

16.3. MIDCOAST COUNCIL CEMETERIES STRATEGY

REPORT INFORMATION

Report Author	Bryce Haffner - Acting Manager Open Space & Recreation
Date of Meeting	20 March 2024
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report presents the draft MidCoast Council Cemeteries Strategy for adoption.

RECOMMENDATION

That the draft MidCoast Council Cemeteries Strategy provided in Attachment 1 be adopted.

FINANCIAL / RESOURCE IMPLICATIONS

MidCoast Council's Cemeteries have been compiled into a usage classification, resulting in some of Cemeteries being classed as 'high use', raising service levels which will impact Council resources.

It is however intended to create a service which is able to operate on a cost recovery basis, is well-connected to community needs, and is compliant with regulatory standards.

Therefore, implementation of components of the draft MidCoast Council Cemeteries Strategy that require funding will be dependent on securing grants to deliver the works.

Other components are operational in nature and will be delivered using available internal resources.

LEGAL IMPLICATIONS

The operation of cemeteries is regulated by various pieces of legislation, most significantly the Cemeteries and Crematoria Act 2013 (the Act). The Act was passed in November 2013, with most of the Act coming into force on 1 November 2014. The remainder of the Act commenced in stages, with Part 4 commencing in June 2018.

The commencement of Part 4 triggered a review of industry pricing by IPART that was completed in late 2020. The Act also provided for a five-year statutory review which was broadened in 2019 to address other critical challenges facing the sector including land shortage (in Sydney) and associated cost implications. This review was finalised in August 2020.

As a result of both reviews, there is an increasing move by Cemeteries and Crematoria NSW to play a greater role in regulating the industry. This has seen the introduction in October 2022 of an Interment Industry Scheme which will licence cemetery operators for the first time in NSW, with MidCoast Council now being licensed through this scheme, effective 2 February 2024.

The Strategy responds to this changing legislative environment with recommendations addressing the licencing requirements.

RISK IMPLICATIONS

Nil.

BACKGROUND

MidCoast Council is responsible for the management of 34 cemeteries located throughout the Local Government Area. These cemeteries range in both the extent of use and their setting.

The cemeteries operated by Council are identified across three categories: high and low use; active cemeteries and inactive or historic cemeteries where interments are generally no longer allowed.

High use active cemeteries <ul style="list-style-type: none">• Dawson River Cemetery• Forster Cemetery• Gloucester Cemetery• Tuncurry Cemetery• Wingham Cemetery Inactive / Historic cemeteries <ul style="list-style-type: none">• Angel Close Cemetery• Bungwahl Cemetery• Barrington Pioneer Cemetery• Copeland Cemetery• Harrington Pioneer Cemetery• Monkerai Cemetery• Mount George Pioneer Cemetery• Wards River Cemetery• Willow Point Cemetery	Low use active cemeteries <ul style="list-style-type: none">• Bo Bo Creek Cemetery• Bulahdelah Cemetery• Bulga Plateau Cemetery• Coolongolook Cemetery• Coopernook Cemetery• Failford Cemetery• Killabakh Cemetery• Krambach Cemetery• Lansdowne Cemetery• Marlee Cemetery• Mitchells Island Cemetery• Moorland Cemetery• Oxley Island Cemetery• Redbank Cemetery• Stratford Cemetery• Stroud Cemetery• Tea Gardens Cemetery• The Bight Cemetery• Tinonee Cemetery• Woola Cemetery
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DISCUSSION

The draft MidCoast Council Cemeteries Strategy was placed on public exhibition to allow for broad community consultation from 1 December 2023 to 11 February 2024. During this period a Have Your Say webpage was active. The main mechanism for providing feedback was by completing a formal submission.

During the public exhibition period 14 formal submissions were received from the community. There was also one (1) late submission received.

The table below provides a summary of the submissions, Council comments and suggested changes to the draft Cemeteries Strategy.

Submission themes	Comment	Suggested change
Desire for improved records access to enable online searches and genealogical activities	<i>Improved online information is a high-priority recommendation that seeks to incorporate online access to information of those who are interred at Council's cemeteries. This is identified in Recommendation 23.</i>	No change suggested
Desire for improved maintenance to address site safety concerns and to maintain access	<i>Maintenance improvements will continue to be prioritised on a risk basis, given the inherent difficulties of maintaining the scale of cemetery areas and the potential for subsidence at any time.</i>	No change suggested
<i>Request for the removal of fake flowers from cemeteries, with particular reference to Gloucester Cemetery</i>	<i>Whilst the environmental value of this request is understood, removal of the capacity for grieving families to provide fake flower tributes is a highly emotive issue. The use of fresh flowers can also create additional maintenance costs due to fast deterioration and need for more regular removal.</i>	No change suggested
<i>Desire for signage improvements to enable visitors to find the graves sought</i>	<i>Appendix B: Cemetery facility directions includes a number of suggested signage improvements for all cemeteries, including to meet Interment Industry Scheme requirements. The need for this is noted and will require funding and time to complete.</i>	No change suggested
<i>Desire for additional specific details to be included within the Strategy with respect to trends, business practices, financial information, operational policies and others</i>	<i>Given the extensive number and diversity of Council's cemeteries, and the cost associated with the development of the Strategy, there are limits to the detail that can be produced. Several requests for detail are of an operational or business nature. Given there are other operators in the area, the public disclosure of some information requested is not considered appropriate. The strategic nature of the document is considered to be appropriate in the circumstances.</i>	No change suggested
Desire to better understand the need for and costs of perpetual maintenance	<i>Whilst the potential need for collection of perpetual maintenance funds has been identified by Cemeteries and</i>	No change suggested

Submission themes	Comment	Suggested change
	<i>Crematoria in the future, there is no set formula or process to determine these costs at the current time, and much debate of how this should be undertaken.</i>	
Request to allow double depth burials to within Council's cemeteries	<i>Council's policy preference is to retain single depth burial for safety reasons and due to the high level of cemetery capacity available across the network.</i>	No change suggested
Elands / Bulga Plateau Cemetery name, desire for natural burials at the site and the importance of the cemetery to the local community	<p><i>The Strategy used a naming convention based on the Cemetery Agency's register. The correct local name was inadvertently displaced but is suggested to be incorporated into the final Strategy.</i></p> <p><i>The connection of the community to this cemetery is recognised and encouraged. This can be further explored through a 'friends of the cemetery' arrangement already identified through Recommendation 24 of the Strategy.</i></p> <p><i>In conjunction with above, natural burial options for the area can be explored consistent with Recommendation 26.</i></p>	<i>Change 'Elands Cemetery' to 'Bulga Plateau Cemetery' with the Strategy consistent with on-site signage and community desires.</i>
<i>Redbank Cemetery improvement, expansion and unmarked burial recognition, particularly with respect to Aboriginal community needs</i>	<p><i>The need for improvement and potential expansion at Redbank Cemetery is supported by Recommendation 5 and the cemetery facility directions identified in Appendix B of the Strategy.</i></p> <p><i>The adjoining land has been identified as being Council-owned, which may assist in the expansion potential.</i></p>	<i>Include reference to adjoining Council owned land as a potential avenue for site expansion.</i>
Request for Carrington Cemetery (currently private) to be included in the Strategy and assistance this, and non-council operated cemeteries to be supported to meet regulatory requirements	<i>Strategy has been prepared for cemeteries where Council is the operator. Additional costs and processes would apply to creation of the documents that are beyond the cemetery service's role.</i>	No change suggested
<i>Stroud Cemetery landscape improvements identified to</i>	<i>The potential for some landscape improvements is</i>	No change suggested

Submission themes	Comment	Suggested change
<i>counteract the open nature of the site</i>	<i>identified in Appendix B in conjunction with memorial areas. Additional landscape opportunities, in conjunction with Stroud Lions Club (as suggested by the submission), could be explored through a 'friends of the cemetery' arrangement already identified in Recommendation 24 of the Strategy.</i>	

Internal Workshops

Council staff identified that there was an omission of the Woola Road Cemetery in Appendix A of the Draft Cemeteries Strategy relating to site improvements.

No specific improvements were identified for this site due to its very low level of use, and as such was not included within the Appendix.

For clarity, the strategy will include reference to Woola Road Cemetery within the appendix to confirm that there are no identified improvements.

COMMUNITY IMPACTS

Council's cemeteries provide an important service to the local community in times that are often emotionally difficult. Cemeteries also play an important role in documenting the history and heritage of the MidCoast area and are of significant cultural, historical and social value.

Historically, and through the development of the draft Strategy, there have been calls for Council to assume responsibility for the management and maintenance of additional sites such as Carrington, Tobwabba and Purfleet Cemeteries.

Council is however already responsible for a large number of cemeteries and the focus of the Strategy is on those sites.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report aligns with the following objectives of MidCoast Council's Community Strategic Plan: Strategic Objective 1.2, Strategy 1.2.1

Provide accessible and safe local community spaces and facilities.

TIMEFRAME

Future directions identified in the draft Strategy have been identified through a timeframe to 2036.

LIST OF ATTACHMENTS

The following attachment is available on the meeting page of Council's website under the 'Attachments to Agenda' heading. The copy of Attachment 2 on the website has had the personal information redacted to protect the privacy of the members of the public providing the submissions.

Attachment 1 Draft MidCoast Council Cemeteries Strategy (55 pages)

Attachment 2 Draft MidCoast Council Cemeteries Strategy - Submissions (38 pages)

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