



OUT21/18103

13 December 2021

The Hon. Melinda Pavey MP
Minister for Water, Property and Housing
GPO Box 5341
SYDNEY NSW 2001

Dear Minister

STATEMENT OF REGULATORY INTENT FOR CEMETERIES & CREMATORIA NSW

Thank you for providing your Statement of Expectations for Cemeteries & Crematoria NSW (CCNSW). I appreciate your acknowledgement of the essential nature of the *Cemeteries and Crematoria Act 2013* (the Act) and your support for our vision that everyone in this State should have access to sustainable and affordable burial and cremation services that are respectful of culture and faith, now and into the future.

With this letter, I formally respond to your expectations and indicate our regulatory intent to meet those expectations and to contribute to the NSW Government's priorities and direction for the sector. I am pleased to see that our current work program is well aligned with the priorities you have identified.

CCNSW's strategic plan sets our priorities for the next three years which aligns with your expectations

In particular, between now and June 2022 CCNSW will have a strong focus on sector performance through the development of the Interment Industry Scheme. Together with our Regulatory Framework, released in November 2021, operators will have more clarity about what and how CCNSW will regulate and consumers will better understand and have confidence in our role. This is the first step in CCNSW improving its regulatory posture to become a more proactive and responsive regulator.

Consultation on the Interment Industry Scheme is underway.

The Interment Industry Scheme will implement 8 recommendations from the statutory review and 23 recommendations from the IPART review of interment costs and pricing.

If accepted by government, this scheme will licence all cemetery and crematoria operators for the first time, in three categories, and introduce new mandatory requirements as licence conditions which will:

- define minimum standards for the maintenance of cemeteries
- require the cost of burials and cremations to be disclosed more transparently, in clearer language
- introduce plain English terms and conditions for interment contract, and new customer service and complaints management requirements
- require larger operators to understand their perpetual maintenance liabilities and set aside funds to meet them
- mandate principles for how cemetery operators need to understand and meet the burial and cremation needs of religious, cultural and Aboriginal communities

CCNSW is in the process of extensive consultation with operators and other stakeholders and will continue to refine the Scheme based on this feedback. A detailed implementation plan is underway with key consideration of the transition timeframes. CCNSW will also develop detailed guidance materials to ensure operators know how to comply with the requirements and meet expectations.

CCNSW is planning further legislative reform to respond to other recommendations in the statutory review

Once the interment industry scheme is in place, CCNSW will consider in detail the remaining review recommendations relevant to CCNSW with the aim of providing a package of legislative amendments to government by the end of 2023. This is in line with the three-year timeframe to respond to all recommendations from the statutory review. Key elements of this legislative package will involve considering an expansion and/or extension of the CCNSW levy on interment services, and considering how best to implement the various recommendations from the statutory review around cemetery renewal and increasing the take up of renewable tenure in NSW. This will include advising you on any recommendations that we suggest may require review and reconsideration.

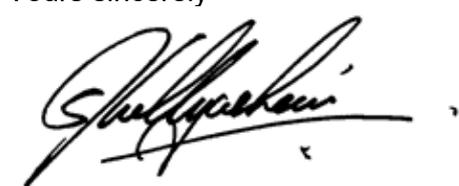
CCNSW will embed the key themes outlined into our work

CCNSW is committed to progress on the themes identified in your Statement of Expectations.

- **Respect** is always a central element of our work as evidenced in our vision. For example, through the Interment Industry Scheme, a suite of principles will be introduced to guide operators to meet the religious, spiritual and cultural requirements of our diverse communities in NSW with additional particular focus on our Aboriginal communities. It will also look to set standards for how operators work with communities in the future. These requirements and standards are being developed in collaboration and consultation with communities.
- We will continue to be involved in the whole of government approach to **land availability and use**, through membership of the Land Subcommittee of the Program Steering Committee established by the Cemeteries Reform Taskforce.
- We are working hard to build **our governance and leadership**, along with our profile as a regulator, to increase **public confidence** in our work and the sector. This will be achieved through multiple actions such as:
 - The implementation of our Regulatory Framework over the coming years to define and communicate our regulatory posture to the industry.
 - The publication of the Strategic Plan, which clarifies our priorities for 2022-2025.
 - Updates to the CCNSW website to ensure it is fit-for-purpose and user friendly, written in a plain English style.
 - The development of a new CCNSW communications strategy that drives and supports the achievement of these outcomes.
 - A greater focus on customer service, including pricing transparency.
 - Provision of information and support to both operators and consumers on our role and functions.

I trust that these actions will ensure that we are able to meet your expectations for 2021-2022. The Board will keep you informed of our progress via quarterly updates, as requested. If you have any queries, please feel free to contact me or Jennifer Hickey, CEO CCNSW on 0436 522 457 or at jennifer.hickey@cemeteries.nsw.gov.au

Yours sincerely



Dr Stepan Kerkyasharian AO
Chair
Cemeteries & Crematoria NSW