

Cemeteries & Crematoria NSW

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Cemeteries & Crematoria NSW Annual Report 2023–24

October 2024





Acknowledgement of Country

Cemeteries & Crematoria NSW acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Cemeteries & Crematoria NSW Annual Report 2023–24

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Letter of submission

31 October 2024

The Hon Stephen Kamper MP

Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism, and
Minister for Sport

52 Martin Place

SYDNEY NSW 2000

Dear Minister

I am pleased to submit the Annual Report for Cemeteries & Crematoria NSW for the year ended 30 June 2024, for tabling in Parliament by 30 November 2024.

This report has been prepared in accordance with the annual reporting provisions (Division 7.3) of the *Government Sector Finance Act 2018* (GSF Act) and Treasury Policy and Guidelines 23-10 Annual Reporting Requirements (TPG23-10).

Yours sincerely



Andrew Mills

Chair of the Board



Jennifer Hickey

Chief Executive Officer

Encl: Cemeteries & Crematoria NSW Annual Report 2023–24

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Message from the Chair

The 2023–24 financial year was significant for Cemeteries & Crematoria NSW (CCNSW) and the state’s cemeteries and crematoria sector, with a strong focus on tackling the key issues and risks facing the sector in NSW.

In March 2024, the minister released a strategic statement: *Delivering strong consumer outcomes for Cemeteries and Crematoria in NSW*. This not only set out a transformative blueprint for the future of the sector, but it also highlighted the substantial progress already made against 3 key priority areas: strong consumer protections for customers and communities, new burial space supply and certainty for our Crown cemetery operators.

The work of CCNSW is critical to these priorities, in particular through the introduction of new consumer protections under the Interment Industry Scheme. The scheme licences cemetery and crematorium operators in NSW for the first time, putting in place clear requirements for maintenance, customer service, pricing transparency, consumer contracts and religious and cultural considerations. CCNSW began licensing operators on 1 July 2023, with licence conditions commencing in stages from October 2023 to October 2024.

In 2023–24, the government expanded the interment services levy. CCNSW will be properly resourced for the first time as a proactive regulator, allowing it to protect consumers and ensure compliance with the standards set out under the Interment Industry Scheme.

People interact with the interment sector at a time in their lives when they are most vulnerable. The decisions they make can have an ongoing impact. It is important that we properly regulate this sector to set clear standards for operators to meet and for consumers to understand what they can expect. We need to ensure that all people in NSW have access to sustainable and affordable burial and cremation services.

The government made substantial progress in 2023–24 in providing certainty for Crown operators by implementing a 2-operator model. Metropolitan Memorial Parks and Catholic Cemeteries and Crematoria were established as the two Crown operators. CCNSW worked alongside Crown Lands and continued to support Crown operators during these significant changes.

On behalf of the CCNSW Board, I am pleased to present this annual report.

Andrew Mills

Chair of the CCNSW Board

Overview

About CCNSW

CCNSW is a statutory agency created in 2014 under the *NSW Cemeteries and Crematoria Act 2013*. It supports and regulates cemetery and crematorium operators in NSW and gives the public information on burial and cremation options. The agency was created to bring a coordinated and strategic approach to providing interment services across NSW.

CCNSW is an independent regulatory agency. We are led by a skills-based board that is appointed by and responsible to the Hon Stephen Kamper MP, Minister for Small Business, Minister for Lands and Property, Minister for Multiculturalism and Minister for Sport. The board consists of 4 voting members, including the Chair, Andrew Mills, and 7 non-voting members nominated by their respective state government agencies, including the CCNSW chief executive officer.

On 1 January 2024, the former Department of Planning and Environment was split to become the Department of Planning, Housing and Infrastructure and the Department of Climate Change, Energy, the Environment and Water. CCNSW is in the Crown Lands and Public Spaces group within the Department of Planning, Housing and Infrastructure. CCNSW is independently audited by the Auditor-General of NSW.

Legislation and charter – aims and objectives

The Cemeteries and Crematoria Act has 9 key objectives that provide the framework in which CCNSW operates. One of our main objectives is to ensure that everyone in NSW has the right to a dignified burial or cremation that is respectful of religious and cultural beliefs.

We play a critical role in ensuring land is available for affordable and accessible burial and cremation options in NSW. We assess the burial and cremation needs of the state's growing population and develop planning strategies to ensure there is enough cemetery space to adequately service these needs.

We also make sure that the services offered by cemetery and crematorium operators meet community expectations. We give the public and the interment industry information on relevant legislation governing burial and cremation in NSW and makes sure the industry abides by the laws.

The Cemeteries and Crematoria Act commenced in 2014. Part 4, which relates to renewable interment options, commenced in June 2018. The regulatory functions and powers in the Act are designed to be scalable so that CCNSW's remit can evolve to address emerging issues. The

Interment Industry Scheme commenced in October 2022 via an amendment to the Cemeteries and Crematoria Regulation 2022.

Our vision

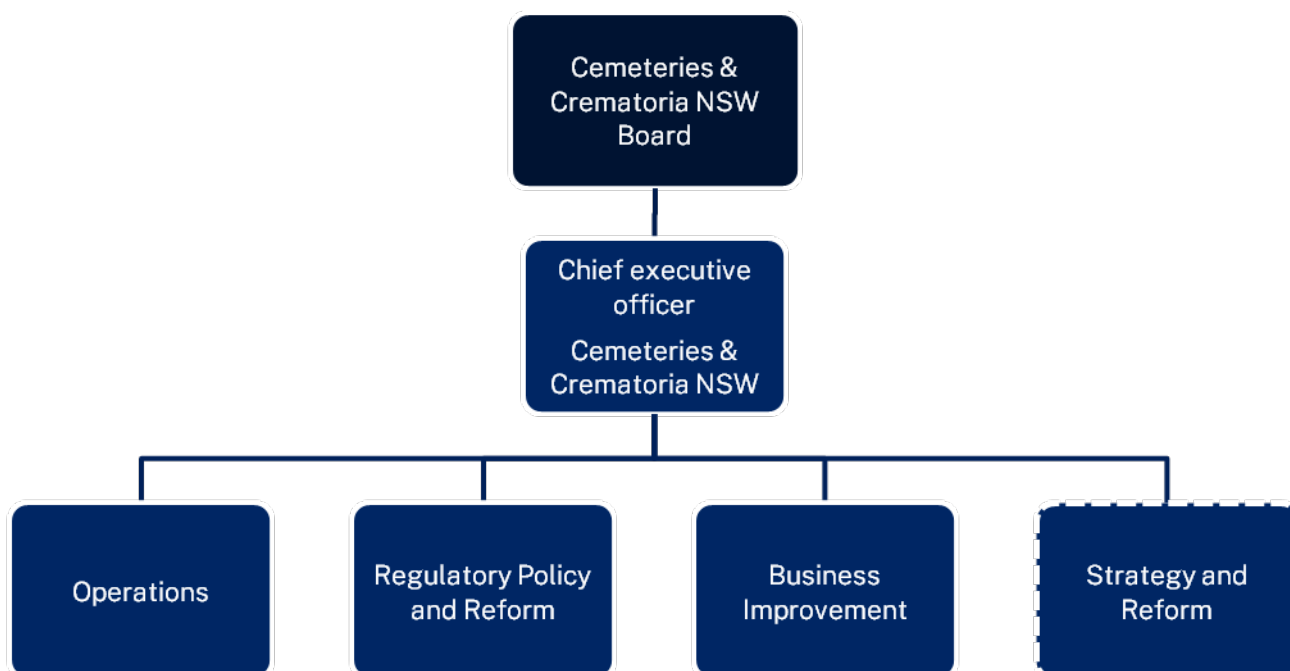
CCNSW's vision is that:

‘all people in NSW have access to sustainable and affordable burial and cremation services that are respectful of culture and faith and provided in a consistent, transparent and accountable manner’.

Management and structure

Chief Executive Officer Jennifer Hickey leads a small team of generalist and specialist staff (see Figure 1). The organisation's responsibilities are divided between 4 teams comprising 14 full-time equivalent staff. This includes a temporary Strategy and Reform team, which was established in February 2024 and is funded until 30 June 2025.

Figure 1. CCNSW organisational structure



Strategy

NSW Government's strategic statement for cemeteries and crematoria

In March 2024, the minister released a strategic statement – *Delivering strong consumer outcomes for Cemeteries and Crematoria in NSW* – to guide the transformation of the state's cemeteries and crematoria sector.

The purpose of the statement is to inform the sector and the community about the work underway, the vision for the sector and the government's plan of action. The statement focuses on 3 priority areas:

- delivering strong consumer protections for customers and communities
- supporting sustainable practices to promote new burial supply
- providing certainty for our Crown cemetery operators through a 2-operator model.

See the 'Summary highlights for 2023–24' section of this report for the progress we have made in 2023–24 against each of the strategic statement priorities.

In partnership with other parts of the government, industry and community, we play a critical role in delivering outcomes from the strategic statement by:

- advocating for customers and communities
- supporting industry to meet regulatory standards
- ensuring the ongoing sustainability of the industry.

CCNSW Strategic Plan 2022–25

Our strategy is set out in the CCNSW Strategic Plan 2022–2025. The strategic plan sets our agenda and connects our priorities to our legislation.

During 2023–24, we undertook detailed business and implementation planning to set out how we will meet the goals in the strategic plan and use our resources to best meet our regulatory commitments.

The strategic plan covers 3 key themes: sector performance, consumer support and information and strategic advice. Each theme specifies:

- a statement of what success looks like, which is the 10-year view of the purposes set in the enabling legislation (the Cemeteries and Crematoria Act)
- longer-term directions, which we expect to achieve after the conclusion of the strategic plan
- strategic goals, which we will achieve by the end of the strategic plan period
- outcomes that we will track and report on.

Success in sector performance will mean:

- cemeteries and crematoria are operated and maintained in line with legislation and regulation, giving the community confidence in the sector
- the management of cemeteries and crematoria in NSW is transparent and accountable.

Success in consumer support will mean:

- consumers have access to clearly defined and affordable cemetery and crematorium services
- cemeteries and crematoria are operated and maintained in line with legislation and regulation, giving the community confidence in the sector.

Success in information and strategic advice will mean:

- cemetery and crematorium service operators provide options that address the needs of religious and cultural groups
- enough land is available to meet future interment demand
- existing cemeteries and crematoria are used and operated sustainably
- cemeteries are managed to maximise environmental, heritage and open-space values.

The goals and actions set out in the strategic plan will move us closer to achieving our vision, in partnership with industry, consumers and religious and cultural groups.

CCNSW Regulatory Framework

Our regulatory strategy is further guided by our CCNSW Regulatory Framework, which outlines:

- the organisation's regulatory principles
- how we will act as a modern, best-practice regulator to regulate the interment industry
- how we may collaborate with co-regulators.

The framework is designed to educate the interment industry, co-regulators, our staff and board and the public about CCNSW's risk-based regulatory approach. You can find further information about our regulation and compliance capabilities and activities in the 'Operations and performance' section of this report.

Operations and performance

Summary highlights for 2023–24

Delivering strong consumer protection for customers and communities

On 1 July 2024, the interment services levy was expanded to include all cemetery and crematorium operators. The levy will fully fund CCNSW to be a proactive regulator able to protect consumers and promote new burial supply.

We continued the implementation of the Interment Industry Scheme, which commenced as part of the Cemeteries and Crematoria Regulation on 14 October 2022.

The licensing process began on 1 July 2023, with all operators required to have applied for a licence by no later than 30 September 2024. During 2023–24, we welcomed 213 applications from active operators and issued 131 operator licences.

Through the scheme, new consumer protections are being introduced. The licence conditions will govern:

- pricing transparency so that people understand their choices and can make an informed decision about price and affordability
- cemetery maintenance so that cemeteries are safe and accessible places to visit and are respectful of those buried today and in the future
- clear consumer contracts so that people understand what they are buying at a difficult time
- customer service expectations and quality
- religious and cultural considerations so that all faiths and cultures are respected in burials and cremations.

We also expanded our education and support for operators and the wider industry as they work to meet the new standards. This included presenting a state-wide roadshow that reached over 200 cemetery and crematorium operators and funeral directors.

Supporting sustainable practices to promote new supply

We continued to work with the Crown Lands and Planning groups within the Department of Planning, Housing and Infrastructure to support Crown operators and drive measures to address growing burial supply pressures, particularly in Greater Sydney.

The measures included:

- supporting the Catholic Metropolitan Cemeteries Trust to develop the first new Crown cemetery in decades – Macarthur Memorial Park, in Varroville in south-west Sydney – which will provide up to 136,000 burial plots and is due to open in March 2025
- investigating ways to unlock more supply within and near Crown cemeteries in Sydney
- proposing a new exempt and complying development framework for maintenance and other minor works within cemeteries to make it easier for cemetery operators to bring new burial plots online – the proposed framework was exhibited for public feedback from 23 October to 19 November 2023.

Providing certainty for our Crown operators

Substantial progress was made in 2023–24 by Crown Lands to provide certainty for Crown operators. A 2-operator model was created that saw the establishment of 2 entities, Metropolitan Memorial Parks and Catholic Metropolitan Cemeteries Trust (now known as Catholic Cemeteries and Crematoria). We worked alongside Crown Lands and continued to support Crown operators during these significant changes.

Metropolitan Memorial Parks was created through the July 2023 merger of 3 Crown cemetery operators. The Metropolitan Memorial Parks Board commenced in December 2023 and a new chief executive officer started in February 2024.

The second Crown operator is the successor to the Catholic Metropolitan Cemeteries Trust. All Faiths Catholic Land Manager Ltd (All Faiths) is operated by Catholic Cemeteries and Crematoria Ltd under delegation arrangements. The transition from the Catholic Metropolitan Cemeteries Trust to All Faiths and Catholic Cemeteries and Crematoria occurred on 30 June 2024 in line with provisions of the new *NSW Catholic Cemeteries and Crematoria Trust Act 2024*.

We continued to engage with Crown operators throughout 2023–24, meeting frequently with the chief executive officers of both operators:

- In August 2023, the administrator of Metropolitan Memorial Parks, Ken Morrison attended a meeting of the CCNSW Board as part of a site visit to Macquarie Park Cemetery and Crematorium
- In December 2023, the CCNSW Board held its regular meeting at the MacArthur Memorial Park located in Varroville in Sydney’s south-west (due to open in March 2025), which included a site tour and presentation by the chief executive officer of Catholic Cemeteries and Crematoria.

- The chief executive officer of CCNSW attended a meeting of the Metropolitan Memorial Parks Board in March 2024 at Macquarie Park Cemetery and Crematorium to present on CCNSW and its regulatory governance of Crown operators.

Governance, assurance and business improvement

We continued to maintain and improve our governance and internal reporting functions. This included providing secretariat support to the CCNSW Board and its subcommittees, the Community and Consumer Consultative Group and the Industry Consultative Group, overseeing annual reporting and driving implementation of the CCNSW Strategic Plan 2022–25.

During 2023–24, the board met 9 times. The Community and Consumer Consultative Group and Industry Consultative Group met 4 times each.

We continued our focus on risk and audit functions through the Crown Lands and Public Spaces Audit and Risk Working Group, and management provided reports to the Department of Planning, Housing and Infrastructure’s Property Audit and Risk Committee.

Our achievements and major projects

Interment Industry Scheme

The Interment Industry Scheme commenced as part of the Cemeteries and Crematoria Regulation on 14 October 2022. We developed and launched the scheme in July 2023. The scheme sets clear performance standards for all cemetery and crematorium operators. The scheme requires operators to meet conditions for consumer contracts, maintenance, clear pricing and religious, cultural and spiritual principles.

Licensing operators

We began licensing cemetery and crematorium operators on 1 July 2023, with applications opened in stages. All operators must have applied for a licence by 30 September 2024. During 2023–24, we welcomed 213 applications from active operators and issued 131 operator licences. License applications are assessed using standard procedures and policies such as the Fee Policy, Categorisation Policy and Review of Decisions Policy. We also collaborate with other agencies such as Crown Lands where appropriate to inform licensing decisions. And we have worked closely with religious organisations that operate cemeteries to understand their organisational structures and determine the most appropriate licensing model in each case.

The licensing process has necessitated that we gain a new level of understanding of operators’ business structures and facilities. While this has meant some licence applications are complex and

time-intensive to determine, it has also offered us a valuable opportunity to learn more about the interment sector and improve our and operator records.

For example:

- identifying the appropriate entity to hold a licence has provided insight into the diversity of operator models in the interment sector
- agreeing licensing models for churches has consolidated some operators and facilities, making it easier for these operators to meet obligations and report interments and reducing the number of operators overall
- the location, ownership and volume of interment activity of some facilities has been clarified, ensuring our register is up to date and the facilities are regulated appropriately and proportionately.

Commencement of licence conditions

Licence conditions are commencing in 3 stages:

1 October 2023

- **Customer service** – to ensure operators are consistently providing quality service

1 February 2024

- **Religious, cultural and spiritual principles** – to ensure respect for religious and cultural requirements and promote understanding of the unique importance of Sorry Business to Aboriginal people

1 October 2024

- **Consumer contracts** – standard terms and conditions explained clearly so consumers can understand what they are paying for
- **Pricing transparency** – so that consumers understand their choices, and can make informed decisions about price and affordability
- **Cemetery maintenance** - so that cemeteries are safe and accessible places to visit and are respectful of those buried today and into the future

Continuing to publish guidance and support materials

In 2023–24, we continued to publish material to support operators. All key guidance documents for the Interment Industry Scheme have now been published.

Key documents published in 2023–24

Guides to licence conditions

- Guide to Licence Conditions A – Consumer Contracts (May 2024)
- Guide to Licence Conditions B – Cemetery Maintenance (March 2024)
- Guide to Licence Conditions C – Pricing Transparency (December 2023)
- Guide to Licence Conditions D – Customer Service (September 2023)
- Guide to Licence Conditions E.1 – Religious and Cultural Principles (December 2023)
- Guide to Licence Conditions E.2 – Aboriginal Cultural and Spiritual Principles (December 2023)

Templates, tools and checklists

- Model contract for sale of a perpetual interment right (May 2024)
- Model customer service charter (September 2023)
- Complaints register template (September 2023)
- Operator price breakdown templates for basic burial, ash interment and cremation (December 2023)
- Licence Conditions C cost breakdown tool (December 2023)
- Initial maintenance self-assessment checklist for operators (March 2024)
- Guide to the Interment Industry Scheme for funeral directors (February 2024)

A roadshow in April and May 2024 gave us an opportunity to engage with operators about the newly announced levy and the licence conditions that are yet to commence (contracts, pricing and maintenance). The industry reported that the examination of the model contract and how it aligns with existing paperwork requirements for operators was particularly helpful. See the ‘Strengthened stakeholder engagement’ section for more information about the roadshow.

As a result of operator feedback during the roadshow and in acknowledgement the 1 July commencement of the expanded operator levy, the start date for the remaining licence conditions was moved from 1 July 2024 to 1 October 2024. This will give operators more time to understand the conditions and prepare for the levy.

Expansion of the interment services levy

On 1 July 2024, the interment service levy was expanded (via an amendment to the Cemeteries and Crematoria Regulation) to include all cemetery and crematorium operators. The levy is intended to fully fund CCNSW to be a proactive regulator able to protect consumers and promote new burial supply.

The levy is a fee paid by cemetery and crematorium operators based on the number of interment services they perform. Prior to 1 July 2024, it was only paid by the 2 Crown operators. This was inequitable and did not provide adequate funding to regulate the industry. The decision to expand the levy delivered on the recommendations of 2 independent reviews. We can now focus on ensuring that everyone in NSW has access to sustainable and affordable burial and cremation services that are respectful of culture and faith and provided in a consistent, transparent and accountable manner.

Recognising that this was a major change for the industry, we held workshops across metropolitan and regional NSW, hosted webinars and received written submissions. Over 250 people from more than 200 organisations contributed. Based on the feedback from that consultation:

- smaller operators who performed 50 or fewer interment services in 2022–23 will receive a one-year deferral to the levy start date to give them more time to prepare
- we will develop a hardship policy to address specific cases.

Strengthened stakeholder engagement

CCNSW strengthened its engagement with stakeholders and support for consumers by continuing:

- the operation of the Community and Consumer Consultative Group chaired by board member Diana D'Ambra and the Industry Consultative Group chaired by the chief executive officer of CCNSW (see the 'Communications and stakeholders' section of this report for details on both of these groups and the key issues considered)
- to consult on and develop the Interment Industry Scheme with operators and consultative groups
- to engage with other NSW Government agencies.

Industry engagement

Statewide roadshow

Our biggest engagement activity in 2023–24 was a statewide roadshow held in April and May 2024. It followed the government's release of the strategic statement: *Delivering stronger consumer outcomes for Cemeteries and Crematoria in NSW*.

The purpose was to engage directly with the industry and hear feedback on:

- the priorities set out in the strategic statement
- the implementation of the Interment Industry Scheme
- the proposed expansion of the interment services levy.

The roadshows included 7 face-to-face events across NSW (at Armidale, Coffs Harbour, Dubbo, Maitland, Nowra, Sydney and Wagga Wagga) and 4 online webinars. In addition, we visited 15 cemeteries in regional areas and spoke with their operators.

All cemetery and crematorium operators and funeral directors were invited to attend these events. More than 250 individuals representing 200 organisations participated, making it a robust platform for collaborative dialogue, issue-raising and problem-solving.

As a result of the engagement during the Interment Industry Scheme licence application phase and rollout of information on the scheme, we learned more about industry stakeholders. Based on feedback about resourcing levels of regional councils and churches, we began offering additional support such as online clinics and simplified guidance.

Additional engagement

Additional engagement included:

- phone calls to previously unengaged operators to check on their awareness and preparedness for the incoming scheme
- 7 webinars on a range of topics including consumer contracts, impacts for funeral directors and interment rights
- a model contract workshop with members of the Industry Consultative Group, Community and Consumer Consultative Group and the Council Working Group.

Funeral directors

Although funeral directors are regulated by Fair Trading, we are engaging with them because they often act as agents for cemetery and crematorium operators. Funeral directors are important stakeholders in the interment industry.

We partnered with the Australian Funeral Directors Association and the Funeral Directors Association of NSW to distribute information via newsletters and host 2 tailored webinars. The 2 associations also invited members to attend roadshow events and webinars with cemetery and crematorium operators on relevant topics. The chief executive officer of CCNSW presented at the Australian Funeral Directors Association's conference in May 2024.

Working with other agencies

We engaged with NSW Health and the Community and Consumer Consultative Group on developing applications for cremation outside of a coffin. Key members from the Community and Consumer Consultative Group have continued to engage with us and NSW Health and work with the industry to address operational barriers to offering this option to the community.

We continue to work with the NSW Environment Protection Authority on emerging issues relating to alternatives to burial and cremation.

Regulation and compliance capabilities

The CCNSW Regulatory Framework details how we promote compliance through monitoring and use enforcement when we identify non-compliance. It explains how we determine appropriate enforcement actions to resolve non-compliance.

Authorised compliance officers

Certain powers under the Act are required to be exercised by 'authorised officers', including initiating compliance action, requiring evidence and issuing infringement and penalty notices. The CCNSW Board approved an Authorised Officer Policy in October 2023, and 2 trained authorised officers were appointed in 2024. This is an important step in enabling us to be a proactive regulator.

As outlined below and in the Regulatory Framework 2021, we continue to take an outcomes-focused, risk-based approach to compliance. We seek to understand compliance levels, and we help operators to transition to compliance. However, the ability to take swift and decisive action is critical where operator attitude or significant risk warrant it.

Quality regulatory services initiative assessment

Recommendation 10.10 of the statutory review of the Cemeteries and Crematoria Act was that CCNSW complete a quality regulatory services initiative assessment in keeping with the government's guidelines. A quality regulatory services initiative is a self-assessment of a regulator's performance. It uses guidelines and an assessment tool developed by the former Better Regulation division of the Department of Finance, Services and Innovation.

We undertook the assessment in April 2021 and our overall score was 1.7/4. In March 2022, our overall score had increased to 2.1/4. In March 2023 our overall score had increased to 2.3. To better understand our current regulatory posture and progress against each area, we undertook the quality regulatory services initiative assessment again in May 2024, scoring 2.7/4.

The improvement in 2023–24 was driven by:

- processes and procedures for allocating resources and allocating and prioritising work

- embedding our customer relationship management system
- staff completing authorised officer training
- using stakeholder engagement to test how our regulatory initiatives contribute to outcomes.

The quality regulatory services initiative tool helps to identify where we have improved over the previous 12 months and which areas we should work on to continue improving regulatory performance. We will do the assessment annually and track improvements.

Case Study: CCNSW’s regulations will clarify what customers are purchasing

In 2023–24, we received a complaint from a member of the public who had reserved 4 burial plots in a regional cemetery many years earlier for himself, his parents and his brother. He paid the fee believing this covered the burial spaces and ongoing maintenance fees and was given a receipt by the operator, which he retained.

When his mother was buried a few years later, the reservation still existed. He didn’t pay anything more than an interment fee. When his brother died recently, he wanted to bury him in the reserved plot, but there was some pushback by the operator. It wasn’t until the afternoon of the day before the burial that the operator finally let him know he could bury his brother.

Additionally, the operator invoiced him for a perpetual right of interment. He had to pay, even though it was his firm belief this had been paid already. The operator then asked for another payment for the fourth plot. The complainant felt the operator extinguished the old reservations without informing him the permanent right over 2 of the plots had been cancelled.

This highlights some of the confusion around reservation, burial and interment right transactions. The customer can be blindsided in a time of grief if the specifics of their reservation and/or interment right are not made clear at the time of purchase.

Regulation of cemeteries and crematoria and new licence conditions will deal with situations such as these by ensuring that cemetery operators:

- provide a consumer contract to give clarity and certainty to the customer about what they are purchasing and the time those services will take effect
- itemise price points and give customers time and privacy to consider their commitment to the elements of the contract
- use plain language in the contract so the terms are more easily understood and all parties – operator, funeral director and consumer – will understand their roles and expectations.

Compliance

New regulatory requirements for operators are being phased in under the Interment Industry Scheme. Operators licenced under the scheme will need to comply with these by October 2024.

We are committed to building compliance with regulatory requirements, recognising the benefits offered to industry and communities alike. We will achieve this through both education and support, as well as taking enforcement action that is proportionate to the risk when necessary.

The CCNSW Regulatory Framework 2021 outlines our approach to compliance. We continue to work towards fully operationalising this in a best-practice, practical way expected of a modern regulator and achieving outcomes for communities and operators.

Regulatory and compliance monitoring activity in 2023–24

Table 1 shows activities we did under Part 3 of the Cemeteries and Crematoria Act. Activities under Part 4 of the Act are shown in Table 2. Activities under Part 5 of the Act are shown in Table 3.

Table 1. 2023–24 activities under Part 3 of the Cemeteries and Crematoria Act

Activity under Part 3 of the Act	Section of the Act	2020–21	2021–22	2022–23	2023–24
Total number of registrations	S 27	1,523	1,529	1,567	1,612
Cemeteries registered	S 27	1,464	1,470	1,504	1,546
Crematoria registered	S 27	59	59	63	66
New registrations in the period	S 27	31	34	29	47
Cemeteries and crematoria register publication updates	S 27	3	4	3	2
Notice to possible operator to register facility	S 27(5)	n/a	n/a	27	5
Interment industry schemes in effect	S 31	0	0		1
Improvement notices issued	S 33	0	0	0	0
Improvement notice interventions	S 35	0	0	0	0
Short-term orders issued	S 36	0	0	0	0
Enforceable undertakings in effect	S 39	0	0	0	0
Enforceable undertaking enforcement actions	S 40	0	0	0	0
Operator performance reports	S 41	1,086	1,063	1,486	1,554
Reports by cemetery and crematorium operators	S 43	3	3	6	0

Table 2. 2023–24 activities under Part 4 of the Cemeteries and Crematoria Act

Activity under Part 4 of the Act	Section of the Act	2020–21	2021–22	2022–23	2023–24
Applications from cemetery operators for approval for more than 2 interment sites	S 56(4)	2	8	5	27
Request for copy of operator's cemetery register	S 63(12)	0	0	5	0

Table 3. 2023–24 activities under Part 5 of the Cemeteries and Crematoria Act

Activity under Part 5 of the Act	Section of the Act	2020–21	2021–22	2022–23	2023–24
Crown cemetery operator significant event notifications	S 85	0	1	0	0
Crown cemetery operator strategic plans assessed	S 90	0	0	0	0
Crown cemetery operator strategic plans adopted	S 92	0	0	0	0
Crown cemetery operator plans of management assessed	S 93	0	0	0	1
Crown cemetery operator plans of management referred for exhibition	S 95	0	0	0	0
Crown cemetery operator plans of management adopted	S 96	0	0	0	0
Crown cemetery operator annual reports assessed	S 99	5	5	4	2
Reviews of fees	S 107	4	2	3	2
Fees interventions	S 107	1	0	0	0

Reports to CCNSW from operators

Under s 27 of the Cemeteries and Crematoria Act, CCNSW may request a person or organisation suspected of operating an unregistered facility to register. During 2023–24, we sent 2 notices to possible operators of unregistered facilities.

Section 41 of the Act may require an individual operator or a group or type of cemetery operator to report to CCNSW on management performance and other appropriate matters. We made 13 requests for performance reports from operators in 2023–24. We also asked the 420 cemetery operators active at the time to complete our annual survey using this provision. This allows us to compile an annual statewide survey of operator activity.

Under s 43 of the Act, we may require an operator to provide us with specific reports to allow us to carry out our regulatory functions. We made no requests for reports under this section in 2023–24.

Under s 63 of the Act, we may require an operator to provide a cemetery or crematorium register if they no longer operate a cemetery or require an operator to provide evidence to show they are keeping a compliant register. We made no requests to operators to provide a register in 2023–24

Customers and complaints

In regulating cemeteries and crematoria, we aim to support consumers by ensuring that services offered by the industry meet consumers' and families' expectations, respect religious and cultural interment practices and are transparent and consistent in their pricing.

This support extends to managing complaints about cemetery and crematorium operators, particularly concerning breaches of the Cemeteries and Crematoria Act.

For example, people may complain to us about:

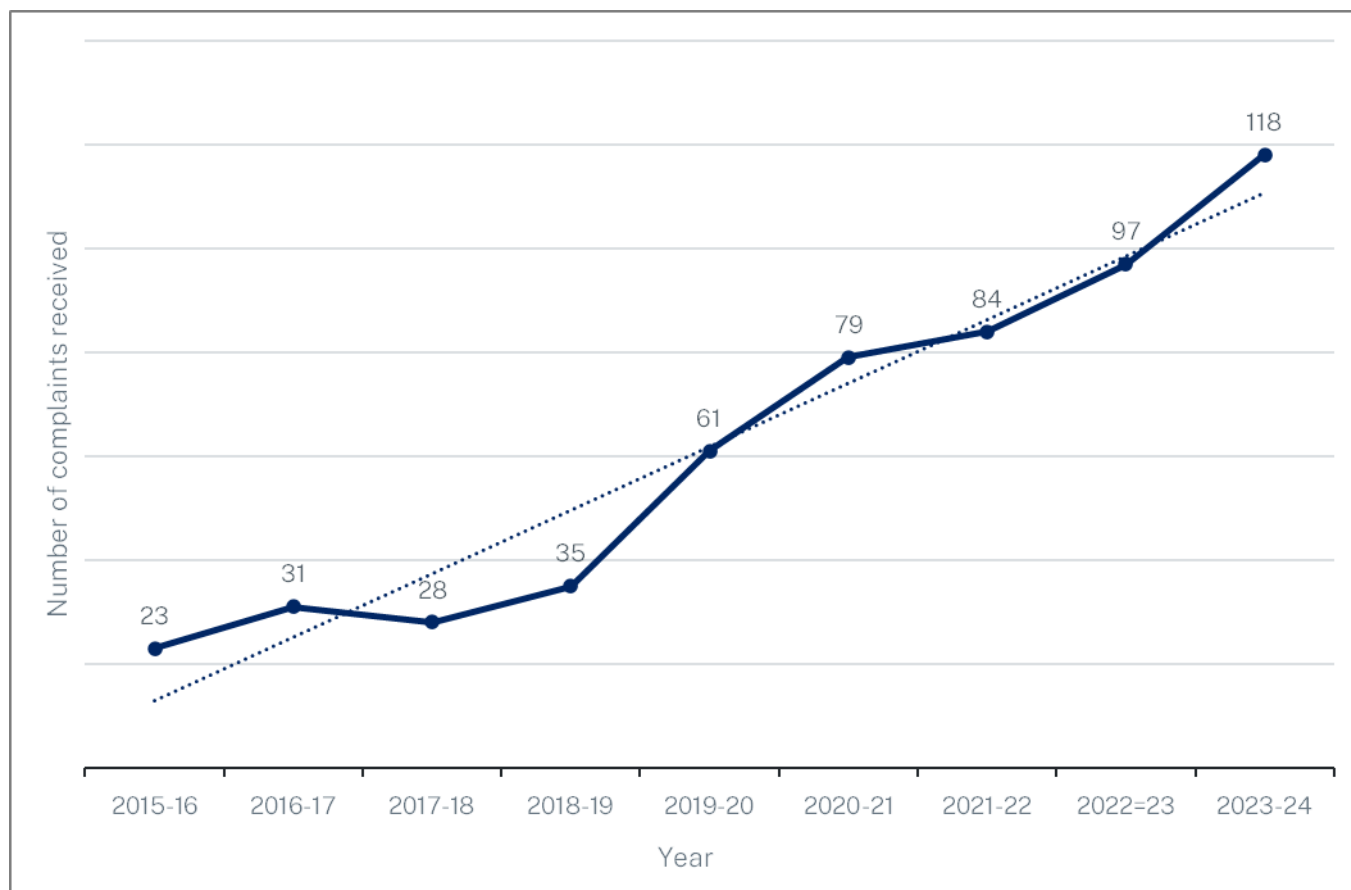
- cemetery maintenance
- services or products provided by a cemetery or crematoria
- an interment right (a contract between an operator and a consumer for the right to have burials occur in a particular grave or another allotment in a cemetery and to erect a memorial)
- pricing of products or services offered by cemetery or crematorium operators
- records maintained by a cemetery or crematorium
- any other matter regulated by CCNSW under the Act.

We manage these in line with our policy for managing complaints about cemeteries and crematoria. The policy is based on NSW Ombudsman's guidelines (including the NSW Ombudsman's commitments to effective complaint handling). It guides our staff and the people who wish to make a complaint. It sets out guiding principles for our complaint management system, how people can make a complaint and the complaint management process.

Complaints about cemetery and crematorium operators

There was a sharp uptick in complaints in 2023–24, reflecting an overall greater level of engagement (see Figure 2).

Figure 2. Trend in complaints from 2015–16 to 2023–24¹



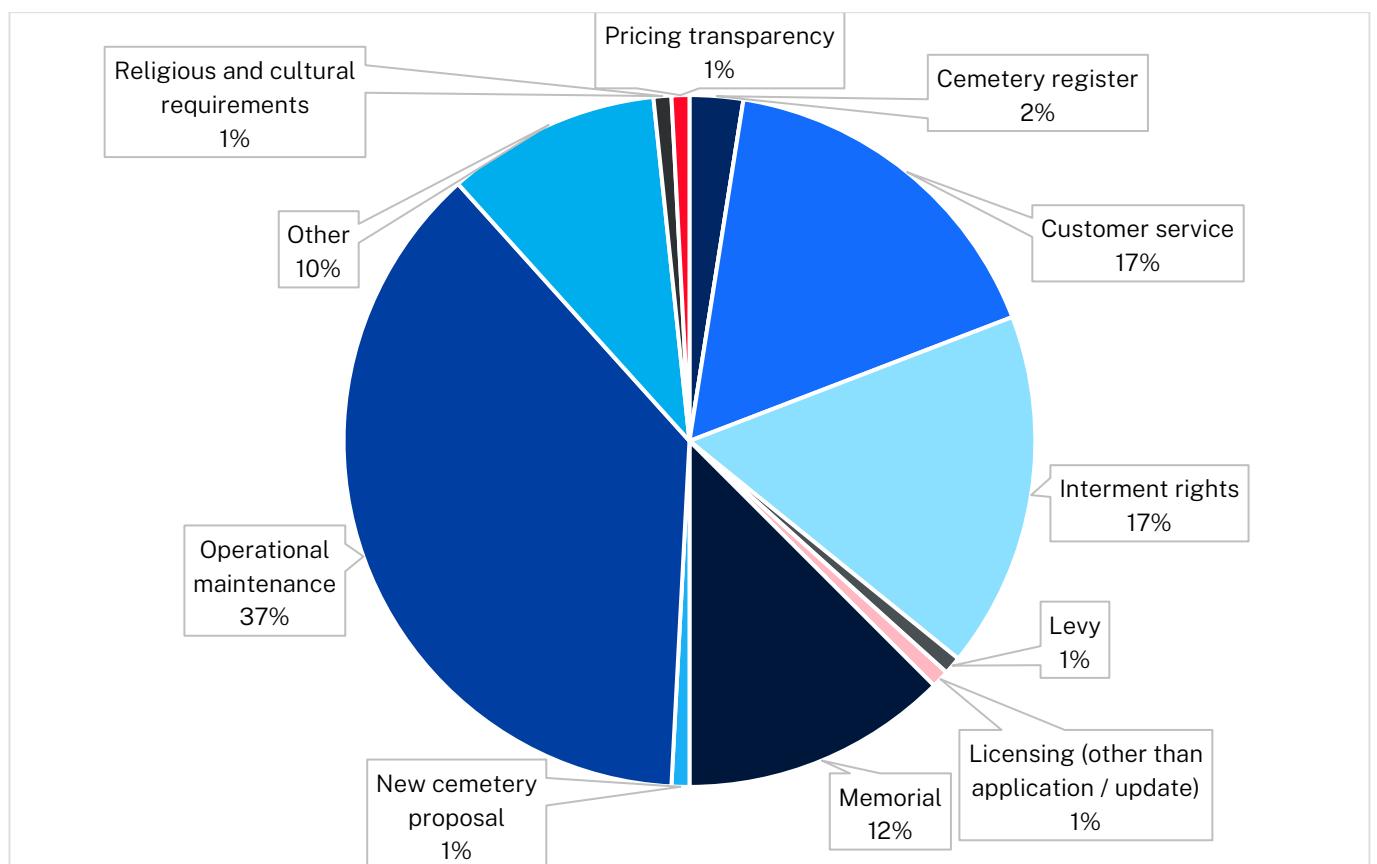
We only have the power to direct the resolution of a complaint where it is about breaches of the Cemeteries and Crematoria Act or a licence condition once they are in force. However, we can oversee and work with an operator to resolve a complaint not related to a regulated matter, consistent with best practice and community expectations.

Of the 118 regulatory complaints received, 37% related to operational maintenance (see Figure 3). Most of these complaints related to a single operator’s maintenance issues. Ongoing inclement weather was cited frequently by the major operators as the reason behind grounds issues, which ranged from fast grass growth to large openings in the mud in rural facilities. We received 25 complaints as representations to the Minister for Lands and Property from local members of parliament or members of the public

¹ Source of data is a mix of earlier manual recording and in more recent years CCNSW’s customer relationship management (CRM) database.

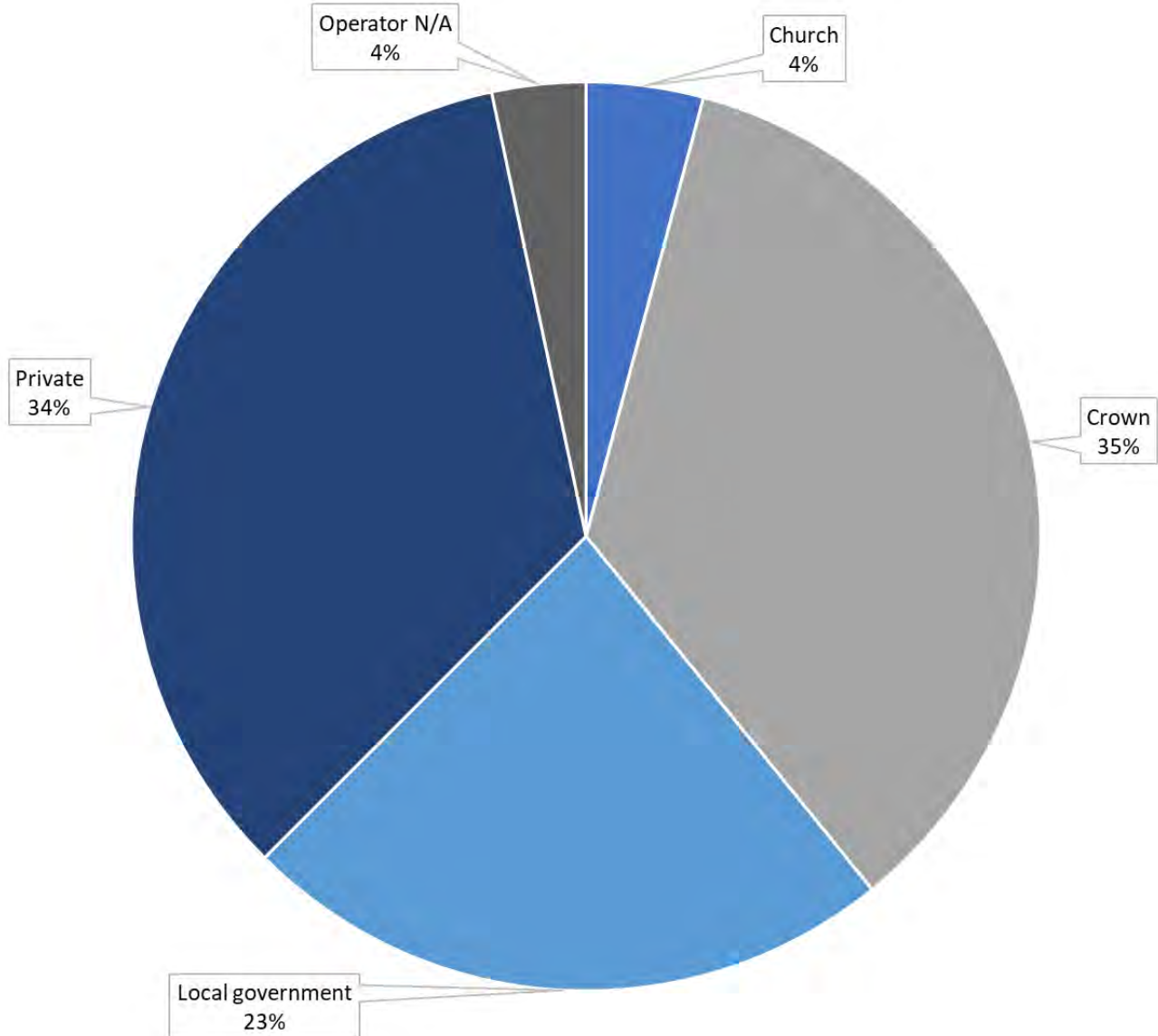
There were also a significant number of complaints relating to memorials (12%), interment rights (17%) and differing aspects of customer service (16%), with several complaints effectively combining the 3. Complainants were confused about the difference between their responsibilities and those of the cemetery operator when it came to grave and memorial maintenance, and they were frustrated at the seeming barriers to enact minor repairs on a monument or memorialise a family member. Similarly, interment right complaints caused challenges for both the community and cemetery operators. Operators' systems of recording and customer service and our suite of regulatory support continue to develop.

Figure 3. 2023–24 complaints by complaint type



As shown in Figure 4, most complaints were about Crown operators (35%), followed by private operators (34%), local government operators (23%) and church and community operators (4%). In 4% of cases, the operator type was not provided or the complaints were not about a specific operator. While the highest percentage of complaints concerned Crown operators, they provide most of burial services in metropolitan Sydney.

Figure 4. 2023–24 complaints by operator category²



² 'Operator N/A' refers to complaints that don't specifically identify an operator or facility (or need to) in their submission

Case Study: CCNSW assists a customer when crypts were installed on the wrong plots

A customer purchased 2 plots for their future use at a Sydney cemetery and arranged for crypts to be built on them in 2023. Upon visiting the cemetery, the customer found that building work had commenced on the wrong plots. When they spoke to the mason, the mason advised that the operator had directed them to work on those plots.

Following a complaint to CCNSW in 2023–24, the operator met with the customer and mason and agreed to source similar replacement stone for the correct plots at no cost to the customer. The operator also contacted the owner of the plots on which the work had been done in error to apologise and rectify the mistake.

The operator acknowledged that their systems did not identify that work was happening on the wrong site. The operator made improvements, including installing signage and implementing better verification procedures.

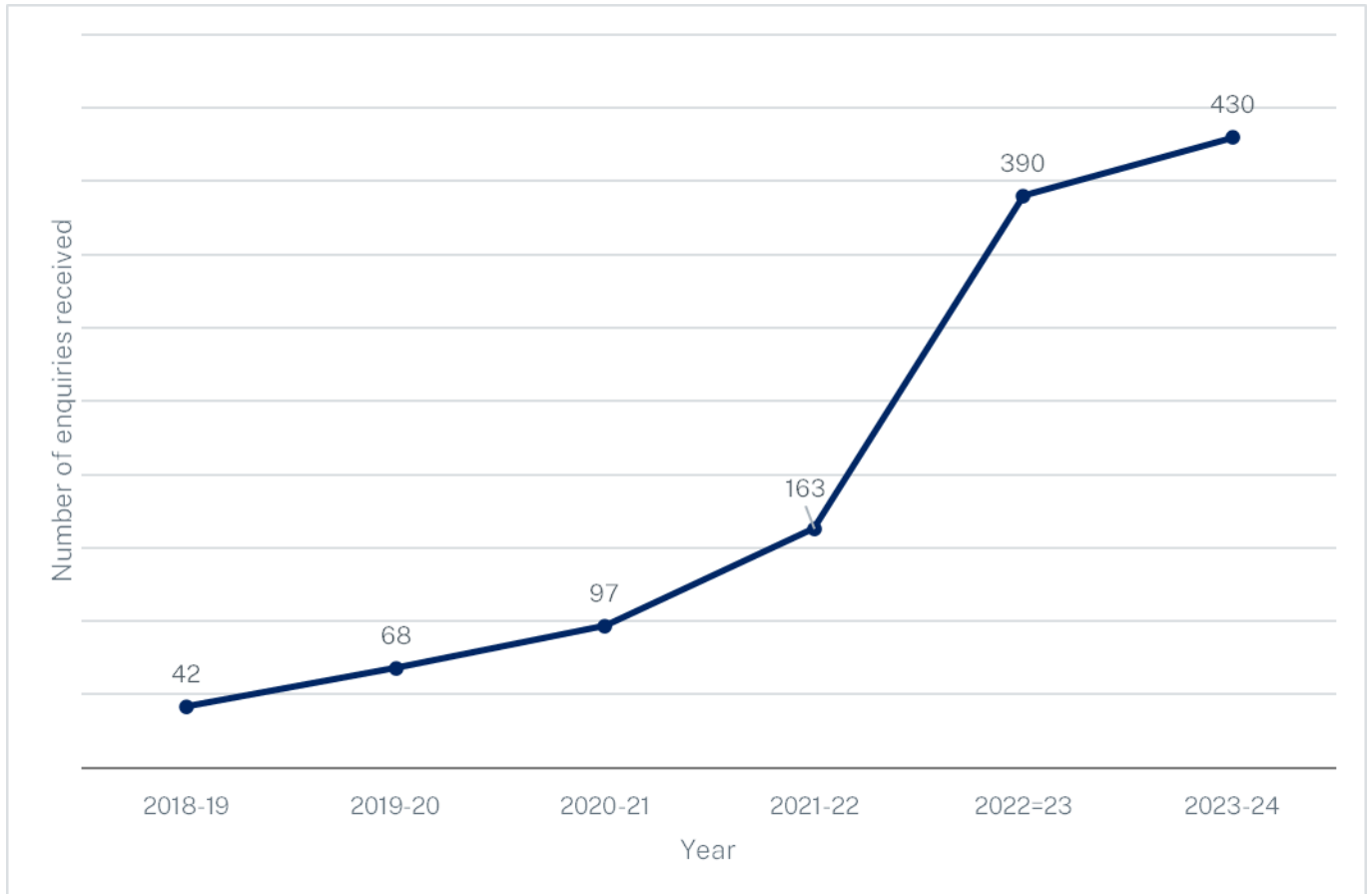
Our licence conditions will address situations such as these by ensuring that cemetery operators follow customer service principles, including acting with competency and integrity and requiring operators to have systems and staff training in place.

Consumer and operator enquiries to CCNSW

We give operators and the public information and guidance on matters regulated by CCNSW under the Cemeteries and Crematoria Act.

During 2023–24, the number of enquiries we received increased, though at a lower rate than was seen in 2022–23 (see Figure 5).

Figure 5. Trend in enquiries from 2018–19 to 2023–24³



The increase in enquiries was mainly due to operators, consumers and stakeholders seeking to understand changes in connection with several major projects we undertook in 2023–24. The projects included licensing and levy reform and changes to operator reporting processes via a portal. Operators, consumers and stakeholders were trying to understand the changes being implemented by these projects, what they mean for sector improvement and how to comply.

Of the 430 enquiries we received, 24% were about licencing (other than applications), as shown in Figure 6. These included enquiries on interment rights, memorials and activity reporting.

More than 56% of all enquiries came from cemetery operators, with requests for information on issues such as licencing and levy expansion (see Figure 7).

³ Source of data is a mix of earlier manual recording and, in more recent years, CCNSW's customer relationship management database

Figure 6. 2023-24 enquiries by enquiry type⁴

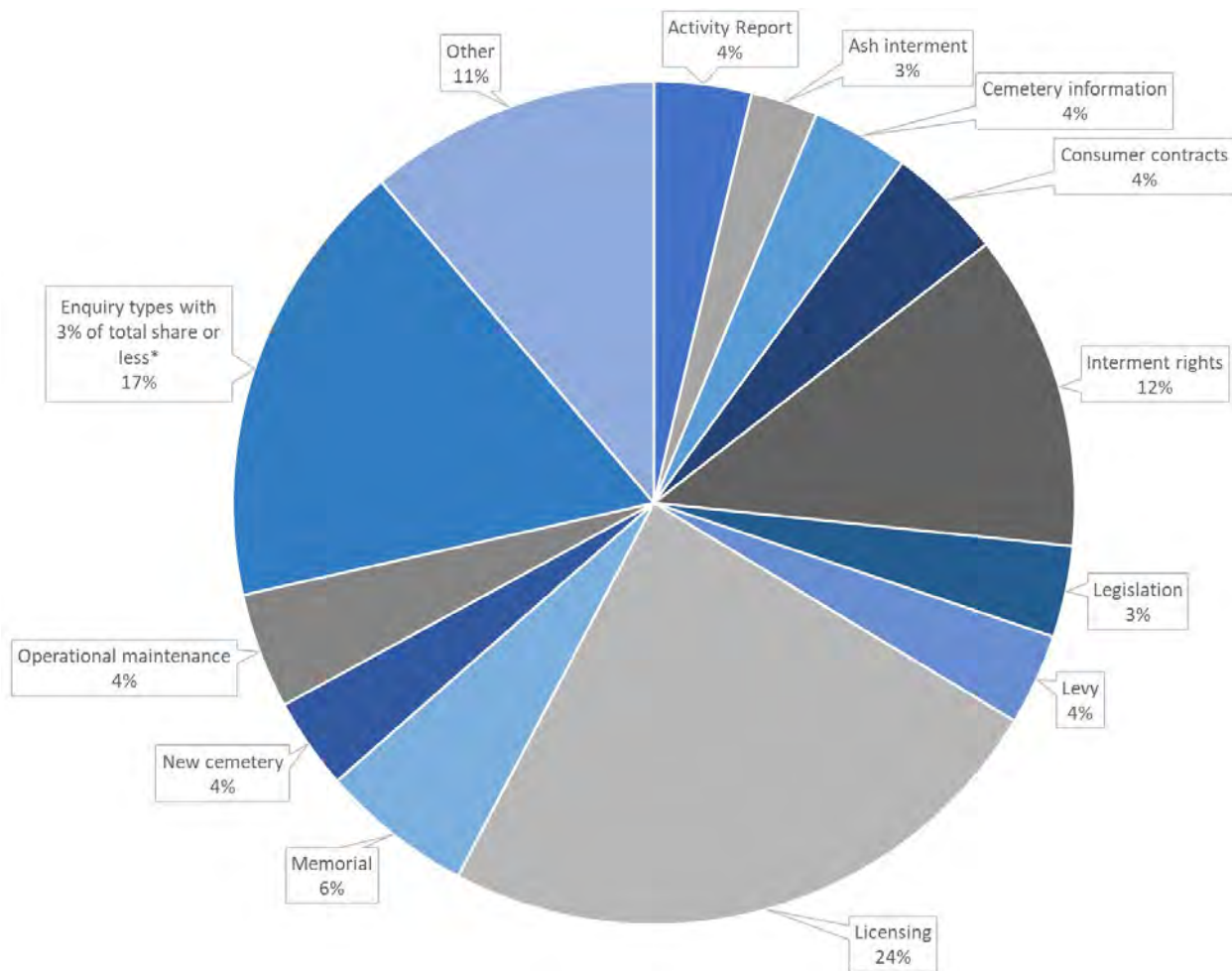
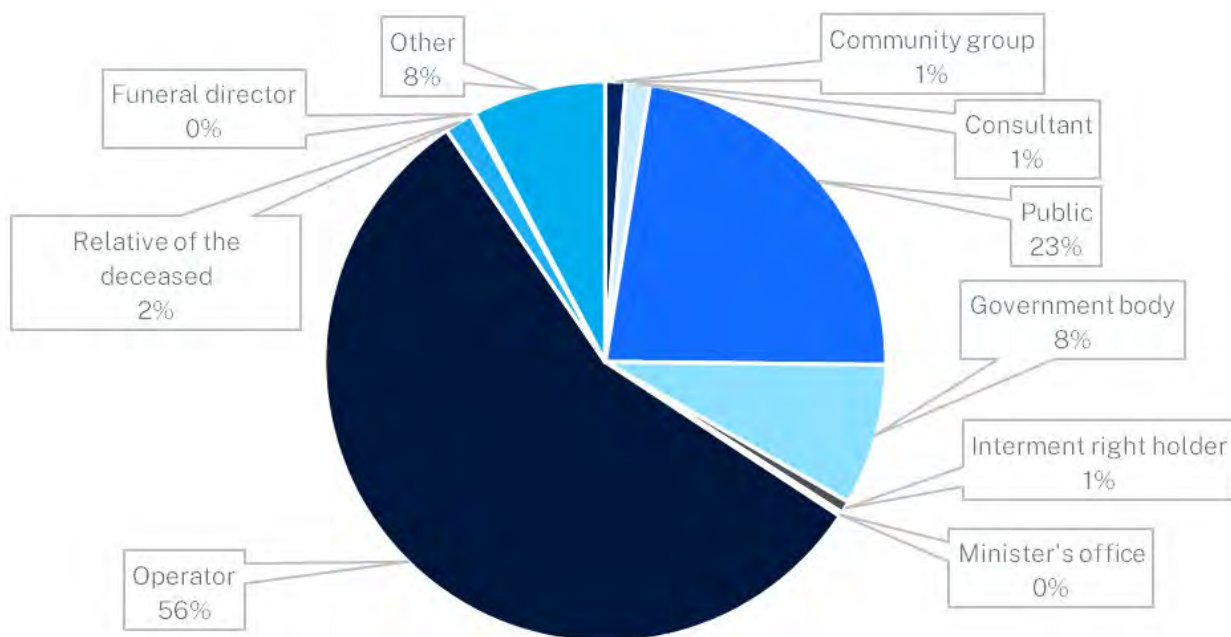


Figure 7. 2023-24 enquiries by enquirer category



⁴ Enquiry types that each held 3% of the total share for 2023-24 were combined for clarity in the graph

Service-related complaints about CCNSW

Feedback forms a vital part of our continuous improvement. We place a high value on observations from the industry, consumers, families and our staff on how we go about our work.

A service-related complaint is an expression of dissatisfaction made to or about us, our services, our employees or the handling of a complaint where a response or resolution is explicitly or implicitly expected. Matters relating to a delay or failure in providing a service and the quality of an action taken are considered service-related complaints.

We handle service-related complaints in accordance with the Department of Planning, Housing and Infrastructure's external complaints policy. Service-related complaints can be made by completing a form on our website. People can also phone us on 02 9842 8473 and talk to a CCNSW staff member.

During 2023–24, we received 3 service-related complaints about our services. After investigation, none of the complaints were upheld.

Financial regulation

Annual reports and financial statements for Crown cemetery operators

CCNSW assesses the annual reports of Crown cemetery operators for compliance with a range of reporting criteria drawn from the Cemeteries and Crematoria Act. Reporting criteria are based on similar requirements for Crown land managers and are outlined in a checklist approved by the board. Reporting requirements for Rookwood Necropolis Land Manager differ from the other Crown operators to reflect its more limited scope of operations.

We assessed the annual reports and financial statements for the 3 Crown operators (Catholic Metropolitan Cemeteries Trust, Metropolitan Memorial Parks (formerly OneCrown) and Rookwood Necropolis Land Manager). All were assessed as being compliant with the Act and with most of our reporting checklist.

This year, Metropolitan Memorial Parks submitted one annual report with 3 separate financial statements for the 3 former land managers (Northern Metropolitan Cemeteries Land Manager, Rookwood General Cemeteries Reserve Land Manager and Southern Metropolitan Cemeteries Land Manager). These entities merged into one organisation on 1 July 2023. Relevant details are broken down by land manager where necessary, for example, details of development activities and community engagement. The Audit Office undertook the audits for all 3 entities and for Rookwood Necropolis Land Manager. Catholic Metropolitan Cemeteries Trust used an independent auditor.

The Metropolitan Memorial Parks annual report highlights its continued efforts to provide quality services during a period of change. Metropolitan Memorial Parks notes extensive capital works as well as innovation and research projects on decomposition and the safe movement of coffins.

Metropolitan Memorial Parks also noted that 2023–24 was an important year of consolidation for the 3 trusts and highlighted priorities for the coming year. Metropolitan Memorial Park’s perpetual maintenance funds are held across the 3 land managers with a total of \$410 million in long-term funds for strategic use.

Catholic Metropolitan Cemeteries Trust’s report pointed to greater certainty for the future of Catholic cemeteries from both the government’s announcement of the 2-operator model for Sydney and the new cemetery development at Varroville. Catholic Metropolitan Cemeteries Trust highlighted several major projects in addition to the Varroville development.

Catholic Metropolitan Cemeteries Trust noted their positive financial performance, which meets long-term perpetual maintenance obligations and provides capacity to implement its strategic plan. Catholic Metropolitan Cemeteries Trust’s investments have increased to \$160.4 million with a perpetual care target of \$154.6 million estimated as of 30 June 2023.

Annual reports from Crown cemetery operators are on their respective websites.

Crown cemetery operator charges

Section 107 of the Cemeteries and Crematoria Act details the requirements for Crown cemetery operator charges.

While there is no approval function assigned to CCNSW, section 107(8) of the Act allows us to serve a Crown cemetery operator with a notice to disallow or vary any fee or charge. The Act also gives us the authority to require any operator to report on any matter, as the need arises (sections 41 and 43). During 2023–24, we reviewed 2 notices of proposed changes to the charges of 2 Crown cemetery operators. The CCNSW Board resolved to allow both proposed changes.

Pricing as part of the Interment Industry Scheme

The Interment Industry Scheme will introduce new requirements for operators to make their pricing transparent. The licence conditions that require pricing transparency will begin on 1 October 2024.

This will require operators to publish itemised prices for their basic interment services (the least expensive available burial, ash interment and cremation services as relevant) using a mandatory format published by CCNSW. It will also require operators to publish all of their prices on their website or have them available in their place of business if they do not maintain a website.

We do not currently regulate prices beyond our pricing role with Crown operators.

Communications and stakeholders

In addition to the previously discussed stakeholder engagement program to support the Interment Industry Scheme, we continued our broader program of stakeholder engagement, in particular through the Community and Consumer Consultative Group, the Industry Consultative Group and the Council Working Group.

Community and Consumer Consultative Group

The Community and Consumer Consultative Group is a high-level advisory committee that ensures policy development considers the views of key communities and consumers across NSW. Members of the group provide expert advice from community, cultural, faith-based, environmental, non-religious, consumer and service delivery perspectives.

A key aim of the Community and Consumer Consultative Group is to encourage advocacy and innovation in the burial and cremation sector and help develop and inform our decision-making by drawing on a range of views. Community and Consumer Consultative Group members exchange and discuss information, identify systemic issues and raise new and emerging opportunities at a policy level, including those relating to the key objectives of the Cemeteries and Crematoria Act.

In October 2023 the CCNSW Board resolved to extend all Community and Consumer Consultative Group members for 2 years to November 2025. The decision was based on the high level of participation by group members to date and the value of having continued knowledge of key policy matters at a critical time. The make-up of the group also allows for policies and processes to be tested with a broad spectrum of the community. Voting CCNSW Board member Diana D'Ambra is chair of the Community and Consumer Consultative Group.

Appointed members of the Community and Consumer Consultative Group on 30 June 2024 were:

- Mariam Ardati, Australian National Imams Council
- Pandit Ramachandra Athreiya, Australian Council of Hindu Clergy
- Ash Fowler, Combined Pensioners and Superannuants Association
- David Knoll AM, NSW Jewish Board of Deputies
- Alysia McIntyre, What Do I Do? (an end-of-life services organisation)
- David Neustein, Other Architects
- Kerrie Noonan, Death Literacy Institute
- Anthony Pang, Chinese Australian Services Society (CASS)
- Pandit Ram Sivan, Australian Council of Hindu Clergy (delegate member)

- Victoria Spence, Life Rites/Living with our Dead
- Ayya Suvira, Australian Sangha Association (ASA)
- Vera Visevic, Mills Oakley.

Before January 2024, Paul Versteegen represented the Combined Pensioners and Superannuants Association.

Issues considered by the Community and Consumer Consultative Group included:

- Interment Industry Scheme issues concerning the implementation, evaluation and the development of guidance and support materials for operators and funeral directors
- alternative uses for cemetery space including rewilding
- development of new cemeteries and cemetery sections for religious and cultural groups
- out-of-coffin cremation – consultation and engagement with the industry
- new technology in deathcare
- consumer perspectives on end of life
- expansion of the interment services levy
- an Islamic perspective on death and dying.

Industry Consultative Group

The Industry Consultative Group is a senior management committee appointed by the CCNSW Board to ensure an industry-wide focus on operational issues. It is chaired by the chief executive officer of CCNSW. This forum helps us understand industry views and improves decision-making, transparency and regulatory development within the sector. The Industry Consultative Group gives advice and recommendations on regulatory policy development to the CCNSW Board and is a formal mechanism by which we engage with key industry stakeholders.

The Industry Consultative Group met 4 times during 2023–24.

During 2023–24, the Industry Consultative Group's made an invaluable contribution to the development and drafting of the Interment Industry Scheme. It helped make sure the regulatory scheme was meaningful and workable and played a key role in developing guidance documents and templates, such as the model contract.

As of 30 June 2024, the Industry Consultative Group included representatives from:

- Metropolitan Memorial Parks
- Catholic Cemeteries and Crematoria

- Lake Macquarie City Council and Snowy Monaro Regional Council
- InvoCare Australia and the Palmdale Group (private sector operators)
- Cemeteries and Crematoria Association of NSW
- Australian Funeral Directors Association (NSW)
- Funeral Directors Association of NSW
- Anglican Church Property Trust (Diocese of Sydney)
- peak body Local Government NSW.

Interment services levy consultation

As noted above, on 28 March 2024 the minister released the strategic statement, *Delivering strong consumer outcomes for Cemeteries and Crematoria in NSW*, and we launched consultation for the expansion of the interment services levy.

We held 2 dedicated webinars to explain the proposed levy to industry, and we included presentations in every roadshow event.

We received 34 written submissions from stakeholders. After considering all the feedback from submissions and the roadshow events, the minister announced the final design of the expanded levy on 31 May 2024. To support the announcement, we published a pamphlet operators can use to explain the levy and its rationale. [The pamphlet is available from our website](#) and was distributed to operators.

We learned more about the different levels of resources and internal communication within councils across NSW. In response to requests from council operational staff, we targeted communications to council executives to raise awareness of the proposed levy. This involved briefing the Office of Local Government and asking it to share information via its newsletters and regular council management meetings.

Council Working Group

The Council Working Group was established to help council cemetery operators to understand the Interment Industry Scheme and how it may impact business practices and the operational aspects of their cemeteries. The group also discusses potential duplication with existing local government regulation to ensure it can be minimised.

The Council Working Group met in August 2023 and March 2024 and covered the following topics:

- licensing updates
- model consumer contract

- cemetery maintenance
- funeral director engagement strategy
- an update from Local Government NSW
- updates from members about implementation, barriers and successes.

We also invited members to participate in a consultation workshop on the model consumer contract for the sale of a perpetual interment rights, which was held in November 2023. This workshop facilitated small groups to consult on the model contract and provide us with feedback.

In 2024, we focused on engaging with operators in-person at events held in 7 different locations across the state. Council Working Group members made up a large contingent of event participants.

We held weekly drop-in sessions to allow operators to ask questions about licence conditions and the implementation of these conditions in their specific operational settings. These were attended by several Council Working Group members. We also started holding clinics for operators. These were tailored sessions where a small number of operators could raise questions and discuss issues with us.

We established the Council Working Group to ensure the large operator group were engaged and had the opportunity to provide feedback in the lead up to the Interment Industry Scheme. We will assess the need for ongoing regular meetings, and we are considering how to support a community of practice between councils that can feed back issues to us in a coordinated way. While the regular Council Working Group program changed in 2023–24 to accommodate broader engagement with the interment industry ahead of the transition to the full Interment Industry Scheme, we were pleased to see members continuing to engage in the different ways this year.

Aboriginal engagement

We continued our focus on Aboriginal cultural and spiritual requirements by solidifying principles in the Interment Industry Scheme and applying licence conditions operators must meet. We developed explanatory material for operators as well as fact sheets for Aboriginal peoples.

The guides were published to help operators better understand and meet Aboriginal peoples' need to have a culturally appropriate burial or cremation. The documents were informed by engagement work undertaken in previous years.

In 2023–24 we published several fact sheets aimed at Aboriginal communities on issues such as:

- burial without a conventional coffin
- the difference between a funeral director and a cemetery or crematorium operator
- making a complaint or enquiry to CCNSW.

In response to a staff survey request, we added a link on our website to Supply Nation, a database of verified Indigenous businesses, to help Aboriginal people find culturally appropriate interment-based services.

During 2023–24, we presented our work and learnings to relevant teams within several government agencies including Local Government NSW, Crown Lands and other teams within the Department of Planning, Housing and Infrastructure. Our advice included how local Aboriginal land councils could establish a cemetery and the use of shroud burials.

We continued to advocate for issues out of scope for our agency, such as record keeping, digitally mapping grave sites, capturing local history on burials and the funding of regional Aboriginal cultural liaison officers.

Other communication and engagement activities

CCNSW raised its profile in the industry by:

- presenting at and hosting an information stall at a Cemeteries and Crematoria Association of NSW seminar in May 2024
- attending the joint conference of cemeteries and crematoria associations of NSW and South Australia in Adelaide in November 2023
- presenting at the Australian Funeral Directors Association's NSW/ACT division council meeting and education weekend on 4 May 2024 in Orange.

On Dying to Know Day, 8 August, we posted on Facebook and Twitter encouraging the community to get informed about their end-of-life choices. The post reached approximately 3,700 users and 69 users clicked on the link to our planning for burial and cremation materials.

CCNSW 2022–23 operator activity information

Annual activity of NSW cremation and interment services

One of our key responsibilities is to record the annual activity of interment and cremation services across all regions of NSW and by all sectors in the industry. Three key interment service types are reported on:

- interment of human remains (burial)
- interment of cremated remains (ash interment)
- cremation.

An individual will either be buried or cremated. The percentage of people choosing cremation is known as the cremation rate.

People who are cremated may then have their ashes interred in a cemetery or memorial garden (an ash interment) or choose another option.

This information helps us understand the usage level of cemetery land. It also provides essential data that guides planning for the delivery of services to the NSW community.

Operators report their annual activity data to us after the end of the financial year. The activity data in the following section of this report is for 2022–23, rather than 2023–24.

The data highlights the number of services over the past 5 years (see Table 4), trends in cremation rates (see Table 5) and services by sector (see Table 6) in the most recent statistical reporting year (2022–23). Figure 8 illustrates the percentage of burials and cremations within NSW in 2022–23, and Figure 9, Figure 10 and Figure 11 illustrate the distribution of burial, cremation and ash interments by sector.

In the whole of NSW, there was an increase of 2.5% in the total number of interment services provided from the previous year, with a 29.4% burial rate and a 70.6% cremation rate. There was an increase in the cremation rate of 1.3% and a corresponding decrease in the burial rate. The burial rate continues to trend down.

Local government operators managed 42% of all burials and 31% of ash interments in NSW. Crown operators provided 38% of all burials and 28% of ash interments. Private operators managed 83% of all cremations in NSW and 33% of ash interments.

Also shown are services for the whole of NSW by planning region (Figure 12), with 47.7% of all services carried out in metropolitan Sydney, and 51.3% in rural and regional NSW.

Table 4. Annual interment services in NSW (burials, cremations, and ash interments): 2018–19 to 2022–23⁵

Service	Number of services 2018–19	Number of services 2019–20	Number of services 2020–21	Number of services 2021–22	Number of services 2022–23
Burials (interment of bodily remains)	17,955	17,841	17,359	19,785	19,389
Cremations	39,391	40,081	41,448	44,717	46,460
Ash interments (interments of cremated remains)	10,883	10,266	12,445	12,124	12,721
Total number of interment services	68,229	68,188	71,252	76,626	78,570

Table 5. Trends in cremation rates in NSW 2018–19 to 2022–23

Measure	2018–19	2019–20	2020–21	2021–22	2022–23
Cremation rate (% of people being cremated vs buried)	68.7%	69.2%	70.5%	69.3%	70.6%
% change in cremation rate	0.8%	0.5%	1.3%	-1.2%	1.3%

⁵ The significant increase in interment service numbers in financial years 2021–22 and 2022–23 is likely to be linked to excess deaths arising from the COVID-19 pandemic. CCNSW anticipates that total annual interment services will return to trend in the coming years as COVID-19-associated deaths continue to decline.

Figure 8. Percentage of burials (interments of bodily remains) and cremations in NSW for 2022–23

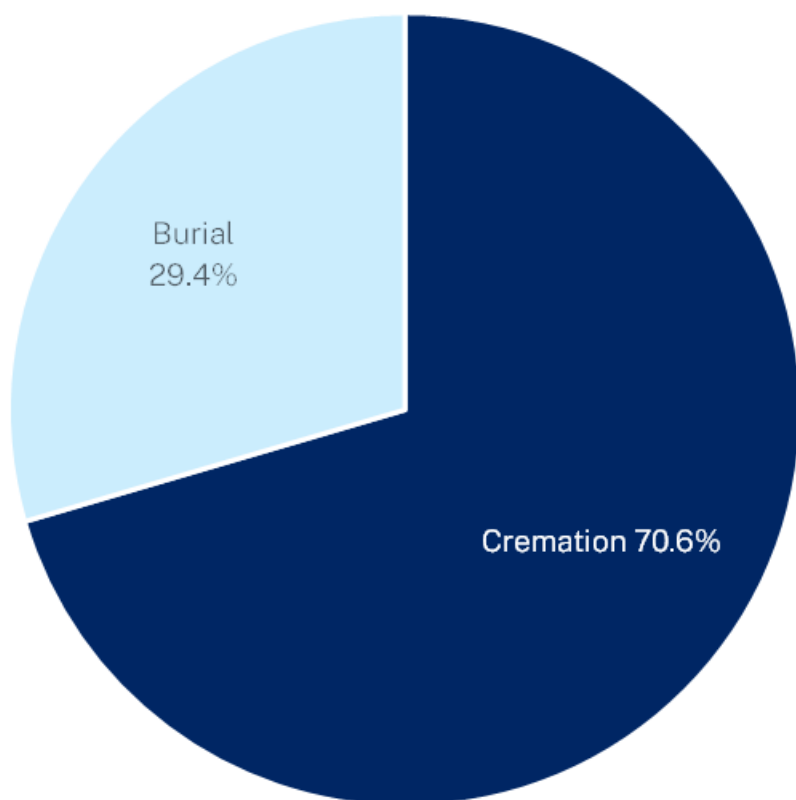


Table 6. Service type by sector 2022–23

Operator sector	Number of burials (interments of bodily remains)	Number of cremations	Number of ash interments (interments of cremated remains)	Total services
Local government	8,216	1,593	3,898	13,707
Crown	7,417	6,239	3,507	17,163
Private	3,377	38,628	4,181	46,186
Church	322	0	1,075	1,397
Community	57	0	60	117
Total number of services	19,389	46,460	12,721	78,570

Figure 9. Percentage of burials (interments of bodily remains) in NSW by sector for 2022–23

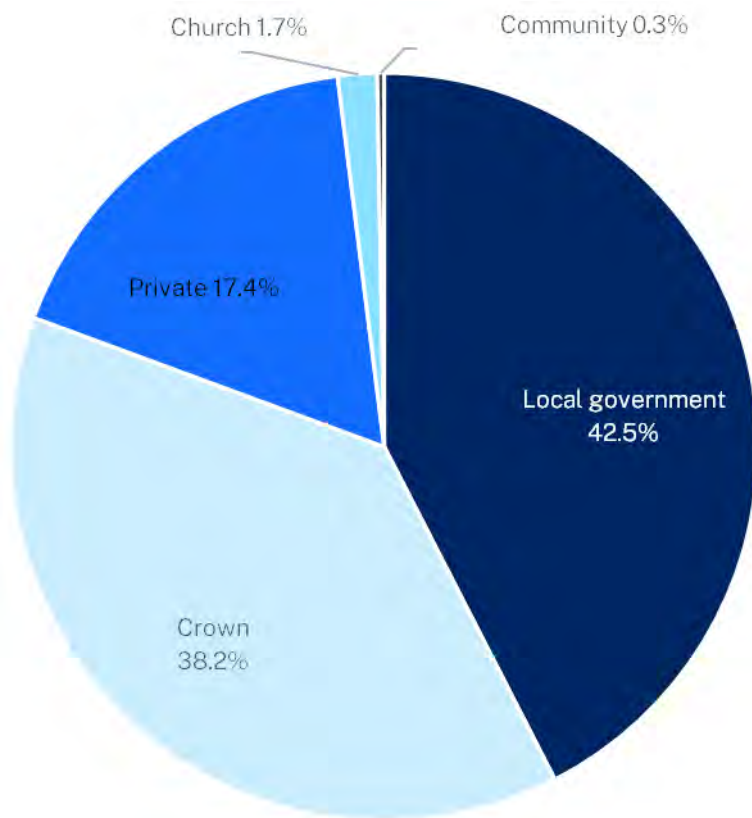


Figure 10. Percentage of cremations in NSW by sector for 2022–23

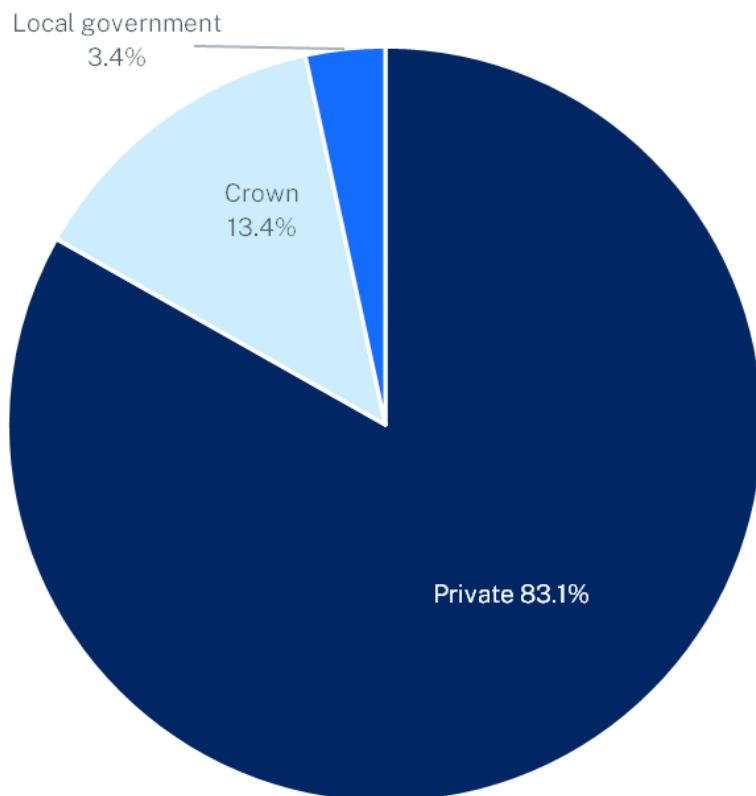


Figure 11 Percentage of ash interments (interments of cremated remains) in NSW by sector 2023-24

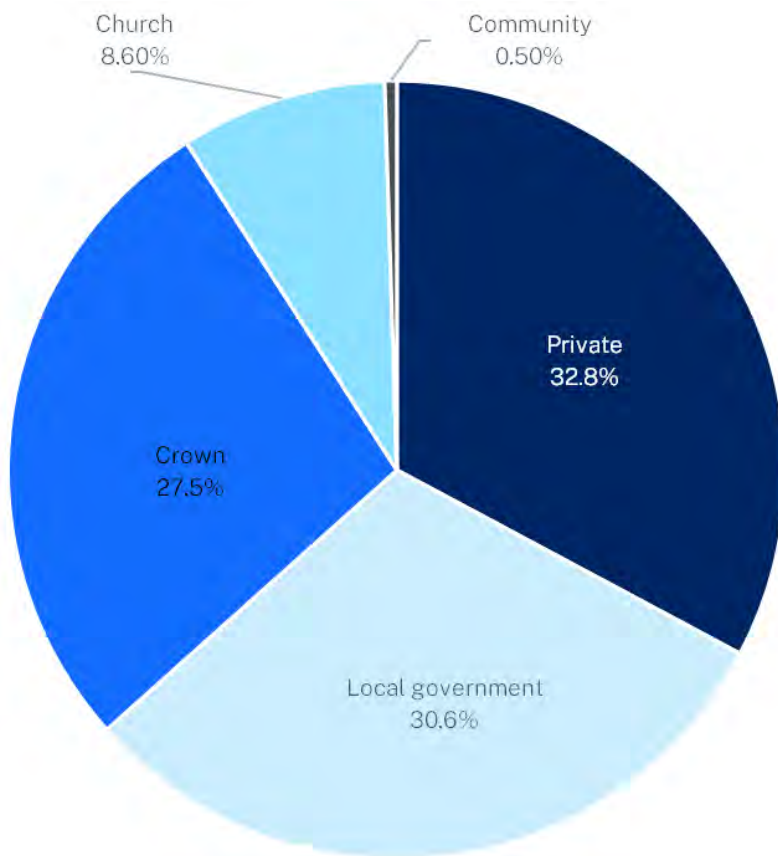
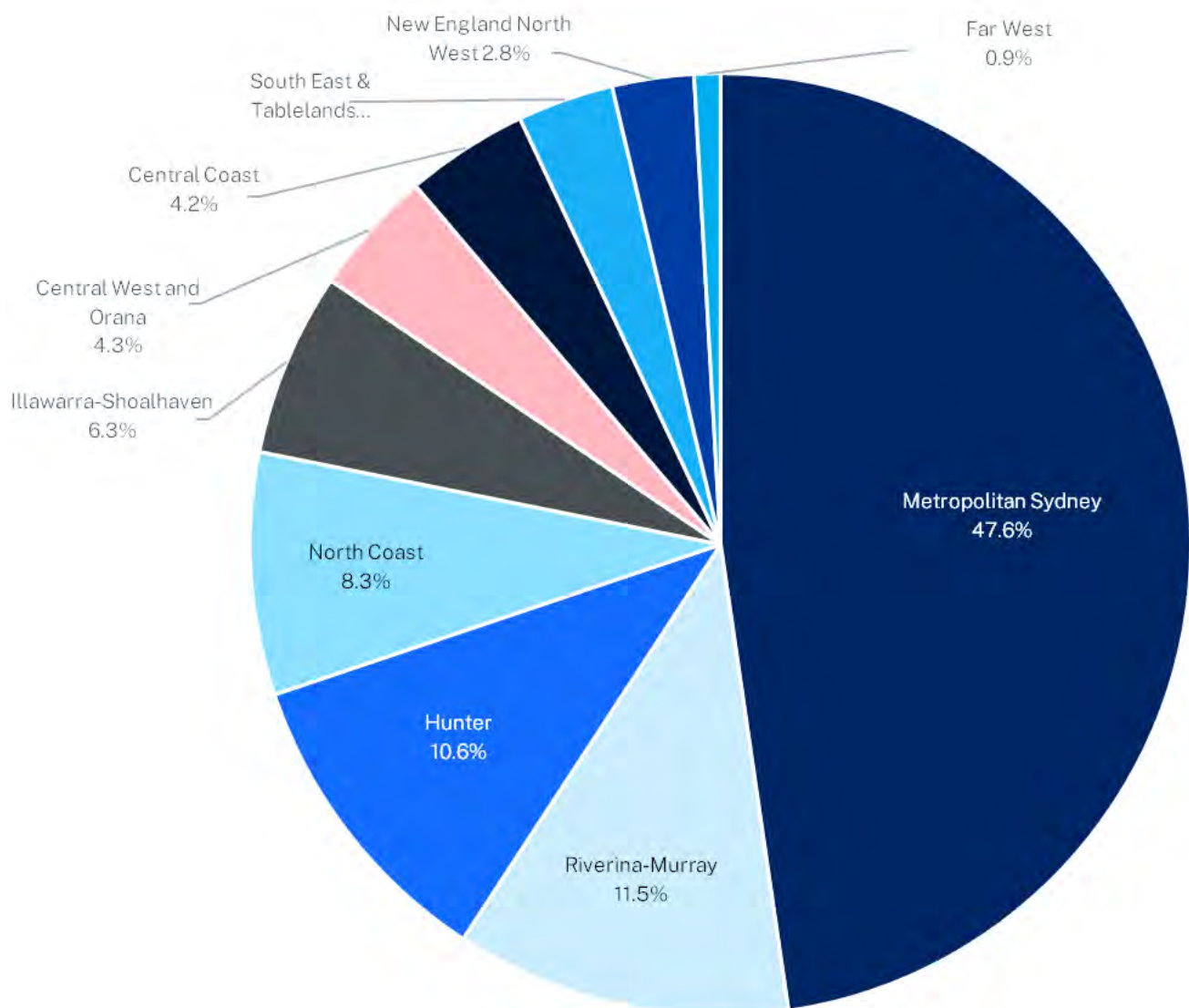


Figure 12. Percentage of total NSW services (burials, cremations and ash interments) by planning region



Cemeteries and crematoria register

During 2023–24, we continued to update the NSW cemeteries and crematoria register under section 27 of the Cemeteries and Crematoria Act. We update and publish an extract of the register twice a year for use by the community and the industry.

The register provides public access to information about cemetery and crematorium facilities in NSW and identifies cemetery and crematorium operators that are subject to the Act and Regulations.

Information on the register includes:

- the name, address and telephone number of cemeteries and crematoria, as well as the operators' details
- any other information that the Regulation requires the register to include.

Councils operate 62% of all facilities in NSW. Private operators and councils provide cremation services in regions, with the distribution of facilities generally focused on regional towns with sufficient population and service demand.

Table 7 Summarises operational cemeteries and crematoria in NSW by region as of 30 June 2024.

Table 7. Operational cemetery and crematorium facilities in NSW by region as of 30 June 24

Planning region	No. of cemeteries (active)	No. of cemeteries (inactive)	No. of crematoria
Central Coast	21	5	2
Central West and Orana	161	88	6
Far West	42	26	2
Hunter	183	53	7
Illawarra–Shoalhaven	35	27	4
Metropolitan Sydney	127	42	14
New England North West	97	55	4
North Coast	99	37	11
Riverina–Murray	115	43	10
South East and Tablelands	147	77	3
Total for whole of NSW	1,027	453	63

Management and accountability

The board and governance

During 2023–24, the CCNSW Board had 4 voting members and 7 non-voting members.

During the reporting period, the board met 9 times. A quorum for the board is 3 of 4 voting members.

Table 8. Attendance at board meetings

Board member	Number of eligible meetings	Number attended
Andrew Mills (voting member)	9	9
Danielle Woolley (voting member)	9	9
Diana D'Ambra (voting member)	9	9
Michael Bullen (voting member)	9	9
Luke Walton	7	6
Barrina South	4	0
Kathy Townsend	4	1
Geoffrey Prendergast	9	6
Mark Ferguson	9	9
Sarah Lees	9	8
Jennifer Hickey (CEO CCNSW)	9	8
Fiona Lansdown (Acting CEO)	1	1

Voting members

Andrew Mills, Chair

Mr Mills has over 40 years' experience working in the private and public sectors, including in a regulatory environment. He is currently chair of the Independent Planning Commission, chair of the Financial Reporting Council and a member of the Board of Taxation and External Reporting Board (NZ), among other roles.

Mr Mills has held chief executive officer and senior executive positions in several organisations including as a former second commissioner of the Australian Taxation Office. He has experience as

a chairperson and member on several executive and non-executive boards, advisory panels and committees.

Mr Mills is a Graduate Member of the Australian Institute of Company Directors, a Fellow of the Governance Institute of Australia, a CPA and a Life member of The Tax Institute. He has business and law qualifications.

Danielle Woolley, board member

Ms Woolley is an experienced senior executive with over 30 years' experience working with and within government to improve outcomes in areas such as the environment, the economy, higher education, human services and justice. She has held executive-level roles with the NSW Department of Premier and Cabinet and has been a partner at KPMG Australia.

Ms Woolley is currently head of Government Relations and External Engagement at the University of Technology Sydney (UTS). UTS is the highest-performing university in Australia under 50 years of age, recognized for its industry-relevant teaching and cutting-edge research that addresses real-world problems.

Ms Woolley holds Bachelor of Economics and Bachelor of Laws (Honours) degrees from the University of Sydney and a Graduate Diploma in Legal Practice from the University of Technology, Sydney. Ms Woolley is a Graduate of the Australian Institute of Company Directors.

Michael Bullen, board member

Mr Bullen has a passionate interest in sustainability, agribusiness, innovation and regional development. He led the development of the Agribusiness Precinct to attract new business and jobs in agribusiness to the new Western Sydney Aerotropolis.

Before this role, Mr Bullen was deputy director general in the NSW Department of Primary Industries and chief executive officer of the NSW Rural Assistance Authority. Before joining the Department of Primary Industries, Mr Bullen was chief executive officer of the Sydney Catchment Authority (now part of WaterNSW), and before that, worked for Forests NSW across both plantation and native forest management.

Diana D'Ambra AM, board member

Ms D'Ambra is a non-executive director and independent adviser. Ms D'Ambra has more than 25 years' experience in a global accounting firm delivering corporate finance, mergers, acquisitions and investment advice across all industry sectors. She also has more than 15 years' non-executive director experience on both commercial, listed and for-purpose boards in property, financial services, health care, social services, technology, fast moving consumer goods and infrastructure.

Ms D’Ambra now combines corporate finance, financial management and related strategic advice with board roles. She has a particular interest in transforming medium-sized businesses.

Ms D’Ambra has Bachelor and Master of Commerce degrees, is a fellow of Chartered Accountants Australia and New Zealand, fellow of the Australian Institute of Company Directors and is a fellow of the Governance Institute of Australia. Ms D’Ambra has also successfully completed the Australia Institute of Company Director, Company Directors Course.

Non-voting members

During 2023–24, the non-voting members of the board were the heads of, or a person nominated by the head, to represent each of the following:

- NSW Department of Planning, Housing and Infrastructure:
 - Crown Lands (Sarah Lees)
 - Planning (Luke Walton)
- Department of Premier and Cabinet – Heritage NSW (Barrina South)
- NSW Customer Service (Kathy Townsend)
- NSW Health (Geoffrey Prendergast)
- local government, with relevant knowledge and expertise (Mark Ferguson)
- CCNSW Chief Executive Officer, Jennifer Hickey.

Mark Ferguson, the non-voting member representing local government, spent most of his career in local government, including 2 decades as a council general manager in highly regarded councils. He is currently a director at Third Counsel Pty Ltd, collaborating with Leadership Rebellion He also serves on the board of UPA – Aged Care Solutions. Additionally, Mr Ferguson is a trustee (elect) for the AR Bluett Award Trust and a temporary adviser to Edward River Council.

Human resources

Table 9 shows the number of officers and employees by category, along with previous years for comparison. Headcount data was reported at end of the reporting period.

Table 9. Staff composition and salary levels

Employment type	2021–22	2022–23	2023–24
Ongoing	9	10	11
Temporary	3	1	2
Executive	2	2	4

Employment type	2021-22	2022-23	2023-24
Total	14	13	17

There were no exceptional movements in wages, salaries or allowances in 2023-24.

Numbers and remuneration of senior executives

There were 3 full-time-equivalent executives employed at the end of the 2023-24, as shown in Table 10.

In 2023-24, 36.8% of CCNSW employee-related expenditure was for senior executives.

Table 10. Number and band of senior executives 2023-24⁶

Executive level	2022-23		2023-2024	
	Female	Male	Female	Male
Band 4 Secretary	0	0	0	0
Band 3 Group/Deputy Secretary	0	0	0	0
Band 2 Executive Director	1	0	1	0
Band 1 Director	1	0	1	1
Total	2	0	2	1

Table 11. Remuneration range of senior executives 2023-24

Executive level	Salary range
Band 2 Executive Director	\$287,201 to \$361,300
Band 1 Director	\$217,997 to \$242,100

Compensation paid to key management personnel

Under Australian Accounting Standards Board standard AASB 124, CCNSW must disclose compensation paid to those people (defined as key management personnel) who have the authority and responsibility for planning, directing and controlling the activities of the agency, directly or indirectly. The financial statements provide the required information.

⁶ These are Senior Executive statistics as of 20 June 2024. This data is based solely on senior executives FTE in their substantive role and band level.

Legal changes

Regulations made:

- Cemetery and Crematoria Amendment (Interment Service Levy) Regulation 2024 (2024 No 245)

Consultants

Details of consultants engaged by CCNSW costing more than \$50,000 are provided in Table 12.

Details of consultants engaged by CCNSW costing less than \$50,000 are provided in Table 12.

Table 11. Consultants over \$50,000

Consultant	Cost	Title/nature
Thread Consulting	\$68,450	Functional review of the current state of the organisation to identify areas for efficiencies and skills required as a regulator
The Centre for International Economics	\$84,088	Review of the current interment levy arrangements and consider options for expanding the level of cost recovery
Total	\$152,538	-

Table 12. Consultants under \$50,000

Category	Cost (\$)	Number of engagements
Management services	\$33,600	1
Total	\$33,600	1

Privacy

Under TPG23-10 Annual reporting requirements, we must provide a statement of our actions to comply with the requirements of the NSW *Privacy and Personal Information Protection Act 1998* (PPIP Act). We must also provide statistical details of any reviews conducted by or on behalf of the agency, under Part 5 of the PPIP Act.

We rely on the Department of Planning, Housing and Infrastructure's Privacy Management Plan. The plan outlines how the department and its associated agencies comply with the principles of the PPIP Act and the NSW *Health Records and Information Privacy Act 2002*. Officers in the department's Information Access and Privacy unit also provide specialist privacy advice and training to staff.

In 2023–24, we received no applications for review under Part 5 of the PPIP Act.

Public interest disclosures

Under the NSW *Public Interest Disclosures Act 1994*, each public authority must prepare an annual report on its obligations under this Act. As all public interest disclosures are managed centrally, our information is captured in the Department of Planning, Housing and Infrastructure’s annual report.

Applications to access information

CCNSW has delegated its functions under section 9 of the NSW *Government Information (Public Access) Act 2009* to the Information Access and Privacy team of the NSW Department of Planning, Housing and Infrastructure (and its predecessor, the Department of Planning, Industry and Environment). Therefore, all statistical information regarding CCNSW about access applications that is required to be included in an annual report, in compliance with section 125 of the Act and clause 8 of the Regulation, is included in the annual report for the Department of Planning, Housing and Infrastructure.

Internal audit and risk management attestation statement

During the reporting period, CCNSW was compliant with the NSW Treasury Policy, TPP 20-08 with a shared Audit and Risk Committee arrangement in place. The Department of Planning, Housing and Infrastructure provides the chief audit executive and internal audit function for CCNSW.

The internal audit function provides independent and objective review and advisory services designed to improve the operations, risk management, controls and governance processes. The internal audit function is governed by the department’s internal audit charter.

The department had a risk based 2023–24 internal audit plan endorsed by the Audit and Risk Committee and approved by the agency head. Quarterly reports on the delivery of internal audit engagements and internal audit activities were presented to the Audit and Risk Committee. Audit recommendations are tracked, monitored and reported on by the internal audit function.

Internal Audit and Risk Management Attestation Statement for the 2023-2024 Financial Year for Cemeteries and Crematoria NSW

I, Andrew Mills, Board Chair, Cemeteries and Crematoria NSW, am of the opinion that Cemeteries and Crematoria NSW has internal audit and risk management processes in operation that are compliant with the seven (7) Core Requirements set out in the *Internal Audit and Risk Management Policy for the General Government Sector*, specifically:

Core Requirements

Risk Management Framework

- | | | |
|-----|---|------------------|
| 1.1 | The Accountable Authority shall accept ultimate responsibility and accountability for risk management in the agency. | Compliant |
| 1.2 | The Accountable Authority shall establish and maintain a risk management framework that is appropriate for the agency. The Accountable Authority shall ensure the framework is consistent with AS ISO 31000:2018. | Compliant |

Internal Audit Function

- | | | |
|-----|--|------------------|
| 2.1 | The Accountable Authority shall establish and maintain an internal audit function that is appropriate for the agency and fit for purpose. | Compliant |
| 2.2 | The Accountable Authority shall ensure the internal audit function operates consistent with the International Standards for the Professional Practice for Internal Auditing. | Compliant |
| 2.3 | The Accountable Authority shall ensure the agency has an Internal Audit Charter that is consistent with the content of the 'model charter'. | Compliant |

Audit and Risk Committee

- | | | |
|-----|---|------------------|
| 3.1 | The Accountable Authority shall establish and maintain efficient and effective arrangements for independent Audit and Risk Committee oversight to provide advice and guidance to the Accountable Authority on the agency's governance processes, risk management and control frameworks, and its external accountability obligations. | Compliant |
| 3.2 | The Accountable Authority shall ensure that the Audit and Risk Committee has a Charter that is consistent with the 'model charter'. | Compliant |

Membership

For the 2023-24 reporting period, the independent Chair and members of the Audit and Risk Committee were


Role	Name	Start Term Date	Finish Term Date
Independent Chair	Nirmal Hansra	1 July 2023	30 June 2026
Independent Member	Abigail Goldberg	1 July 2023	30 June 2026
Independent Member	Brendan Crotty	30 March 2023	29 March 2026

Shared Arrangements

I, Andrew Mills, Board Chair, Cemeteries and Crematoria NSW, advise that Cemeteries and Crematoria NSW has entered into an approved shared arrangement comprising the following agencies:

- Cemeteries and Crematoria NSW
- Hunter and Central Coast Development Corporation
- Luna Park Reserve Trust
- Place Management NSW
- Planning Ministerial Corporation
- Property & Development NSW
- Sydney Olympic Park Authority
- Waste Assets Management Corporation

The resources shared include the Audit and Risk Committee, the Chief Audit Executive, and the internal audit function. The shared Audit and Risk Committee is a collaborative shared Audit and Risk Committee.



Andrew Mills

Board Chair

Cemeteries and Crematoria NSW

Date: 30 August 2024

Agency Contact:

Matthew Lyon

A/Director Audit

02 9289 6912

Promotion – overseas travel

CCNSW staff made no overseas visits during 2023–24.

Risk management and insurance activities

CCNSW has adopted the Department of Planning, Housing and Infrastructure’s Risk Management Framework and its Business Continuity Management Framework. The department provides services to CCNSW under these frameworks. For more information, please see the Department of Planning, Housing and Infrastructure’s annual report.

Sustainability

Work health and safety

There were no work health and safety injuries recorded for CCNSW for 2023–24. There were no prosecutions under the *Work Health and Safety Act 2011* (NSW).

Annual report cost and availability

We have prepared the CCNSW Annual Report 2023–24 in compliance with Premier’s memorandum M2013-09, at no external cost.

After the report has been tabled in Parliament, we will publish it on the [CCNSW website](#) and the NSW Government’s [OpenGov NSW website](#). We will also give electronic copies to the State Library of NSW, the NSW Parliamentary Library and the National Library of Australia.

Ethics and integrity

Employees of CCNSW are employed by the Department of Planning and Environment to enable CCNSW to perform its functions. Employees are obliged to comply with all integrity obligations of the department’s Code of Ethics and Conduct. For further information on the ethical framework, please see the Department of Planning and Environment Annual Report 2023–24.

Modern slavery

We operate under the Department of Planning, Housing and Infrastructure’s procurement framework and receive procurement services from the department. All *Modern Slavery Act 2018* (NSW) requirements are managed through this procurement framework, and activities to support and uphold the intent of the Act are reported in the Department of Planning, Housing and Infrastructure’s Annual Report 2023-2024.

Workforce diversity, multicultural and disability policies

We recognise the value of diversity and inclusion and continue to support actions outlined in the Department of Planning, Housing and Infrastructure's Diversity and Inclusion Workforce Strategy 2021–25.

Table 13. Trends in the representation of workforce diversity groups

Workforce diversity group	Benchmark	2022	2023	2024
Women	50%	78.6%	69.2%	70.6%
Aboriginal and/or Torres Strait Islander people	3.3%	7.1%	11.5%	0.0%
People whose first language spoken as a child was not English	23.2%	0.0%	0.0%	5.9%
People with disability	5.6%	7.1%	0.0%	5.9%
People with disability requiring work-related adjustment	n/a	0.0%	0.0%	0.0%

Notes on diversity

- The benchmark of 50% for representation of women across the sector is intended to reflect the gender composition of the NSW community.
- The NSW Public Sector Aboriginal Employment Strategy 2019–2025 takes a career pathway approach in that it sets an ambitious target of 3% Aboriginal employment at each non-executive grade of the public sector by 2025.
- A benchmark from the Australian Bureau of Statistics (ABS) Census of Population and Housing has been included for people whose first language spoken as a child was not English. The ABS census does not provide information about first language but does provide information about country of birth. The benchmark of 23.2% is the percentage of the NSW general population born in a country where English is not the predominant language.
- In December 2017, the NSW Government announced the target of doubling the representation of people with disability in the NSW public sector from an estimated 2.7% to 5.6% by 2027. More information can be found at [Jobs for People with Disability: A plan for the NSW public sector](#). The benchmark for 'People with disability requiring work-related adjustment' was not updated.

Financial performance

Independent auditor's report

Financial statements



INDEPENDENT AUDITOR'S REPORT

Cemeteries and Crematoria NSW

To Members of the New South Wales Parliament

Opinion

I have audited the accompanying financial statements of Cemeteries and Crematoria NSW (the CCNSW), which comprise the Statement by the Accountable Authority, the Statement of Comprehensive Income for the year ended 30 June 2024, the Statement of Financial Position as at 30 June 2024, the Statement of Changes in Equity and the Statement of Cash Flows, for the year then ended, notes comprising a Statement of Significant Accounting Policies, and other explanatory information.

In my opinion, the financial statements:

- have been prepared in accordance with Australian Accounting Standards and the applicable financial reporting requirements of the *Government Sector Finance Act 2018* (GSF Act), the *Government Sector Finance Regulation 2018* (GSF Regulation) and the Treasurer's Directions
- presents fairly the CCNSW's financial position, financial performance and cash flows

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the CCNSW in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I have fulfilled my other ethical responsibilities in accordance with APES 110.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Board and Chief Executive Officer's Responsibilities for the Financial Statements

The Board and Chief Executive Officer is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the GSF Act, GSF Regulation and Treasurer's Directions. The Board and Chief Executive Officer's responsibility also includes such internal control as the Board and Chief Executive Officer determines is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Board and Chief Executive Officer is responsible for assessing the CCNSW's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

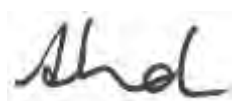
- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the CCNSW carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Susan Prichard
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

11 October 2024
SYDNEY

Cemeteries and Crematoria NSW

Financial Statements

for the year ended 30 June 2024

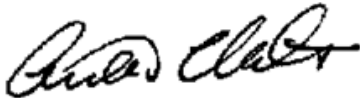
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Cemeteries and Crematoria NSW
Statement by the accountable authority
For the year ended 30 June 2024

Pursuant to section 7.6(4) of the *Government Sector Finance Act 2018* ("the Act"), we state on behalf of Cemeteries and Crematoria NSW that these financial statements:

- have been prepared in accordance with the Australian Accounting Standards and the applicable requirements of the Act, the *Government Sector Finance Regulation 2024*, and the Treasurer's directions, and
- present fairly Cemeteries and Crematoria's financial position, financial performance, and cash flows.



Signed.....

Andrew Mills
Chair
Date: 10 October 2024



Signed.....

Jennifer Hickey
Chief Executive Officer
Date: 10 October 2024

Beginning of the financial statements

Cemeteries and Crematoria NSW

Statement of comprehensive income for the year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000
Expenses			
Personnel services	2(a)	2,697	2,469
Operating expenses	2(b)	1,489	580
Total expenses		4,186	3,049
Revenue			
Retained levies and licence fees	3(a)	932	851
Investment revenue	3(b)	74	50
Grants and contributions	3(c)	3,100	2,071
Acceptance by the Crown of employee benefits	3(d)	80	77
Total revenue		4,186	3,049
Net result	8	-	-
Total comprehensive income/(loss)		-	-

The 2023 comparatives have been amended due to reclassification of re-imbursments between Personnel expenses and Acceptance by the Crown of employee benefits – refer to notes 2(a) and 3(d) for further details.

The accompanying notes form part of these financial statements.

Cemeteries and Crematoria NSW
Statement of financial position as at 30 June 2024

	Notes	2024 \$'000	2023 \$'000
Assets			
Current assets			
Cash and cash equivalents	4	1,809	1,704
Receivables	5	362	282
Total current assets		2,171	1,986
Total assets		2,171	1,986
Liabilities			
Current liabilities			
Payables	6	545	360
Total current liabilities		545	360
Total liabilities		545	360
Net assets		1,626	1,626
Equity			
Accumulated funds		1,626	1,626
Total equity		1,626	1,626

The accompanying notes form part of these financial statements.

Cemeteries and Crematoria NSW
Statement of changes in equity for the year ended 30 June 2024

	Accumulated funds \$'000	Total equity \$'000
Balance at 1 July 2023	1,626	1,626
Net result for the year	-	-
Balance at 30 June 2024	<u>1,626</u>	<u>1,626</u>
Balance at 1 July 2022	1,626	1,626
Net result for the year	-	-
Balance at 30 June 2023	<u>1,626</u>	<u>1,626</u>

The accompanying notes form part of these financial statements.

Cemeteries and Crematoria NSW
Statement of cash flows for the year ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000
Cash flows from operating activities			
Payments			
Grants and subsidies		(107)	(375)
Personnel services		(193)	(176)
Payments to suppliers		(658)	(423)
Total payments		(958)	(974)
Receipts			
Retained levies and licence fees		989	777
Interest received		74	50
Total receipts		1,063	827
Net cash flows from operating activities	8	105	(147)
Net increase/(decrease) in cash and cash equivalents		105	(147)
Opening cash and cash equivalents		1,704	1,851
Closing cash and cash equivalents	4	1,809	1,704

The accompanying notes form part of these financial statements.

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

1. Summary of material accounting policies

(a) Reporting entity

Cemeteries and Crematoria NSW (Cemeteries) is a reporting entity constituted under the *Cemeteries and Crematoria Act 2013* to assess current and future interment needs and develop planning strategies for cemetery space to meet those needs.

Cemeteries is a NSW Government entity and is controlled by the State of New South Wales which is the ultimate parent. Cemeteries is a not-for-profit entity (as profit is not its principal objective) and it has no cash generating units.

These financial statements for the year ended 30 June 2024 have been authorised for issue by the Chair of the Board and Chief Executive Officer on the date the accompanying statement by the accountable authority was signed.

(b) Basis of preparation

Cemeteries' financial statements are general purpose financial statements which have been prepared on an accrual basis in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting Interpretations)
- the requirements of the *Government Sector Finance Act 2018* (GSF Act); and
- the Treasurer's Directions issued under the GSF Act.

Financial statement items are prepared in accordance with the historical cost convention except where specified otherwise.

Judgements, key assumptions, and estimations management has made are disclosed in the relevant notes to Cemeteries' financial statements.

All amounts are rounded to the nearest thousand and are expressed in Australian currency, which is Cemeteries presentation and functional currency.

(c) Statement of compliance

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

(d) Accounting for the goods and services tax (GST)

Income, expenses, and assets are recognised net of the amount of GST, except that the:

- amount of GST incurred by Cemeteries as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of the cost of acquisition of an asset or as part of an item of expense and
- receivables and payables are stated with the amount of GST included.

The net amount of GST recoverable from or payable to the Australian Taxation Office is included as part of receivables or payables respectively.

Cash flows are included in the statement of cash flows on a gross basis.

(e) Services provided by the Department of Planning, Housing and Infrastructure

Cemeteries does not employ any staff and receives administrative, secretarial support and operational assistance from the Department of Planning, Housing and Infrastructure (the Department) from 1 January 2024 onwards (previously provided by the Department of Planning and Environment). Cemeteries has a contractual arrangement in place with the Department, which reimburses a portion of personnel expenses recognised as a non-cash contribution for services provided. The proportion is calculated based on achievement of a breakeven net result. Refer note 2(a) and 3(c).

(f) Comparative information

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is disclosed in respect of the previous period for all amounts reported in the financial statements.

Crown reimbursements have been disclosed as Acceptance by the Crown of employee benefits. The 2023 comparative amounts have been amended as detailed in note 2(a) and 3(d).

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

1. Summary of material accounting policies (continued)

(g) Changes in accounting policies, including new or revised Australian Accounting Standards

(i) Effective for the first time in financial year 2023-2024

The accounting policies applied in 2023-24 are consistent with those of the previous year, however, with *AASB 2021-2 Amendments to Australian Accounting Standards - Disclosure of Accounting Policies and Definition of Accounting estimates* becoming effective for the first time in financial year 2023-24, Cemeteries has revised its notes to the financial statements to disclose material policy information.

(ii) Issued but not yet effective.

NSW public sector entities do not early adopt new Australian Accounting Standards unless the Treasury determines otherwise. Cemeteries has assessed any potential impact on the financial statements due to these new accounting standards or interpretations and no material financial impact is expected when implemented.

(h) Impact of climate-related matters on financial reporting for 2023-24

No adjustments to the carrying value of assets or liabilities were recognised during the financial year as a result of climate-related risks impacting current accounting estimates and judgments. No other transactions have been recognised during the financial year specifically due to climate-related risks impacting Cemeteries.

(i) Going concern

Cemeteries generates revenue and receives Treasury funding via the Department, which is the principal Department in the portfolio. At the date of this report there is no reason to expect that the authority's ability to generate revenue, and receive Treasury funding support, will not continue.

2. Expenses excluding losses

(a) Personnel services expenses:

	2024	2023
	\$'000	\$'000
Salaries and wages (including annual and long service leave)	2,135	1,944
Superannuation	254	225
Payroll tax	137	129
Workers' compensation insurance	12	22
Board members salaries	159	149
	<u>2,697</u>	<u>2,469</u>

The 2023 comparatives have been increased due to a reclassification of Crown reimbursements to revenue under Acceptance by the Crown of employee benefits and the reallocation of senior executive superannuation. Salaries and wages has increased by \$7,306 to \$1,943,802, superannuation has increased by \$69,142 to \$225,451 and payroll tax has increased by \$997 to \$128,939. The effect to net result is nil.

Recognition & measurement

Personnel services

Cemeteries does not employ staff but uses the personnel services of the Department. The costs of salaries, wages, superannuation, annual leave, long service leave, payroll tax and workers compensation are disclosed as personnel services. Refer note 1(e).

Board members salaries and on-costs

Salaries are paid for Board member services. Superannuation and payroll tax are paid on Board member salaries, however, Board members are not entitled to any leave provisions.

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

2. Expenses excluding losses (continued)

(b) Operating expenses:

	2024	2023
	\$'000	\$'000
Administration costs	24	29
Advertising and promotion	-	14
Audit fees	35	33
Communication	2	19
Computer software - not capitalised	388	-
Consultancy fees	186	29
Contractors	643	262
Legal fees	91	89
Low value and short term leases	68	62
Purchased assets <\$5,000	25	1
Recruitment fees	-	28
Travelling costs	27	14
	1,489	580

Recognition and measurement

Insurance

Cemeteries activities are covered by the Department's insurance policy under the NSW Treasury Managed Fund Scheme of self-insurance for Government entities.

Lease expense

Cemeteries recognises the lease payments associated with the following types of leases as an expense on a straight-line basis:

- Leases that meet the definition of short-term i.e., where the lease term at commencement of the lease is 12 months or less. This excludes leases with a purchase option.
- Leases of assets that are valued at \$10,000 or under when new.

3. Revenue

(a) Retained levies and licence fees

	2024	2023
	\$'000	\$'000
Retained levies	823	851
Licence fees	109	-
	932	851

Recognition and Measurement

Retained levies

Applicable Crown cemetery operators self-report the number of interments and cremations that have occurred quarterly to Cemeteries. This information is then used to calculate and invoice the levies charged to those cemetery operators in accordance with the Cemeteries and Crematoria Act 2013. While a reasonableness check is performed on the data received before invoicing, Cemeteries' revenue is limited to the self-reporting by these operators on their number of interments and cremations.

Retained levy revenue is recognised based on interment and cremation figures at the end of each quarter. Levies are recognised either on invoicing or accrued based on past interment information provided.

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

3. Revenue (continued)

Licence fees

A licencing scheme was introduced this year under the Cemeteries and Crematoria Regulation 2022. CCNSW has elected not to apply the revenue recognition requirements of AASB 15 for its licences which are of low value. Revenue is recognised when cash is received.

(b) Investment revenue

	2024	2023
	\$'000	\$'000
Interest	74	50
	74	50

Recognition and measurement

Interest income

Interest income is recognised when it is earned.

(c) Grants and other contributions

	2024	2023
	\$'000	\$'000
Non-cash		
Personnel services contribution - Department	3,100	2,071
	3,100	2,071

Recognition and Measurement

Non-cash contributions

Non-cash contributions are generally recognised at fair value. Contribution of services are recognised only if the services would have been purchased if they had not been donated and their fair value can be measured reliably. Where this is the case, the amount representing the fair value is recognised as revenue with a corresponding expense for the same amount.

(d) Acceptance by the Crown of employee benefits

	2024	2023
	\$'000	\$'000
Long service leave	56	54
Payroll tax	1	1
Superannuation - defined benefit	23	22
	80	77

Recognition and Measurement

Cemeteries' liability for long service leave and defined benefit superannuation are assumed by The Crown.

Cemeteries accounts for the liability as having been extinguished, resulting in an amount assumed being shown as a revenue item.

The 2023 comparatives have been amended to include Crown re-imbursements of employee benefits. Previously this revenue has been offset against Personnel services expenses in Note 2(a). The 2023 comparatives in Note 2(a) have increased due to the change in this disclosure. The net effect of these changes to the Statement of comprehensive income is nil.

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

3. Revenue (continued)

(e) Deemed appropriations

A special deposit account has been established under section 22 of the *Cemeteries and Crematoria Act 2013* into which all deposits are paid. All monies that are expended by Cemeteries in the exercise of its functions are also paid from this account. Cemeteries therefore does not have any deemed appropriations and hence no disclosure is required under section 4.7 of the GSF Act.

4. Current assets – cash and cash equivalents

	2024	2023
	\$'000	\$'000
Cash at bank and on hand	1,809	1,704
	<u>1,809</u>	<u>1,704</u>

For the purpose of the statement of cash flows, cash and cash equivalents include cash at bank, cash on hand, and short-term deposits with original maturities of three months or less and subject to an insignificant risk of changes in value, and net of outstanding bank overdraft.

Cash and cash equivalents (per statement of financial position)	1,809	1,704
Closing cash and cash equivalents (per statement of cash flows)	<u>1,809</u>	<u>1,704</u>

Refer Note 9 for details regarding credit risk and market risk arising from financial instrument.

5. Current assets – receivables

	2024	2023
	\$'000	\$'000
Current		
Accrued income	206	208
Trade receivables	-	55
Receivable - Department	123	-
Net GST receivable	33	19
	<u>362</u>	<u>282</u>

Details regarding credit risk of trade debtors that are neither past due nor impaired, are disclosed in Note 9.

Recognition and measurement

Trade receivables are measured at the transaction price as they are short term in nature and do not contain any significant financing component. Cemeteries applies the simplified provision matrix approach to recognise any allowances for expected credit losses (ECLs) for its receivables. As at reporting date, Cemeteries has not recognised any ECL's (2023: nil).

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

6. Current liabilities – payables

	2024	2023
	\$'000	\$'000
Current		
Accruals	179	30
Accruals - salaries and wages	-	63
Creditors	352	147
Creditor - Department	14	120
	<u>545</u>	<u>360</u>

Details regarding liquidity risk, including a maturity analysis of the above payables are disclosed in Note 11.

Recognition and measurement

Payables represent liabilities for goods and services provided to Cemeteries. These short-term payables, with no stated interest rate, are measured at the original invoice amount where the effect of discounting is immaterial.

7. Contingent liabilities and contingent assets

There were no contingent assets or contingent liabilities to report as at as at 30 June 2024 (2023: Nil)

8. Reconciliation of cash flows from operating activities to net result

	2024	2023
	\$'000	\$'000
Net cash used on operating activities	105	(147)
Increase / (decrease) in receivables	80	85
Decrease / (increase) in creditors	(185)	62
Net result	<u>-</u>	<u>-</u>

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

9. Financial instruments

Cemeteries' principal financial instruments are outlined below. These financial instruments arise directly from Cemeteries' operations.

Cemeteries main risks arising from financial instruments are outlined below, together with Cemeteries objectives, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout these financial statements.

The CEO has overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Cemeteries follows Treasury Directions and Policies to monitor and manage financial risk.

(a) Financial instrument categories

Financial assets			Carrying amount	Carrying amount
Class	Note	Category	2024	2023
			\$'000	\$'000
Cash and cash equivalents	4	Amortised cost	1,809	1,704
Receivables ¹	5	Amortised cost	329	263
Financial liabilities			Carrying amount	Carrying amount
Class	Note	Category	2024	2023
			\$'000	\$'000
Payables ²	6	Financial liabilities measured at amortised cost	545	360

Notes

1. Receivables excludes statutory receivables and prepayments, not within scope of AASB 7.
2. Payables excludes statutory payables and unearned revenue, not within scope of AASB 7.

(b) Derecognition of financial assets and financial liabilities

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when the contractual rights to the cash flows from the financial assets expire; or if the entity transfers its rights to receive cash flows from the asset or has assumed an obligation to pay the received cash flows in full without material delay to a third party under a 'pass-through' arrangement; and either:

- a) Cemeteries has transferred substantially all the risks and rewards of the asset; or
- b) Cemeteries has neither transferred nor retained substantially all the risks and rewards of the asset but has transferred control.

Where Cemeteries has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset continues to be recognised to the extent of the entity's continuing involvement in the asset.

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled or expired.

(c) Offsetting financial instruments

Financial assets and financial liabilities are offset and the net amount is reported in the Statement of Financial Position if there is a currently enforceable legal right to offset the recognised amounts and there is an intention to settle on a net basis, or to realise the assets and settle the liabilities simultaneously.

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

9. Financial instruments (continued)

(d) Financial risks

(i) Credit risk

Credit risk arises when there is the possibility of Cemeteries' debtors defaulting on their contractual obligations, resulting in a financial loss to Cemeteries. The maximum exposure to credit risk is generally represented by the carrying amount of its receivables (net of any allowance for impairment).

Credit risk associated with the entity's financial assets, is managed through the selection of counterparties and establishment of minimum credit rating standards. Cemeteries has no deposits held with NSW TCorp.

Cash and cash equivalents

Cash comprises cash on hand and bank balances within NSW Treasury Banking System.

Receivables - trade receivables

Accounting policy for impairment of trade debtors and other financial assets under AASB 9

Collectability of trade receivables is reviewed on an ongoing basis. Procedures as established in the Treasurer's Directions are followed to recover outstanding amounts, including letters of demand.

Cemeteries applies the AASB 9 simplified approach to measure expected credit losses which uses a lifetime expected loss allowance for all trade receivables.

Trade receivables are written off when there is no reasonable expectation of recovery. Cemeteries had no financial assets past due or impaired as of 30 June 2024.

(ii) Liquidity risk

Liquidity risk is the risk that Cemeteries will be unable to meet its payment obligations when they fall due. CCNSW monitors future cash flows and ensures adequate funding is held on hand to meet future obligations.

Cemeteries' exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

Liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in NSW TC11-12. For small business suppliers, where terms are not specified, payment is made not later than 5 days from date of receipt of a correctly rendered invoice. For other suppliers, if trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received.

The table below summarises the maturity profile of Cemeteries' financial liabilities, together with the interest rate exposure.

Maturity analysis and interest rate exposure of financial liabilities

	Weighted average effective interest rate %	Nominal amount \$'000	Interest rate exposure			Maturity dates		
			Fixed interest rate \$'000	Variable interest rate \$'000	Non-interest bearing \$'000	< 1 yr. \$'000	1-5 yrs \$'000	> 5 yrs \$'000
2024								
<i>Payables</i>	0.0%	545	-	-	545	545	-	-
		545	-	-	545	545	-	-
2023								
<i>Payables</i>	0.0%	360	-	-	360	360	-	-
		360	-	-	360	360	-	-

Note:

The amounts disclosed are the contractual undiscounted cash flows of each class of financial liabilities based on the earliest date on which Cemeteries can be required to pay. The amounts disclosed here exclude statutory payables and unearned revenue (not within scope of AASB 7).

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

9. Financial instruments (continued)

(d) Financial risks (continued)

(iii) Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Cemeteries' exposure to market risk is primarily through interest rate risk on Cemeteries' bank balance.

The effect on profit and equity due to a reasonably possible change in risk variable is outlined in the information below for interest rate risk. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates.

Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Exposure to interest rate risk arises primarily through Cemeteries' cash balances held. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates.

Cemeteries exposure to interest rate risk is set out below:

	Carrying amount \$'000	-1% Result \$'000	Equity \$'000	+1% Result \$'000	Equity \$'000
2024					
Financial Assets					
Cash and cash equivalents	1,809	(18)	(18)	18	18
2023					
Financial Assets					
Cash and cash equivalents	1,704	(17)	(17)	17	17

(e) Fair value measurement

(i) Fair value compared to carrying amount

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

(ii) Fair value recognised in the Statement of Financial Position

The carrying amount of Cemeteries' financial instruments approximate their fair values, largely due to the short-term maturities of these instruments.

Cemeteries and Crematoria NSW

Notes to and forming part of the financial statements for the year ended 30 June 2024

10. Related party disclosure

Cemeteries' key management personnel compensation are as follows:

	2024	2023
	\$'000	\$'000
Salaries	456	448
Total remuneration	456	448

During the year, Cemeteries did not enter into transactions with key management personnel, their close family members and controlled or jointly controlled entities thereof.

During the year, Cemeteries entered into transactions with other entities that are either controlled, jointly controlled or significantly influenced by NSW Government. These transactions, (incurred in the normal course of business) in aggregate, are a significant portion of Cemeteries' revenue and expenses, and the nature of these significant transactions are detailed below.

Entity	Nature of Transaction
Department of Planning, Housing, and Infrastructure (previously Department of Planning and Environment)	Provision of administrative and secretarial support, personnel services, and operational assistance.
Environmental Protection Agency	Staff secondment
Catholic Metropolitan Cemeteries Trust	Levies received based on interment and cremation services.
Metropolitan Memorial Parks Land Manager	Levies received based on interment and cremation services.

11. Events after reporting date

There are no known events that would materially impact Cemeteries' financial statements.

End of audited financial statements.