



# LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT AND TRANSPORT AND CITY SERVICES

Ms Suzanne Orr MLA (Chair), Mr Steve Doszpot MLA (Deputy Chair)

Ms Tara Cheyne MLA, Mr Mark Parton MLA

## Inquiry into the Management of ACT Cemeteries

### Submission to the inquiry

3 – Mr Peter Dinn – Toscan Dinn

	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
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The Committee Secretary  
Standing Committee on Environment and Transport and City Services  
Legislative Assembly for the ACT  
GPO Box 1020  
CANBERRA ACT 2601

Dear Committee members,

**Re: Inquiry into the Management of ACT Cemeteries**

Thank you for the opportunity to provide some information and insight into the inquiry that you are holding. Toscan Dinn is a business based in the ACT and the staff here have decades of experience in the funeral industry. We are part of a family owned group of funeral homes across South Eastern Australia and are owned by the Fitzgerald family.

This submission is directly responding to the terms of reference that you have put together, and the information is our view as practitioners, business owners and a group with commercial expertise in the funeral industry.

***Terms of reference  
Management of ACT Cemeteries***

*The Committee resolves to inquire into the management of cemeteries in the ACT with particular reference to:*

- 1. Current burial and cremation practices in the ACT, including;**
  - a. Current and anticipated community and regional demand for burial, cremation and any other interment or memorial practices in the ACT,**

With the consistent growth of the population across Australia, it would be beneficial to also look at the growth of various religious groups within the ACT, along with their preferred disposal method for each group. The demographics need to be known and understood as there is an assumption that moving to cremations is a natural progression in western societies, however traditional and religious preferences guide disposal decisions as much as pricing.

The 2016 Census has shown growth in the following religious categories: No religion, Christian (not defined), Islam, Hinduism and Sikhism. The growth of these sector of the community are also important for understanding the practices that will be required and desired.

There is a balance between providing land use options for people who choose burial because they want to create a legacy or monument and those that do so for religious or traditional reasons as the rising costs are marginalising these groups. There really should be a cheaper option in relation to burial for those that don't really have an option but for burial.

The growing muslim community is an example, but so are aboriginal communities, orthodox and jewish communities; the government should engage with the communities that feel they need to bury their loved one and consider re-opening older cemeteries that are more distant, having low maintenance, but also low cost burial plots in natural areas.

**b. *Current and anticipated capacity of existing ACT cemeteries,***

Serious consideration needs to be given as to the options for residents on the southside of Canberra. Simply moving the fence at Woden Cemetery is not a long-term solution. Industry consultation 5 years ago clearly showed the need for a southern cemetery and crematorium option to be developed.

**c. *Land management/land use and maintenance relating to ACT cemeteries including the identification of potential future sites,***

Should you move towards the increased use of Natural Burial plots and scattering grounds, where the deceased received little more than a plaque amongst native vegetation this would provide a simple, low maintenance option.

The location of cemeteries is not just a disposal process. Many cemeteries are key components of the urban landscape and provide urban design opportunities for the ACT. Attitudes to death are changing and there is an opportunity to incorporate memorials and graves in multi use spaces with parks and reception facilities.

**d. *Tenure;***

Information on tenure needs to be clearly spelled out to families and funeral directors, to avoid confusion and discrepancies at a later date. Most ACT families would understand that plots are purchased perpetually. In most regional and rural areas this is accepted practice and tradition. The arguments around land use management are harder to make for a place like the ACT with large amounts of land than for highly urbanised areas like Sydney and Melbourne.

Families may need to receive a contract that clearly outlines their rights as the plot lessor/owner and what they should expect at the end of the tenure period.

Is there room to allow for longer tenure periods if additional payments are made up front, or agreed to as the tenure period is due to expire.

We believe that if tenure is considered then the tenure discussions add to the complexity of the process, and distress families at the time of arrangement. Families need to consider future options decades down the track, set up trusts themselves for maintaining tenure, increasing commitments and complexity around end of life services. This would also make Funeral directors consider simply re-direct customers to the cemeteries to make these sorts of arrangements.

**2. *The funding model for ACT cemeteries, including:***

**a. *Initial and ongoing expenditure for burial, cremation, interment and memorial practices,***

We can't really comment on the current funding model as we are not sure of how this operates within government. We can say that the considerable cost of burial does lead people who do not have the means towards cremation. It also means that those people who believe that they don't have any other option but burial are more significantly impacted by the rising costs of burial.

**b. Current funding sources for burial, cremation, interment and memorial practices,**

**c. Cost-effectiveness and future viability of the current funding model,**

**d. Comparative analysis with funding models used in other jurisdictions,**

**e. The role of the private sector;**

ACT Cemeteries would be wise to explore the potential of opening additional private crematoria within the territory to meet demand, or risk losing business to over the border into NSW.

Funeral homes in Victoria have been increasingly travelling into NSW to access cremation services that are competitively priced and not bound by state trusts or similar legislation. A similar pattern in ACT could see loss of business for existing facilities and in turn jobs if action is not taken to preempt this trend.

The private sector is at a disadvantage in most aspects of funding options for cemeteries. The regulatory ability of government means the market is difficult to work in, the fact that land assets can't be realistically reused after being a cemetery mean that external funding/credit support from financial institutions is difficult, including the fact that lease arrangements with councils or governments are also seen as higher risk by financial institutions, the long term nature of any investment, the difficulty in marketing a product etc.

The funding models and processes adopted by not for profit organisations, like a religious organisation, are probably stronger models for involvement in cemeteries.

**3. The governance model for ACT cemeteries, including;**

**a. Legislative requirements and current governance structures,**

**b. The cost-effectiveness of existing structures,**

**c. Comparative analysis with governance models in other jurisdictions, and**

**4. Any other relevant matter.**

Again, thank you for the opportunity to comment. You can contact either Mr Peter Dinn, [REDACTED] of Toscan Dinn or Mr Brendan Nugent [REDACTED] of Harris McDonald group regarding our submission.

Yours faithfully,

Peter Dinn  
Funeral Director