

## Community engagement on review of the Cemeteries and Crematoria Act 2003

In late 2018 the ACT Government ran a community engagement process on cemeteries and crematoria in the ACT. This engagement process is the start of a review of the *Cemeteries and Crematoria Act 2003* (the Act). The aim of this review is to ensure that the management of cemeteries and crematoria in the ACT is contemporary, sustainable, flexible and meets the needs of the diverse Canberra community. This report details what we heard during the engagement process.

### BACKGROUND

The *Cemeteries and Crematoria Act 2003* (the Act) sets out the framework for how cemeteries and crematoria in the ACT are managed. In 2017 an Inquiry was held by the Legislative Assembly Standing Committee on Environment and Transport and City Services into the management of cemeteries in the ACT. The Inquiry report made a number of recommendations including that the ACT Government continue to monitor community needs and preferences and consider introducing renewable tenure of burial sites in the ACT.

The ACT Government agreed to these recommendations and commenced a review of the Act in October 2018 with a comprehensive community engagement process. The community engagement process aimed to understand the diverse needs and preferences of the Canberra community so that we can ensure that the management of cemeteries and crematoria is contemporary, sustainable and flexible. Legislation should also be reviewed regularly to ensure it meets community expectations and is best-practice.

The ACT currently has three cemeteries at Hall, Woden and Gungahlin. Hall Cemetery is a small rural cemetery with limited capacity that is reserved primarily for the residents of the Hall region. Woden Cemetery is now effectively fully subscribed, meaning no new burial sites will be available for purchase. The Government has decided not to extend Woden Cemetery. Gungahlin Cemetery is open and has between 25 and 40 years capacity, depending on whether it remains the only cemetery in the ACT. The ACT also has one crematorium, Norwood Park Crematorium, which is privately owned and operated.

Another recommendation from the Inquiry was that the Government should proceed with the development of Southern Memorial Park (SMP), a proposal for a cemetery and crematorium on Mugga Lane near Hume. The Government is considering SMP and, while this does not form part of the review of the Act or community engagement process, the results of these activities will inform the design of SMP if it proceeds.



"I think it's important to have this conversation. Yes some people will be uncomfortable.. but death is inevitable and we need to consider the needs of those who come after us when we make decisions about the land we live on"

## THE CONVERSATION

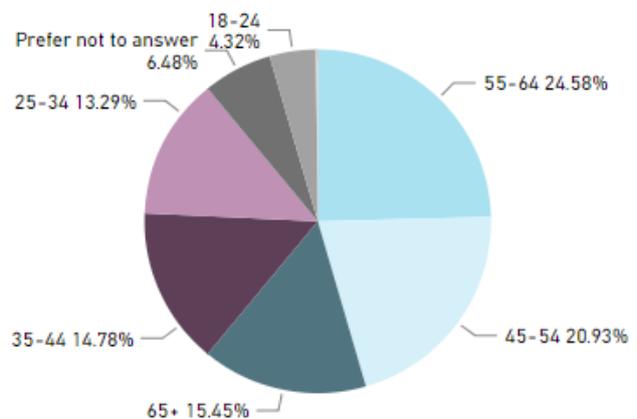
The engagement process aimed to understand what the community think about cemeteries and crematoria in the ACT. Two big issues we focused on were trying to understand whether the needs and preferences of the diverse Canberra community are currently being met, particularly in relation to religious and cultural needs, and what the community thinks about renewable tenure. During the consultation process:

-  743 surveys were completed
-  2 focus groups were held
-  7 people wrote to us
-  2 information sessions were held
-  5 public information stalls were held around Canberra reaching approximately 250 people and leading to 40 in-depth conversations
-  200 post cards were distributed
-  More than 30 one-on-one sessions with the project team were offered in all town centres (two were taken up)

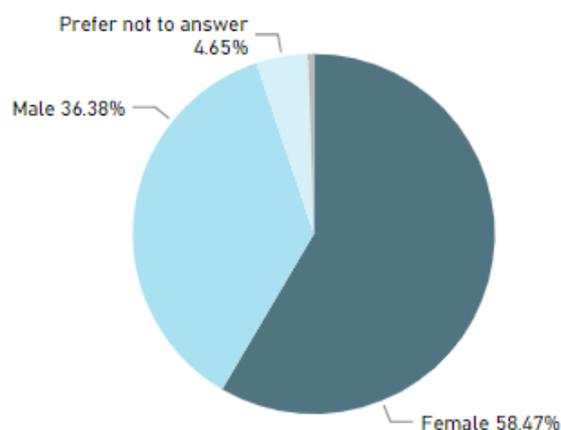
“whatever solutions are adopted they need to take a very long view.. so land can be set aside for future generations for cemeteries as well”

“I don’t have an issue with renewable tenure.. I think that it is important for those who have strong preferences to be able to be buried in a manner of their choosing”

Age of Respondents



Gender of Respondents



## RENEWABLE TENURE

Renewable tenure refers to the process of selling a burial or other interment site for a limited time, rather than forever. The Government commenced this consultation process having already ruled out the possibility that any renewable tenure scheme would apply retrospectively or eliminating the option to purchase a site in perpetuity - that is, if pursued it would be an opt-in scheme.

The survey results indicate that 56% of respondents who live within the ACT are opposed or strongly opposed to renewable tenure, while 35% of respondents who live in the ACT support or strongly support renewable tenure. Around 9% of respondents who live in the ACT either don't know how they feel or neither support or oppose it. This differs greatly to the survey results from respondents living elsewhere in Australia, with 82% of non-ACT respondents either opposing or strongly opposing renewable tenure and just under 13% supporting or strongly supporting it.

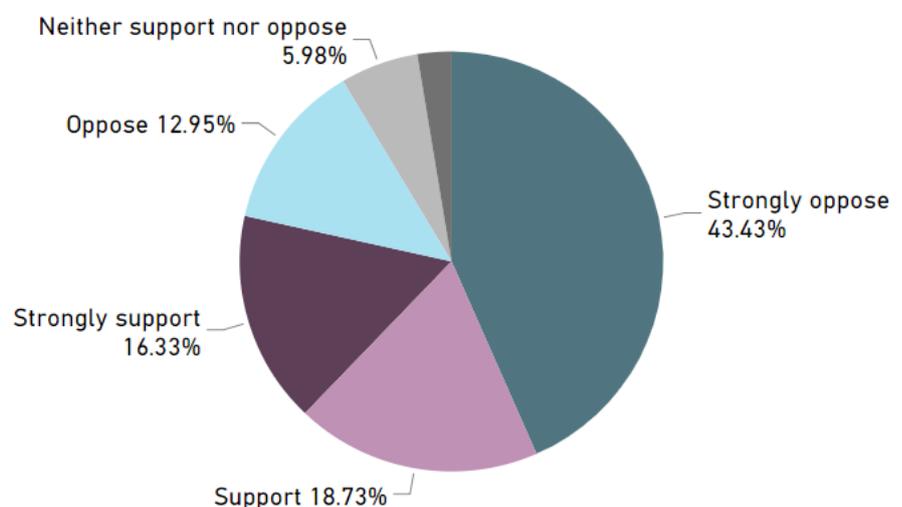
Despite a significant number of survey respondents opposing renewable tenure, in almost all face-to-face engagements community members said they would not oppose renewable tenure provided it is not retrospective, the option to purchase a site forever remains and any renewable tenure scheme is appropriately regulated. Some key insights about renewable tenure from the engagement process are:

- The community considers the provision of burial, cremation and interments to be a core part of the Government's responsibilities to the Canberra community
- Burial and interments are a community service and Government should commit to providing and maintaining these
- The cost of sites needs to be carefully considered and people should not be priced out of purchasing a site in perpetuity
- Having strict requirements about what happens to memorials (including gravestones) if a tenure period is not renewed – suggestions include keeping them, storing them, incorporating them into a new memorial and taking photographs
- The ACT should avoid repeating the issues that have taken place in other jurisdictions around renewable tenure, as indicated by many of the non-ACT residents who responded to the survey
- If a renewable tenure scheme is introduced there should be strict regulations about how the family should be contacted at the end of the tenure period and there should be flexible options available if they want to renew the tenure. Some suggestions include:
  - Contacting the family every 5 years to ask to update details
  - Tenure terms starting at 25 years, but possibly longer. There were suggestions of 50-75 years
  - The ability to change the status of a site from a renewable tenure site to an 'in perpetuity' site at any point during the tenure period.

"Renewable tenure should be a family's choice"

"[making renewable tenure increments of 25 years] allows for a new decision to be made and passes the baton from one generation to another"

Renewable Tenure (ACT residents)



## RELIGIOUS AND CULTURAL NEEDS

During the consultation process we were keen to hear from the community about their needs and preferences relating to burial, cremation and interments. We were especially keen to hear from people who have specific religious or cultural needs in relation to burial, cremation and interment, and whether these are being met. A quarter of all survey respondents living in the ACT have a religious or cultural need and almost 1 in 10 of these respondents have told us these needs are not being met. Face-to-face conversations suggest this could be higher.

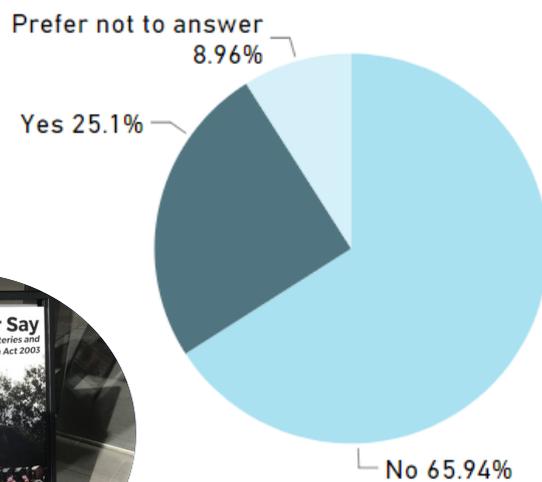
The needs that are not currently being met by the services offered in the ACT range from requiring access to natural flowing water to details of how actual cremations are carried out.

As it is clear that a significant number of people have needs that are not currently met, detailed conversations with religious and cultural groups will continue in early 2019 so that the Government fully understands these needs and can ensure they are accommodated in the future.

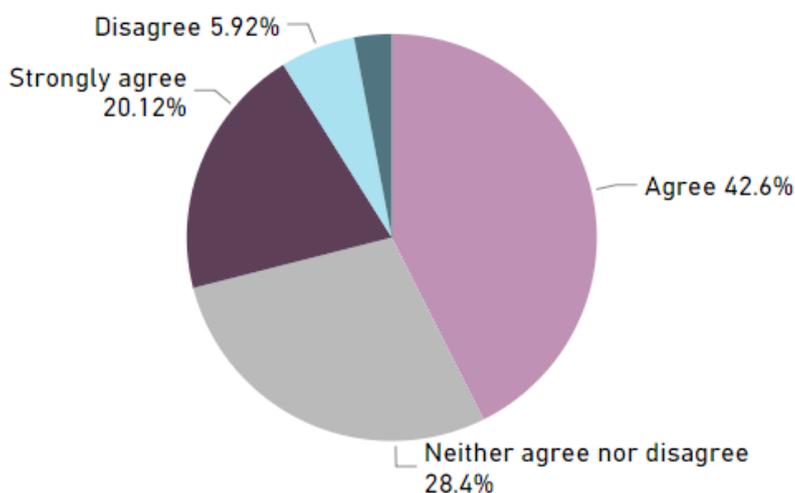
“I believe strongly in sustainability without compromising religious values”



ACT respondents with religious or cultural needs



Are those religious or cultural needs met?



“cemeteries are important spaces for the community and should be protected and valued”

## EXISTING SERVICES

About half of the survey respondents had used burial or cremation services in Canberra, with most people having used Norwood Park Crematorium. Over 80% of those people were satisfied or very satisfied with the services and around 4% were dissatisfied or very dissatisfied.

Some people commented about the limitation of having only a private cremation available in the ACT, rather than cremation being available in a public cemetery, and others reflected positively on the state of the grounds at existing sites in the ACT.

Through the engagement process it was clear that existing sites and services do not meet all the needs of Canberrans, including the size of facilities in some cases, and that people would like greater alternate options and flexible services available to them to meet a range of different needs and preferences.

Natural burial was presented favourable in many comments. While natural burials are already available at Gungahlin, consideration could be given to expanding options around natural burials and making these more accessible. Many people were also interested in other environmentally sustainable options of interment, and new technologies.

There were also a number of comments about ensuring flexibility for scattering of ashes.

"It is important that the burial grounds are both environmentally sustainable and financially viable, and that park-like grounds can be maintained so that the community can enjoy them, to walk in, picnic in, and have as a green space"

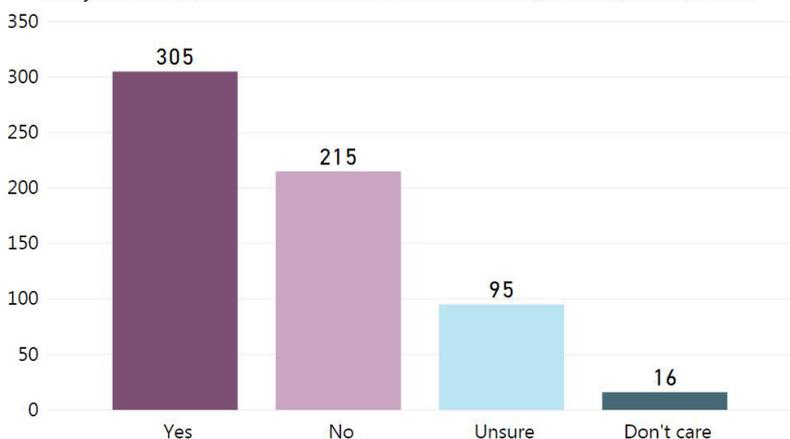
"a rural, natural bush setting rather than a manicured garden would be a sustainable option"

"I would be interested to see more environmental/green options"



"I think that it is important for those who do have strong preferences one way or another [to] be able to be buried in a manner of their choosing"

Are you interested in alternatives to traditional burial or cremation methods?



## OTHER INSIGHTS

Some other insights from the engagement process include:

-  Canberrans believe that all matters related to burials, cremations and interments need to be handled with dignity and respect.
-  Many people care about the ongoing financial and environmental sustainability of cemeteries and crematoria in the ACT.
-  Many people are interested in alternatives to traditional burial and cremation methods, provided these are appropriately regulated.
-  Many people believe that there is a strong need for both another cemetery and another crematorium in Canberra.
-  Many people believe that cemeteries are important spaces and should also be provided, available and accessible to everyone in the community.
-  For some people it is important to maintain a burial site as a place of remembrance and connection to loved ones.
-  The community is concerned about the costs of burial and cremation services going forward and want to ensure that everyone has access to services that meet their needs and personal preferences.
-  Australia is a large country and doesn't have the same constraints as other places in terms of space for cemeteries.

"[having a gardening club at cemeteries] could provide satisfaction, pride, beauty and maintenance"

"it's important to utilise land in the ACT due to the space restrictions while also respecting the burial requests of our citizens"

"opportunities for greater use of new technologies and methods like natural burial and alkaline hydrolysis need to be not just contemplated, but facilitated and promoted"

## WHAT'S NEXT?

Now that we have a better understanding of what the community wants and needs we will review, and if necessary, amend the Act. You can stay up to date on the project at [YourSay.act.gov.au](https://www.yoursay.act.gov.au).