DELIVERING
DEMONSTRABLE BENEFITS ON BEHALF OF THE COMMUNITY, INDUSTRY
AND THE STATE.**

Our vision and mission statement have been developed with input from our key stakeholders. They provide direction not only for the delivery of this Strategic Plan, but also for our ongoing partnership with the industry and community.



OUR VISION

All people in NSW have access to sustainable, innovative and culturally appropriate services provided by the interment industry in a consistent, transparent and accountable manner.



OUR PURPOSE

To work with industry and the community to deliver our vision in a collaborative and constructive way.



OUR VALUES

We promote and uphold the core values of the NSW public sector:
integrity, trust, service and accountability.



Section 3 – Our priority areas

Structure of the Strategic Plan

This Strategic Plan is structured around key priority areas:

- » respect
- » affordability and sustainability
- » land availability
- » governance.

Each priority area is supported by a series of strategies and linked to short, medium and long term target deliverables. The four priority areas and associated strategies are summarised in the following table. Further information about each priority area, including an introduction and detailed descriptions of the strategies, is contained in the following pages.

Short term deliverables are targeted for completion within two years of the commencement of this Strategic Plan, medium term deliverables for completion within four years, and long term deliverables for completion within five years of commencement of this plan.

Priority actions for the first two years of the plan are detailed in Section 4.



PRIORITY AREAS

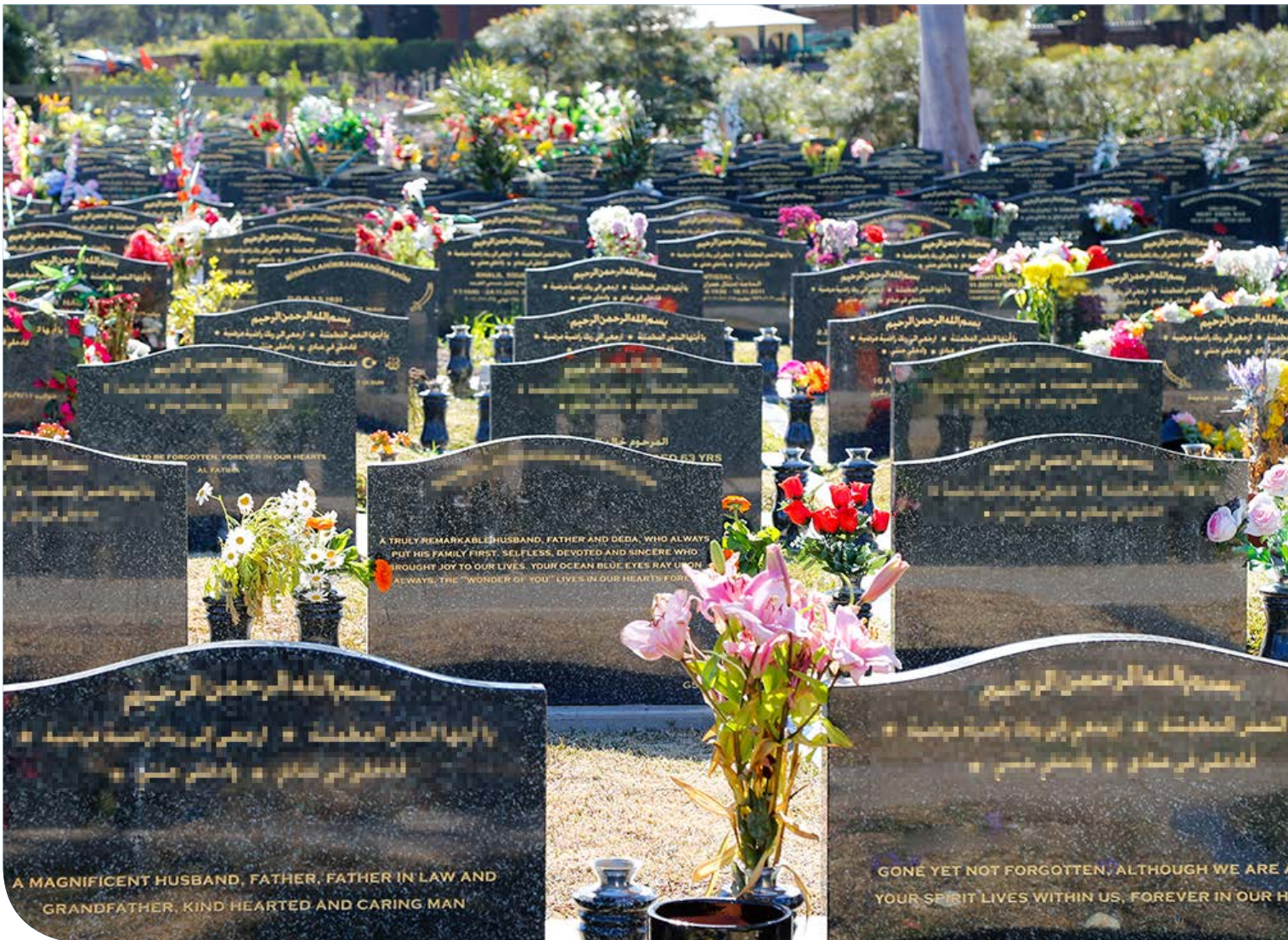
RESPECT	AFFORDABILITY AND SUSTAINABILITY	LAND AVAILABILITY	GOVERNANCE
All people in NSW have access to a range of interment services that preserve dignity and respect and support cultural diversity	All people in NSW have access to affordable and sustainable interment options	Sufficient and suitable land is available to meet future demand for interment services	All cemetery and crematorium operators in NSW function in a consistent, transparent and accountable manner

STRATEGIES

<ul style="list-style-type: none"> » develop a comprehensive understanding of community needs and available services » promote best practice service provision to ensure dignity and respect » work with stakeholders to address service delivery challenges 	<ul style="list-style-type: none"> » promote transparency of service offerings and pricing across the industry » support operators to provide affordable and sustainable interment services » promote preservation of the built and natural environment and provision for perpetual care 	<ul style="list-style-type: none"> » ensure that cemeteries and crematoria are considered during land use planning » facilitate new cemetery proposals that deliver strategic additional capacity » work with stakeholders to allocate sufficient cemetery space to meet the needs of local communities 	<ul style="list-style-type: none"> » provide guidance on statutory obligations and best practice governance » ensure Crown operators meet statutory obligations and stakeholder expectations » monitor compliance and ensure it increases over time
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TARGETS

<ul style="list-style-type: none"> » the service requirements of local communities have been identified (short) » operators are working to ensure services are delivered with dignity and respect (medium) » services are available to address the essential requirements of local communities (long) 	<ul style="list-style-type: none"> » information on service offerings and pricing has been collected and analysed (short) » operators provide transparent service offerings and pricing (medium) » large scale operators work to ensure financial sustainability (long) 	<ul style="list-style-type: none"> » regions facing a critical shortage of cemetery space have been identified (short) » viable cemetery proposals in critical regions are being progressed (medium) » additional cemetery capacity is available in critical regions (long) 	<ul style="list-style-type: none"> » operators are aware of their statutory requirements (short) » statutory requirements are incorporated into the business practices of operators (medium) » take-up of guidance is monitored to determine whether voluntary measures should be made mandatory (long)
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Priority Area 1 RESPECT

ALL PEOPLE IN NSW HAVE ACCESS TO A RANGE OF INTERMENT SERVICES AND PRACTICES THAT PROVIDE DIGNITY AND RESPECT AND SUPPORT CULTURAL AND RELIGIOUS DIVERSITY.

Respect for individual choice and religious and cultural practices is a key principle underpinning the *Cemeteries and Crematoria Act 2013*. This makes it clear that the community expects the interment industry to ensure the customs and traditions of all faith-based and secular cultural groups are protected. This includes the right to choose how our remains are treated and commemorated. These rights transcend political, cultural, religious and social differences.

Our strategies to achieve this priority area are discussed below.

Develop a comprehensive understanding of community needs and available services

The way we choose to remember our loved ones is influenced by a range of motivations, often stemming from our religious beliefs, cultural heritage, and moral and ethical values. The rich diversity of the NSW community results in a wide range of needs and expectations for interment services.

As cultural and religious beliefs and the broader social environment evolve, interment service needs and expectations also evolve. For example, over the last century there has been a significant increase in the number of religious and cultural groups accepting and choosing cremation over burial. More recently, increasing environmental awareness has resulted in greater demand for sustainable burial practices. The internet and social media have also created new approaches to memorialisation.

The interment industry provides a range of services to accommodate this diversity of community needs. The industry supports different burial practices, including specific requirements for the preparation and position of gravesites and features of graves and consecrated ground. It also supports requirements for the timing of burials and the design of memorials.

We will:

- » develop a comprehensive understanding of the range of interment services needed by the community
- » work with the industry to understand the range of interment services available and any operational limitations
- » monitor new and emerging service offerings to enable the industry to align service provision to evolving community needs.

WHAT ARE INTERMENT RIGHTS?

An interment right is a contract between a cemetery operator and a right holder permitting the right holder to undertake burials in a particular grave in a cemetery. The holder of the interment right can determine who can be buried in the grave.

Promote best practice service provision to ensure dignity and respect

The *Cemeteries and Crematoria Act 2013* prescribes service delivery requirements for the entire interment industry. For the first time, it also acknowledges the rights of all individuals for a dignified interment and for their remains to be treated with respect.

The new interment rights system requires proper record keeping. It establishes rules for issuing and transferring interment rights, undertaking burials and cremations, and erecting memorials.

Cemeteries and Crematoria NSW will ensure that service provision across the state is consistent and accountable. We will ensure that guidance is available for operators and stays up-to-date with emerging service offerings. The Act enables us to work with the industry to develop regulations and codes of practice to guide the provision of interment services.

We will:

- » facilitate information sharing across the industry to encourage consistent, best practice approaches to delivering burial and cremation services
- » promote innovative service offerings that ensure dignity and respect
- » ensure that best practice guidance to industry remains up-to-date as services change.

Work with stakeholders to address service delivery challenges

Consumers often access burial and interment services at a difficult time when grieving the passing of a family member or friend. A memorial is a significant place of remembrance and people often visit a gravesite regularly after a funeral.

From time to time challenges arise for consumers and operators around service delivery. For example, in the past there have been instances of inaccurate or poorly understood historical records for interment rights. To address this issue, the *Cemeteries and Crematoria Act 2013* sets out clear record keeping requirements and rules for issuing interment rights.

It is important to ensure that service delivery is fair, transparent, consistent and accountable.

We will:

- » work with the community and operators when service delivery challenges arise
- » collaborate with the industry to understand current and future service delivery challenges
- » work with the industry to provide guidance on service delivery challenges
- » where there is evidence of a systemic issue, we will consider the development of whole-of-industry approaches.

TARGET DELIVERABLES



- » **service requirements of local communities have been identified (short term)**
- » **operators are working to ensure services are delivered with dignity and respect (medium term)**
- » **services are available to address the essential requirements of local communities (long term).**

Priority Area 2 AFFORDABILITY AND SUSTAINABILITY

ALL PEOPLE IN NSW HAVE ACCESS TO AFFORDABLE AND SUSTAINABLE INTERMENT OPTIONS.

A critical tension exists between two key community expectations. It is expected that cemetery operators will be financially sustainable so that cemeteries can be maintained indefinitely as places of remembrance and reflection. It is also expected that cemetery services will remain accessible and affordable for all communities. Addressing this tension is complicated by historical underfunding of interment services in cemeteries that are nearing capacity.

We will investigate these interrelated expectations and provide advice and guidance to enable industry to address them. This will include facilitating sustainable service offerings such as renewable interment rights. Cemeteries and Crematoria NSW will also promote options that provide consumer choice for service offerings at different prices.

Our strategies to achieve this priority area are discussed below.

Promote transparency of service offerings and pricing across the industry

There are three primary charges associated with undertaking a burial: the interment right fee, burial fee and memorialisation fee. These fees may be paid at different times if an interment right is purchased in advance, or all at once if the purchase is made at the time of death.

These fees do not include funeral costs such as funeral directors' fees and the costs of coffins or caskets.

Individual services are often packaged in different ways by operators. This makes comparing services difficult for consumers. Consumers need clear and understandable guidance so they can compare interment services and make informed choices.

We will:

- » provide guidance to consumers on service offerings and costs
- » promote best practice public disclosure of fees and charges by the industry.

Support operators to provide affordable and sustainable interment services

A range of service offerings are available in the interment market at a range of prices. The market needs to supply low cost options and ensure access to affordable burial and cremation services.

There will always be a market for traditional burial and cremation services. However, there is also a need for industry to innovate to address some of the critical issues facing the industry. These issues include diminishing burial space and funding the perpetual maintenance of cemeteries. Consumers will also lead market change as demand for new products and services evolve.

A number of new and emerging service offerings are being developed to meet evolving community needs

Optional renewable interment rights currently operate in two Sydney cemeteries - Waverley Cemetery and the Sydney Natural Burial Park at Kemps Creek.

and provide greater affordability and sustainability. These include limited tenure and natural burials, as well as alternative cremation techniques that aim to reduce environmental impacts.

Take-up of these offerings will have a positive impact on a number of policy challenges.

While it is important to take advantage of burial practices that provide for more sustainable use of our diminishing burial space, there is also need for clear rules and consumer safeguards for operating such schemes. Prior to the *Cemeteries and Crematoria Act 2013*, there was no regulatory guidance for limited tenure burial schemes.

We will:

- » work with operators to identify low cost interment options and encourage operators to make low cost options available
- » work with operators to pilot new service offerings. This will ultimately enable greater diversity of interment service offerings for the community
- » increase community awareness of the availability and benefits of sustainable services.

Promote preservation of the built and natural environment and provision for perpetual care

Many NSW cemeteries contain valuable elements of historical and cultural heritage. Some also provide a rich ecological resource with a diversity of flora and fauna, including threatened and protected species.

WHAT IS PERPETUAL CARE?

Perpetual care refers to the continuous maintenance of individual lots and graves, and the maintenance, repair and future renewal of the cemetery as a whole including borders, drives, water and sewer systems, enclosures and necessary buildings.

A range of existing statutes apply to cemetery lands where there are Aboriginal cultural heritage objects and sites, assets listed on the State Heritage Register, threatened species and/or ecological communities, or where lands are subject to Conservation Agreements.

Perpetual interment rights are available to everyone and are never extinguished. A person who purchases a perpetual interment right has a reasonable expectation that their grave will be cared for indefinitely.

There is also a community expectation that cemeteries will be maintained to a good standard.

There are challenges across the industry in determining the perpetual care requirements of cemeteries, and also in determining options for operators to provide for perpetual care of cemeteries.

We will:

- » provide guidance on best practice cemetery maintenance
- » support the preservation of heritage and environmental values of cemeteries and crematoria, in consultation with other government agencies
- » provide guidance on making adequate provision for perpetual care.



TARGET DELIVERABLES

- » **information on service offerings and pricing has been collected and analysed (short term)**
- » **operators provide transparent service offerings and pricing (medium term)**
- » **larger scale operators work to ensure financial sustainability (long term).**

Priority Area **3** LAND AVAILABILITY

SUFFICIENT AND SUITABLE LAND IS AVAILABLE TO MEET FUTURE DEMAND FOR INTERMENT SERVICES.

Cemeteries are critical community infrastructure, necessary for the health and wellbeing of the community. They are essential places for remembrance and reflection, a rich source of cultural and environmental heritage, and valuable public open spaces.

The best available data predicts that all cemetery space in the Greater Sydney area will be exhausted by mid century. This is likely to occur sooner in some areas and for some communities.

We will regularly update cemetery capacity estimates and establish regional benchmarks for cemetery space. These will take into account factors such as population density and growth, mortality rates, burial and cremation rates, existing cemetery capacity, and religious and cultural composition.

Our strategies to achieve this priority area are discussed below.

Ensure that cemeteries and crematoria are considered during land use planning

Strategic land use planning requires a coordinated state, regional and local approach. The planning system typically prioritises land uses such as housing, infrastructure, recreation space, and essential public facilities such as schools and hospitals. The critical nature of cemeteries and crematoria has long been neglected during planning processes.

Due to the lack of strategic focus on cemetery and crematoria infrastructure, the approach to new developments has been inconsistent and at times incompatible. There is a need for a coordinated, strategic approach to delivery of this critical community infrastructure.

We will:

- » work with state and local planning authorities to ensure cemeteries and crematoria are considered during land use planning.

Facilitate new cemetery proposals that deliver strategic additional capacity

There is a clear need for additional cemetery space, particularly in the Greater Sydney area.

Proposals for new cemetery developments should be encouraged in order to create additional capacity in Sydney and to enhance consumer choice through a competitive market.

There are a number of considerations for new entrants to the cemetery market to ensure they can meet community needs and expectations now and into the future.

We will:

- » build and publish an evidence base regarding future demand for cemetery space at a local and regional level, commencing with the Greater Sydney area
- » encourage delivery of new cemetery proposals in priority need areas, from across the industry
- » provide guidance to new cemetery market entrants and planning authorities regarding key considerations when establishing new cemeteries.

Work with stakeholders to allocate sufficient cemetery space to meet the needs of local communities

Cemeteries serve a diverse range of religious and cultural groups, including people who have no declared religion. Communities have different burial requirements and preferences which need to be accommodated.

Some communities have had concerns about running out of burial space in individual cemeteries. While it is not practical for every cemetery to cater to every community's specific needs, it is important that community needs can be accommodated at a regional level.

We will:

- » work with communities and industry stakeholders to ensure that diverse communities are allocated sufficient space in their region.

A 2002 SURVEY OF CEMETERY CAPACITY IN GREATER SYDNEY FOUND THAT:

- » by 2020 over a third of burial sites were likely to be used
- » by 2036 critical shortages would be apparent
- » by 2050 all burial sites would be exhausted.

TARGET DELIVERABLES



- » **regions facing a critical shortage of cemetery space have been identified (short term)**
- » **viable cemetery proposals in critical regions are being progressed (medium term)**
- » **additional cemetery capacity is available in critical regions (long term).**

Priority Area **4** GOVERNANCE

ALL CEMETERY AND CREMATORIUM OPERATORS IN NSW FUNCTION IN A CONSISTENT, TRANSPARENT AND ACCOUNTABLE MANNER.

The community expects that all public organisations are well governed and managed. It also expects that critical community services provided by private organisations, such as burial and cremation services, are responsibly managed.

One of the key drivers of the cemetery reforms was a lack of governance and accountability in the interment industry. We will work closely with operators to ensure that they are functioning in a consistent, transparent and accountable manner.

Provide guidance on statutory obligations and best practice governance

There is a complex regulatory framework for the operation of cemeteries and crematoria, with different laws, policies and standards applying to various aspects of operations. For example, there are Australian standards for headstones, cemetery monuments and above ground burial structures. There are also public health regulations and guidelines for the handling of bodies, waste disposal and embalming. Environmental and work health and safety legislation also apply to all operators.

The *Cemeteries and Crematoria Act 2013* establishes a new and consistent regulatory regime for all cemeteries and crematoria in NSW. The Act makes clear that cemeteries and crematoria should be governed in a way that is accountable and transparent.

While the **private sector** manages two per cent of cemeteries in NSW, it conducted 16 per cent of burials and around **75 per cent of cremations** in 2014/15.

We recognise that there is significant variation in the size and organisational capacity of operators in the interment industry. Given the complexity of the regulatory environment, it could be difficult for some operators to keep up-to-date with changes to their obligations.

We will:

- » provide guidance on expectations for the management and operation of cemeteries and crematoria, including assistance on implementing statutory requirements as needed
- » build partnerships with industry to provide guidance on regulatory requirements and identify any gaps.

Ensure Crown operators meet statutory obligations and stakeholder expectations

Crown trusts manage significant public assets on behalf of the community and the state. These facilities need to be managed transparently, accountably and in accordance with best practice.

Crown trusts also need to strike an appropriate balance between operating commercially and meeting their community service obligations.

We will:

- » continue to work with the Crown sector to ensure that community expectations are being met.

Five Crown trusts currently operate 10 cemeteries in Greater Sydney. Prior to reforms in 2012, there were 17 cemetery trusts in Greater Sydney.

Monitor compliance and ensure it increases over time

The *Cemeteries and Crematoria Act 2013* imposes a number of mandatory governance requirements. It also empowers Cemeteries and Crematoria NSW to impose other voluntary or mandatory measures. When considering if there is a demonstrable need for a voluntary measure to be made mandatory, we will consider a range of factors. These factors include existing levels of industry compliance and the impact of non-compliance on the community. We will also consider the impact and regulatory burden on operators if a mandatory measure was introduced.

This regulatory approach will ensure appropriate service delivery and management of cemeteries and crematoria.

We will:

- » monitor compliance with statutory obligations and work with operators to increase compliance over time
- » monitor compliance with voluntary measures to determine whether they should be made mandatory.

TARGET DELIVERABLES



- » **operators are aware of their statutory requirements (short term)**
- » **statutory requirements are incorporated into the business practices of operators (medium term)**
- » **take-up of guidance is monitored to determine whether voluntary measures should be made mandatory (long term).**



Section 4 – Our priority actions

Priority Actions in Year 1

PRIORITY DELIVERABLES	BENEFITS TO COMMUNITY	BENEFITS TO INDUSTRY	BENEFITS TO THE STATE
<p>Consumer guidance on interment services</p> <p>Publish simple, easy to understand information on interment rights, including consumer tips on buying, transferring and exercising interment rights.</p>	<p>Well informed consumers can make better choices about the right interment services to meet their needs.</p> <p>Clear and trusted advice provides support for significant decisions during vulnerable and difficult times.</p>	<p>Better informed customers, who are clear about their rights and obligations.</p> <p>Enhanced consumer confidence in the industry across NSW.</p>	<p>Better enable state-wide policy outcomes to be achieved.</p>
<p>Voluntary code of practice on cemetery maintenance</p> <p>Develop and publish best practice approaches for maintaining cemetery grounds and facilities that take into account community expectations and the diverse scale and nature of facilities in NSW.</p>	<p>Assist with meeting community expectations regarding cemetery maintenance.</p>	<p>Provide operators with a clear understanding of their legal obligations.</p> <p>Enhance community perceptions and consumer confidence in industry and increase sustainability of cemeteries.</p>	<p>Better enable state-wide policy outcomes to be achieved.</p>
<p>Report on remaining cemetery capacity in the Greater Sydney area.</p> <p>Project exhaustion of existing cemetery space to identify regions facing a critical shortage and inform decisions regarding future cemetery space.</p>	<p>More burial space for communities in regions facing critical space shortages.</p>	<p>Industry will have access to information on capacity and demand which will assist with cemetery proposals.</p>	<p>Holistic overview of priority areas for focus – efficient approach.</p>
<p>Report on annual activity survey of NSW cemeteries and crematoria.</p> <p>Publish up-to-date comprehensive information regarding service delivery and trends in the interment industry.</p>	<p>Community service needs are better understood and able to be met by the industry.</p>	<p>Information to understand current and emerging trends in consumer choices on interment services.</p>	<p>Enables ongoing monitoring of trends and preferred service delivery options and whole-of-sector planning.</p>

Priority Actions in Year 2

PRIORITY DELIVERABLES	BENEFITS TO COMMUNITY	BENEFITS TO INDUSTRY	BENEFITS TO THE STATE
<p>Guidelines for best practice delivery of interment services</p> <p>Develop guidance on key considerations for undertaking best practice delivery of burial and cremation services.</p>	<p>Consumers receive consistent, best practice burial and cremation service delivery across NSW.</p>	<p>Enhance consumer confidence in industry reputation and sustainability.</p> <p>Provide operators with clearer understanding of legal obligations.</p> <p>Effective alternative to regulation.</p> <p>Participation in developing standards increases knowledge transfer which translates into innovations.</p>	<p>Voluntary standards developed in partnership with industry are a cost-effective compliance approach.</p> <p>Lessening the burden of regulatory compliance contributes to increased economic growth and competitiveness.</p>
<p>Industry pilots of sustainable services, including renewable rights</p> <p>Support and report on industry pilots of sustainable services, including optional renewable rights.</p>	<p>More choice of interment services, with strong consumer safeguards.</p> <p>Adequate time to understand how renewable interment rights will operate.</p> <p>Interment rights offered on a consistent basis across all sectors.</p>	<p>Operators wishing to offer sustainable services can be involved in a pilot project.</p> <p>Provides clarity on possible sustainable services.</p> <p>Opportunity to refine and develop renewable right services with proper regulatory oversight.</p>	<p>Promotes sustainable interment offerings to support policy challenges.</p>
<p>Guidelines for assessing cemetery developments</p> <p>Develop guidance on key considerations when assessing new cemetery proposals.</p>	<p>More burial space for communities in regions facing critical space shortages.</p>	<p>Transparent information on how cemetery proposals will be evaluated.</p> <p>A consistent approach to assessing cemetery development proposals.</p>	<p>Promotes a strategic approach to cemetery development focused on priority areas of need.</p>
<p>Report on the Crown sector</p> <p>Monitor and report on the governance and management of the Crown cemetery sector.</p>	<p>Consistent, transparent and accountable delivery of Crown sector services.</p>	<p>Consistent and transparent regulatory oversight of the Crown sector.</p>	<p>Continuous improvement and oversight of Crown sector performance.</p>

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