

ITEM 6

POLICY REVIEW - WOLLONGONG MEMORIAL GARDENS & CEMETERIES COUNCIL POLICY

The Wollongong Memorial Gardens and Cemeteries Policy (the Policy) has been reviewed with minor amendments to better reflect the management and operations of Council's cemeteries and gardens and ensure alignment with the recently implemented Cemetery Interment Scheme.

RECOMMENDATION

Council endorse the revised Wollongong Memorial Gardens and Cemeteries Policy.

REPORT AUTHORISATIONS

Report of: Roisin OSullivan, Manager Commercial Operations + Property (Acting)
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Wollongong Memorial Gardens and Cemeteries Policy

BACKGROUND

The Policy has been developed to provide our community with clear guidelines around how Council manages our cemeteries and gardens and to ensure our community feels confident that Council will undertake its responsibilities to provide space to honour and remember those that have passed.

Minor changes have been made to the Policy to provide clarity around several provisions and to give staff and the community clear direction on the application of interment rights within the cemeteries. A summary of these changes is included below:

Defining at-need interments

At-need interments are those provided at the time of, or immediately after the death of an individual. A definition for at-need interments has been added to the Policy for clarity.

"Providing the number of interments allowed within a burial site – A limit of 4 interments (ashes and body) with a maximum of two bodily interments".

All new burial plots are dug to a depth that allows for two bodily interments, with the additional number up to the maximum allowable held for ash interments. A maximum allowable number has been set to provide clarity for customers and ensure the wishes of the original deceased are maintained.

Religious and Memorial Ceremonies outside cemeteries

Reinforcing this Policy does not consider ceremonies conducted external to the cemeteries and that these ceremonies may be subject to other approvals and processes.

Laying down of monuments

At times monuments may need to be laid down as they become unsafe. The process for laying down a monument is identified in the new industry Interment Scheme. This change is reflective of this process.

Defining limitations on the storage of cremated remains – Up to 12 months after which ashes will be scattered.

Whilst the gardens no longer cremate, we do inter a significant number of ashes each year. At times the ashes are delivered to our site however a memorial site is not paid for. This addition allows for the ashes to be disposed of after the time has lapsed and staff have made three (3) attempts at contacting the interment right holder.

Outlining the allocation of a pre-need right in a restricted area – one pre-need site can be allocated up to 30 days after the at need interment has taken place.

When sales in a particular area are restricted to at-need only, to ensure family members are able to be buried together, the family may purchase another site at the time of the at-need supply for future use. This pre-need site will need to be purchased within 30 days of the date of the first burial. All new sites

can support double depth interments meaning with this clause, four (4) family members can be buried together with an additional two sets of ashes also able to be interred into each site.

Destitute Burials – provided at Wollongong Lawn Cemetery

Council provides services to those community members, through NSW Health, who do not have the means to pay for a burial. Burials designated as destitute are provided at Wollongong Lawn Cemetery only and provided at triple depth.

Legislative addition – Cemetery Interment Scheme 2024

The Cemetery Interment Scheme commenced in 2024 and was introduced by Crematoria and Cemeteries NSW. The scheme provides several guidelines that must be implemented to enable a licence to operate to be issued.

PROPOSAL

The attached draft Wollongong Memorial Gardens and Cemeteries Policy be endorsed.

CONSULTATION AND COMMUNICATION

Commercial Operations & Property

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 5 – ‘We have a healthy community in a liveable city.’. It specifically delivers on the following:

Community Strategic Plan 2032		Delivery Program 2022-2026	
Strategy		Service	
5.4	Provide a variety of quality and accessible public places and opportunities for sport, play, leisure, recreation, learning and cultural activities in the community.	Memorial Gardens & Cemeteries	

RISK MANAGEMENT

The continued limitation of sales when stock availability is low is considered restrictive however ensures Council’s ongoing ability to deliver at-need burials to the community when needed.

FINANCIAL IMPLICATIONS

There is no financial impact on the implementation of this Policy.

CONCLUSION

The Wollongong Memorial Gardens and Cemeteries Council Policy provides consistent interpretation of our operations and ensures all decisions are applied in line with the relevant acts that oversee the industry. It provides the community a clear understanding of Council’s role in the management and operations of our cemeteries.



WOLLONGONG MEMORIAL GARDENS AND CEMETERIES COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

Council recognises the importance of its Memorial Gardens and Cemeteries to our community. This policy has been developed to ensure that Council's Memorial Gardens and Cemeteries are managed effectively and provide our community with access to interment services that are respectful of culture and faith and provided in a consistent, transparent, and accountable manner.

POLICY INTENT

The main objectives of this policy are to –

1. Recognise the importance of our Cemeteries and Memorial Gardens to our community.
2. Ensure that our Memorial Gardens and Cemeteries are well managed, safe, and accessible.
3. Enable Council to continue to meet the needs of our community through effective management and future planning.

WOLLONGONG 2032 OBJECTIVES

This policy links to objective 5.4 *Provide a variety of quality and accessible public places and opportunities for sport, play, leisure, learning and cultural activities in the community.*

This will be achieved through the management of Council's commercial businesses to optimise service delivery at the Memorial Gardens and Cemeteries.

POLICY

Citation

This Policy may be cited as 'the Policy' or 'the Council's Cemeteries Policy'.

Application

This Policy applies to all cemeteries and memorial gardens controlled, managed, administered, operated, and maintained by Council.

Definitions

Cemetery or Cemeteries means an area containing one or more burial places and that is administered or controlled by Council.

Council means Wollongong City Council.

Interment means the act of burying, interring, or immuring the remains of a deceased person, whether cremated or not.

Interment Right Holder means the person/s granted by application the exclusive right to authorise the interment of human remains (whether cremated or not) and/or to establish or alter a Monument or other memorial at the interment site in respect to which the right was granted

Interment Site means a grave site, vault site, crypt site, memorial site or other place for the disposition or commemoration of the remains of the dead, whether cremated or not.

Memorial Gardens means an area containing sites for cremated remains only, and that which is administered or controlled by Council.

WOLLONGONG MEMORIAL GARDENS + CEMETERIES

COUNCIL POLICY

Monument means any structure, memorial, plaque, headstone, masonry, metal work, casting or item placed over, in or around an Interment Site.

Pre-need means a service or Interment Right purchased or being purchased in advance of actual need, that is, the entitlement of the Interment Right has not been exercised.

At-need means a service or Interment Right is purchased and executed at the time of, or immediately after the death of an individual.

PROVISIONS

Planning, Conduct and Maintenance of Council's Memorial Gardens and Cemeteries

Council will make such provisions as it considers necessary to ensure the effective management of its' memorial gardens and cemeteries to ensure they are well managed, safe, and accessible to the community through the following:

- a. the setting aside of sections for different types and classes of Interment. Council will ensure, where available and based on need, that a variety of interment options, including natural burials, are available for the community's use across its cemeteries and gardens.
- b. areas dedicated to specific cultures where the interment needs differ from those of the general sections. Council will provide options for cultural interments at Wollongong Lawn Cemetery, where there is significant need within the local community.
- c. a limit of up to 4 interments (combination of ashes and body) will be allowed in a burial plot, with a maximum of 2 bodily interments in each site (this does not include destitute burials).
- d. the carrying out of work by contractors and external stakeholders, including conducting burials, and the installation and maintenance of monuments in the Memorial Gardens and Cemeteries will require approval by Council
- e. the removal, replacement, and maintenance of memorial structures erected within the cemeteries remain the responsibility of the interment right holder. To ensure the safety of our community, if deemed unsafe, Council will cordon off or lay down a monument, in line with the processes identified in the industry interment scheme.
- f. the conducting of religious or other ceremonies of burial, disposition, or commemoration will be allowed with prior approval by Council within our memorial gardens and cemeteries. Religious or other memorial ceremonies wishing to be undertaken in public parks or other areas may be subject to separate approvals and booking processes.
- g. cremated remains will be stored securely for a period of up to 12 months from the date of delivery. During this time, 3 attempts will be made to contact the Interment Right Holder to determine placement arrangements. If after 12 months and with no confirmed arrangement, council reserves the right to inter the ashes into one of our allocated scatters gardens. This approach and timeframe will also be applied to memorial plaques, in which case they will be placed on the individual reserved plot.
- h. where the supply of interments is restricted, Council will allow only at-need burials to ensure the community can access sites when needed. The option of reserving one pre-need Interment Right at the time of purchasing an at-need Interment Right, is allowed however will expire **30 days after the date of burial**.
- i. destitute burials will be provided at Wollongong Lawn Cemetery.

LEGISLATIVE REQUIREMENTS

This Policy is aligned with the following legislation to ensure that the Memorial Gardens and Cemeteries administered by Council comply with statutory requirements:

WOLLONGONG MEMORIAL GARDENS + CEMETERIES

COUNCIL POLICY

1. *Cemeteries and Crematoria Act 2013*
2. *Cemeteries and Crematoria Regulation 2022*
3. *NSW Public Health Act 2010 and Public Health Regulation 2022*
4. *Crown Lands (General Reserves) By-Law 2006*
5. *Australian Standards for Headstones and Cemetery Monuments AS 4204:2019*
6. *Crematoria and Cemeteries NSW Industry Interment Scheme 2024*

It considers statute and common law, regulation and National Standards that affect the management and operation of memorial gardens and cemeteries. It also sets reasonable and practical standards of conduct for those entering Council's cemeteries and memorial gardens.

APPLICATION OF ECOLOGICAL SUSTAINABLE DEVELOPMENT (ESD) PRINCIPLES

The Policy assists in achieving practical allocation of diminishing resources, primarily interment rights and interment sites, within the cemeteries and memorial gardens.

It also encourages all new structures (monuments, etc) to be built in accordance with the best practices and standards, thereby making them as sustainable as possible.

REVIEW

This Policy will be reviewed a minimum of once every term of Council, or more frequently as required.

ROLES AND RESPONSIBILITIES

The Operations Manager Memorial Gardens and Cemeteries will oversee the implementation of this policy across all sites under Council's control.

RELATED STRATEGIES, POLICIES AND PROCEDURES

Management policy - Memorial Gardens and Cemeteries Operations Management.

APPROVAL AND REVIEW	
Responsible Division	Commercial Operations and Property
Date adopted by Council	[To be inserted by Corporate Governance]
Date/s of previous adoptions	26 May 2014, 29 May 2017, 20 March 2022
Date of next review	[Not more than three years from last adoption]