



Contact details

62 Flushcombe Road Blacktown NSW 2148

PO Box 63 Blacktown NSW 2148

Phone: 02 5300 6000 Fax: 02 9831 1961

Email: council@blacktown.nsw.gov.au Website: www.blacktown.nsw.gov.au Facebook: Blacktown City Council

Twitter: @blacktowncc

YouTube: Blacktown City Council Instagram: Blacktown City Council

Disclaimer

This document has been compiled by Blacktown City Council staff in consultation with external stakeholders, and is not an adopted policy document. It is made available for public exhibition and opportunities for submissions which will be considered prior to adoption of the final plan for subsequent implementation in accordance with the Local Government Act, Crown Land Management Act and other relevant legislation.

While every care has been taken in compiling this draft plan, we accept no liability whatsoever for any loss (including without limitation direct or indirect loss and any loss of profit, data, or economic loss) occasioned to any person nor for any damage, cost, claim or expense arising from reliance on this document or any of its content.

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From the Mayor

I am pleased to present Blacktown City Council's updated Plan of Management for the historic Riverstone Cemetery.

The plan sets out how Council will continue to work with residents, community organisations and businesses to ensure this key area of community land is well maintained into the future.

Established in 1892, Riverstone Cemetery is a site of heritage and Indigenous significance. Today, the cemetery has more than 5,000 burial plots with Council investigating opportunities for further burial space.

With Blacktown City's current population and future growth in mind, it is essential that Council is guided by a comprehensive plan to best manage the cemetery for current and future generations.

This plan outlines how Council will address key management issues, ranging from burial capacity, burial options and cemetery facilities, to forward planning and maintenance. It also reflects the important issues, needs and priorities of our community.

Council is committed to providing an attractive and dignified place for the interment and remembrance of the deceased at the cemetery

Under this plan, Council will work to provide the surviving families and friends of loved ones who rest in Riverstone Cemetery with a peaceful and serene environment that honours and respects their memory.

I encourage you to read this draft plan and provide your feedback.

Councillor Tony Bleasdale OAM Mayor of Blacktown City

Affleadas.

Invitation for comment and making submissions

Council welcomes anyone to become part of planning for Blacktown's community land, which includes the Riverstone Cemetery.

We want to create, enhance and sustain a network and system of community land with natural areas, facilities and leisure activities that can be enjoyed well into the future.

You can help this by providing feedback to us about this draft plan, by:

- Writing to PO Box 63 Blacktown NSW 2148
- Emailing to yoursay@blacktown.nsw.gov.au
- Completing the feedback form on our website <u>www.blacktown.nsw.gov.au</u>

Your ideas and further contributions are important to us. For more information on how you can be involved in the development of all plans of management for community land please contact our Project Officer - Plans of Management on (02) 5300 6000.



Executive Summary

The updated plan of management for Riverstone Cemetery has been prepared to provide direction and guidance on its use and management as Crown land. The site is Crown land, managed by Blacktown City Council, and is classified as Community Land and categorised for General Community Use.

Councils throughout New South Wales (NSW) must prepare Plans of Management for all public reserves classified as Community Land. This includes Community Land owned by a council as well as Crown land reserves managed by a council.

This draft Plan of Management meets legislative requirements of the Local Government Act, and Crown Land Management Act and Native Title Act.

Part 1 sets out the existing situation for the site including conditions, overview of relevant legislation and opportunities and constraints for its ongoing use.

Part 2 provides a vision and overarching objectives for the Riverstone Cemetery as basis for management. It covers leases and licences, administration and management and most importantly an implementation action plan.

The latter section includes management issues, associated objectives, desired outcomes, strategies, actions, priorities and performance measures.

The 10 management issues are:

- Burial capacity
- Burial options
- Natural features and character
- Facilities and function of cemetery
- Forward planning
- Legislative and regulatory requirements
- Children and infant section
- Safety
- Heritage values of cemetery
- Overarching management and maintenance

A process for preparation, adoption, implementation and review of the Plan of Management has been established.

The draft Plan of Management will be placed on public exhibition for feedback and submissions from the community and any stakeholders, which will all be considered prior to its final adoption.



View to north and Walker Parade

Introduction

This Plan of Management describes how we will use and manage Riverstone Cemetery. The 5.6 hectare Cemetery comprises a single allotment (Lot 7301 DP 1140673) which is Crown land (Crown Reserve 1019448).

This Plan of Management has 2 parts:

Part 1, Existing situation provides an overview of the site context, site conditions, opportunities and constraints, as well as the legislative context.

Part 2, Basis for management sets out how our vision for the Cemetery can be achieved in light of the existing situation, in the form of an Implementation action plan which will guide our activities over the coming years.

Core objectives for management of Community Land categorised as General Community Use

Consistent with the Local Government Act, the core objectives for management of Community Land categorised as general community use (which includes the Riverstone Cemetery) are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- a) In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public.
- b) In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

Our vision

Riverstone Cemetery will provide an attractive and dignified place for the interment and remembrance of the deceased.

Our objectives

To achieve our vision, we will:

- a. Offer a range of burial and ashes interment and memorialisation options at the Cemetery.
- b. Identify new opportunities for burials and ashes interment.
- c. Respect and enhance the natural and parkland setting of the site.
- d. Support maintenance practices that:
 - Are operationally efficient and cost effective.
 - Ensure the Cemetery is well presented, safe and functional.
 - Secure protection of threatened species, endangered ecological communities and bushland.
 - Control weeds and pest animal species.
- e. Support the management and use of the Cemetery now and into the future (when burial options have been exhausted) in the context of relevant legislative and regulatory requirements.
- f. Be financially sustainable into perpetuity.
- g. Respect the rural character and heritage values of the site.

Part 1

Existing situation

This Part outlines the Cemetery's site context, conditions and opportunities and constraints for ongoing cemetery use. This Part also provides a brief overview of the legislation relating to the use and management of the site.

The following table provides an overview of Riverstone Cemetery, its attributes and key activities.



View to north east along northern entry road

Address	Cemetery Road, Riverstone		
Area	5.6 hectares		
Property description and location	Lot 7301 DP 1140673 Bounded by Walker Parade (north), Cemetery Road (east), Garfield Road West (south) and Penprase Street (west)		
Land owner	Crown land (Crown Reserve 1019448 - gazetted on 8 October 1892)		
Land manager	Blacktown City Council has been appointed as the 'Crown land manager'.		
Classification/ Categorisation	Community Land/General Community Use		
Crown purpose	General Cemetery		
Zoning	SP1 Special Activities (Cemetery) - Blacktown Local Environmental Plan (LEP) 2015		
Interment options provided	 Burials (double depth plots) in a range of faith-based sections, including non-sectarian Ashes interment in columbarium walls and gardens (introduced 2019) Perpetual interment rights. 		
Number of interments	To the end of June 2022, the Cemetery had approximately 5,000 burials, with an unknown number of ash interments within graves. In 2021-2022: 113 burial plots were sold 96 burials took place.		

Heritage significance	The Cemetery site is listed as Heritage Item 197 (local significance) under Blacktown LEP 2015	Built features/assets	 Columbarium walls and memorial garden Internal road, with parking space and entry/exit
	 The Cemetery was established in 1892, with burials commencing in 1894. Its significance relates to it being the town cemetery for the growing area of Riverstone (and surrounds) and containing: the remains of early settlers of the area examples of archaeological features of the late 19th century. The Cemetery also has Aboriginal significance 		 International, with parking space and entry/exit to Cemetery Road Pedestrian access point on Walker Parade Informal car parking along Cemetery Road and Walker Parade frontages On-site toilets (disabled and male/female) Outdoor shelter and associated concrete pad Former grave diggers shelter (circa 1931)
	with surface artefacts identified during construction works in and around the site.		Spoil and landscape supply compound.
Key environmental attributes	 The western two-thirds of the site are biodiversity certified under SEPP (Sydney Region Growth Centres) 2006 Stands of native trees including Cumberland Plain Woodland species (part of an endangered ecological community) exist in parts of the site that have not been previously used for burial purposes The eastern third of the site is subject to flood impacts (1:100 ARI) The site gently slopes down from the west/rear to Cemetery Road at an approximate gradient of 2.5 percent. 	Key activities	 Funerals and burials (can include post-burial gatherings) Visitation of graves and memorials throughout the year but particularly on cultural days including Mother's Day, Father's Day and religious holidays Visitation for research purposes by genealogists, historians and individuals Construction of memorials and headstones by accredited masons Exhumations (occasional only) Grass cutting and general maintenance. Passive recreation.

1.1 Location context

Riverstone Cemetery is located within the suburb of Angus (formerly part of Riverstone), which forms part of the North West Growth Area (NWGA) of greater Sydney. The area is transforming from predominantly rural to urban land uses.

The Cemetery, as shown at Figures 1 and 4, is currently adjoined by:

- Cemetery Road and Knudsen Reserve (bushland) to the east
- Penprase Street (an unformed road) and bushland to the west
- an unformed lane and bushland/rural uses to the south
- Walker Parade and very low-density residential land to the north
- Garfield Road West, which links the urban areas of Riverstone and Marsden Park, at the south-east corner.

The Cemetery is included in the NWGA Marsden Park North Precinct, for which a draft Indicative Layout Plan was exhibited in September 2018. Under that Plan, the Cemetery will be adjoined by:

- Environmental Conservation zoned land to the west, south and east
- 'Low Density Residential Scheduled Lands' to the north.

The Marsden Park North Precinct will include low and medium density residential zoned land and supporting land uses including a range of community, commercial and open space areas. The existing and future context of the site is identified at Figure 2 and Figure 3 on the next page.

Other cemeteries in the Blacktown local government area include 2 large privately operated facilities being:

- Pinegrove Memorial Park at Minchinbury (located 15 kilometres by road to the south)
- Castlebrook Memorial Park at Rouse Hill (located 10 kilometres by road to the east).

We are also in the initial stages of re-establishing and expanding the St Bartholomew's Cemetery at Prospect (located 20 kilometres by road to the south-east).



Figure 1: Riverstone Cemetery local site context

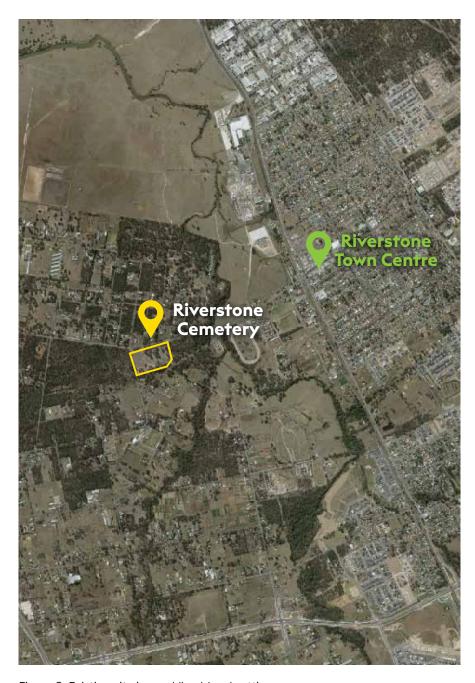


Figure 2: Existing site in rural/bushland setting

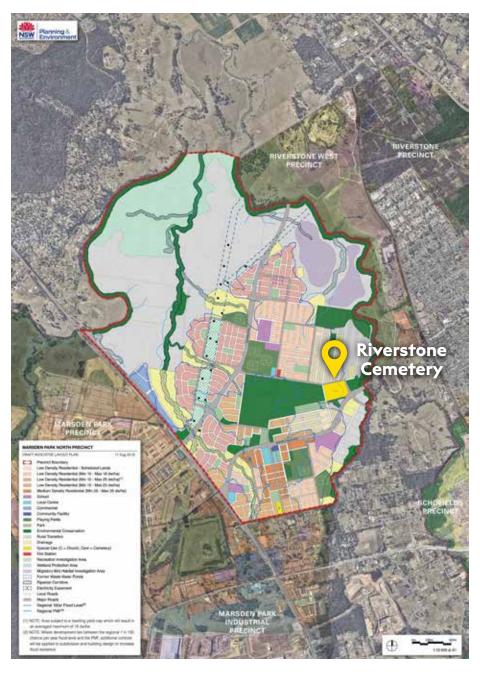


Figure 3: Site in context of draft Indicative Layout Plan - Marsden Park North Precinct

1.2 Site conditions and use

1.2.1 Landform and landscape

The Cemetery gently slopes down from the western to eastern (Cemetery Road) boundary. The land elevation drops approximately seven metres across the 280 metre long site, with the lower eastern portion coinciding with the part of the site that is flood prone. Eastern Creek is a further 220 metres to the east, within Knudsen Reserve.

The site is relatively open and low scale, consistent with the surrounding rural character of the area. Two main stands of mature native trees including Cumberland Plains Woodland species are on the north-eastern and southerneastern parts of the site, with the remainder of the site being largely occupied by burial areas.

Bushland also adjoins the site to the west, south and east (in Knudsen Reserve), which in combination with on-site vegetation provides attractive short and long distance views as shown in the figures adjoining. Monumental grave sites are also a key visual feature of the Cemetery, spanning 125 years of use.

Much of the adjoining bushland is currently protected through the application of environmental conservation zones. These zones are proposed to be maintained under the Marsden Park North Indicative Layout Plan.

Views from the site are relatively limited due the minimal change in elevation and the surrounding tree cover which provides a level of enclosure to the otherwise open site lines. Views to the residential areas to the north are evident, mostly from the elevated western part of the site where there is limited boundary planting.





Pedestrian path to Walker Parade



Soil and landscape supply compound



Walker Parade parking



View from Walker Parade pedestrian gate



View to south towards toilets and columbarium walls with vegetation behind

1.2.2 Grave sites and vacant land

Since its establishment in 1892, the Cemetery's main interment offering has been monumental grave sites, with eight sections being aligned with particular religious and cultural groups:

- Catholic
- Church of England (Anglican)
- Methodist
- Presbyterian
- Non sectorian
- Muslim (1997)
- Ahmadiyya Muslim (1999)
- Ahmadiyya Anjuman Ishaat Muslim (2000).

The initial religious denominational allocation of the cemetery included, as an allotment, a dedicated section for those of Jewish faith.

Use of the Cemetery by the above groups has changed over time, reflecting the changing nature and needs of the Blacktown community.

Approximately 5,000 interments have occurred within the Cemetery, leaving 800 to 900 plots available for interment purposes within existing sections. In recent years, the Cemetery has seen 100 to 120 burials a year, suggesting that existing burial supply may be exhausted within 8 to 10 years.

However, 1.5 hectares has not yet been allocated for interment plots and remains vacant. It generally comprises those parts of the site where mature native trees are scattered.

Part of the Dedication appears to have become public road within the context of the Roads Act 1993 coming into being. Parts of this road network appear to have been utilised as burial sites. The formal closure by Council of these roads may be in the public interest.

These areas include:

- on the northern side, approximately 7,000 m²
- on the southern side, approximately 8,000 m²

This vacant land could be utilised to provide additional burial space, subject to relevant approvals.

In addition, there is a 130 metre long ((approximately 1,000 m²) strip of vacant land on the northern side of the southern access road. Columbarium walls and memorial gardens were constructed at the western end of this land in 2019 and could continue to be replicated within the site.

The layout of the Cemetery, highlighting existing sections, is at Figure 4 overleaf.



Recently constructed memorial walls and gardens



Figure 4: Existing site plan showing current sections, public facilities and infrastructure

1.2.3 Built features and assets

There are a small number of built features and assets within the Cemetery site. These are described in the table below.

Built feature/asset	Description
Columbarium walls, containing 390 niches across three walls, and surrounding gardens	Constructed in 2019. Wall mortar requires sealing every 5 years to prevent water penetration.
Internal road, with entry/exit to Cemetery Road	Upgraded in 2018. The southern part of the internal road was constructed and connected to the existing internal access roads. Works included surfacing, kerb and gutter, stormwater pits and vehicle access barriers (sandstone blocks).
Car parking along Cemetery Road and Walker Parade	In 2018, a 2-coat seal was applied to the informal parking areas and road verges.
Fencing and pedestrian entry via gate on Walker Parade	Good condition with informal pathway available from Walker Parade.
Excess soil compound	Constructed in 2018 from sandstone blocks.
Toilet (disabled, male, female)	Upgraded in 2019 including expanded access pathway from internal access road.
Open shelter	Constructed in 2019. The concrete pad can accommodate an expanded shelter.
Former shelter shed (circa 1931)	Reasonable condition, but not currently in use (locked to prevent anti-social behaviour).
Signage	Upgraded in 2019, signage includes Cemetery map identifying burial sections.

1.2.4 Heritage significance

The Riverstone Cemetery Conservation Management Plan, endorsed by Council in December 2011, identifies the following features of the Cemetery as being of significance:

- a. It has social significance because it is a living monument. It is an operational necropolis where interments have occurred since 1894. It has ongoing importance to the community as it is still used today and reflects current culture and values.
- b. The cemetery contains graves commemorating prominent local families who were the early settlers of Riverstone whose lives enriched the history and development of Riverstone and the surrounding region.
- c. It has archaeological significance because it displays European settlement burials as seen by the headstones and monuments.
- d. It is the only cemetery in Riverstone and the site reflects a visual continuity from the 19th century to current day. This is not only found in the chronological events but also via its ongoing use by other cultural groups who are reflective of the community.
- e. The cemetery is an important surviving fragment of the 19th century cultural landscape and has aesthetic significance to the community.
- f. It has research significance because it has potential to yield information that will contribute to an understanding of local history.
- g. Many descendants of people buried within the cemetery, live in the district and hence there is a strong connection to the cemetery, which becomes evident on days such as Mother's Day, Father's Day and other days of religious or cultural importance.

The National Trust of Australia (NSW Branch) has produced the Guideline for Cemetery Conservation (2009) that includes advice and policy recommendations for conservation in cemeteries.

Whilst the current Conservation Management Plan provides some advice and assistance relating to the significance of the site and future activities, there is a need for the document to be reviewed to provide a greater focus on best practice conservation practices, including from the National Trust guide as mentioned above.

In addition to on-site European heritage values, the area more broadly has Aboriginal heritage significance, with a number of known archaeological sites and an area of Aboriginal archaeological significance identified in Council's Development Control Plan (DCP) to the immediate north of the Cemetery.

1.2.5 Site maintenance

The Cemetery grounds are maintained by Council contractors. The grass is mowed and trimmed every three to four weeks during Autumn and Winter, and every two to three weeks during Spring and Summer.

We remove rubbish weekly, with clean-ups of green waste being required from time to time. We service the toilets weekly, with pump-out of the septic system as required.

The Cemetery is prone to pests such as rabbits and foxes, which can compromise monuments and interment sites. Weeds can also be damaging and are detrimental to the appearance and ecological values of the Cemetery and its surrounds.

The Muslim section was previously maintained by the Riverstone Cemetery Muslim Board (RCMB) under an agreement with Council. However, the RMCB has already exhausted all of their plots in the section, and they want to "exit" Riverstone Cemetery and revert all ongoing responsibility back to Council.



Site map sign on-site

1.2.6 Biodiversity management

The native vegetation in the Riverstone Cemetery, including remnant urban bushland in north-western and southern sections, is classified as Cumberland (Shale) Plain Woodland and considered to be regionally significant.

The site contains remnant canopy trees which must be protected under the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and a regenerating understorey. These provide a link to the neighbouring Zone C2 Environmental Conservation in the adjacent Knudsen Reserve to the east.

Bush regeneration and rehabilitation works in the latter site continue to be undertaken to maintain the existing remnant and create linkage corridors for biodiversity.

There is also a larger area of Cumberland Plain Woodland immediately to the west of the cemetery between Walker Parade to the north and Herbert Street in the south. This undeveloped land within an unreleased section of the North West Growth Area (NWGA) includes numerous privately-owned lots and is non-bio-certified set aside for biodiversity conservation.

The cemetery site contains both bio-certified and non-bio-certified lands.

In bio-certified areas, if any native vegetation clearance for future proposed works is not likely to have any biodiversity impacts on threatened species or threatened ecological communities on the site and neighbouring site, then further ecological assessment may not be required under the NSW Biodiversity Conservation Act 2016 (BC Act).

However, clearing works may still require an assessment under Part 5 of the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) including a Test of Significance (5 Part test). The next steps could also be preparation of a Species Impact Statement (SIS) or opting into the Biodiversity Offsets Scheme (BOS) and preparing a BDAR (Biodiversity Development Assessment Report).

Any native vegetation clearing in the non-bio-certified areas of site, would require an assessment of significance under the BC Act. This would require the preparation of a Flora and Fauna Assessment (FFA) to support a Review of Environmental Factors (REF) or a BDAR under the BOS.

Threats to biodiversity

Processes which adversely impacts on species, or which could cause a species or ecological community to be threatened by extinction are identified as Key Threatening Processes under the NSW BC Act and Commonwealth EPBC Act. Some key threats impacting on biodiversity include:

- · Habitat loss.
- Biosecurity risks including weeds, pest species, diseases and pathogens.
- Changes to the hydrological regime, water pollution and loss of farm dams.
- Future impacts of climate change.
- Altered fire management regimes.

Biosecurity risks

Under the Biosecurity Act 2015, biosecurity is a shared responsibility. Everybody has a duty of care in protecting NSW from biosecurity risks including both private and public authorities. Biosecurity risks include weeds, pest species, pathogens and diseases.

Council as the land manager has a responsibility to Identify and control biosecurity risks such as weeds, pest animals, pathogens and diseases at the cemetery. This Plan of Management (POM) will manage biosecurity risks in accordance with the Biosecurity Act, BC Act 2016 and EPBC Act. As of 2023, Council does not have a dedicated pest species control or biosecurity officer.

The Riverstone Cemetery has ongoing pest species control problems including animals such as rabbit and foxes and introduced weeds. For example, the burrows of active rabbit populations have previously undermined some graves. Because the site is Crown Land, Council has the opportunity to seek funding for pest control through the relevant State government grant programs.

1.2.7. Bushfire

The management of bushfire risk and bushfire prone land, including protection of cemetery assets, must be undertaken in accordance with current NSW legislation. This includes the local Bush Fire Risk Management Plan and mapping with reference to the provisions of Planning for Bushfire Protection (NSW Rural Fire Service 2019). The southern section of the site has the highest risk of bushfire.

1.2.8 Flooding

The eastern quarter of the site is flood prone and during times of increased surface flow can drain towards and into the adjacent Knudsen Reserve. Uncontrolled water flows can lead to altering the vegetation characteristics of the sensitive bushland areas towards more swampy conditions.



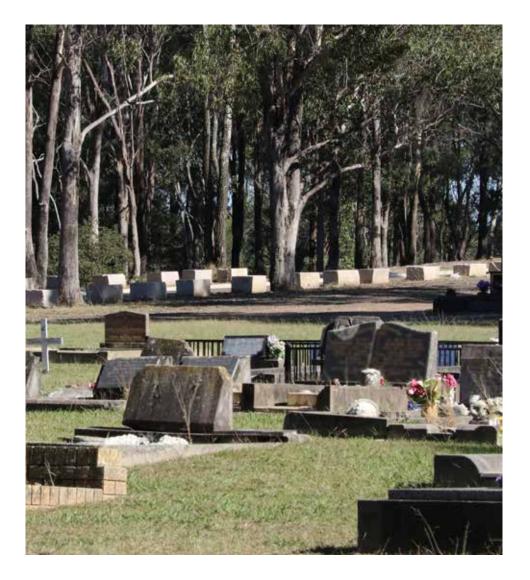
1.3 Opportunities and constraints

Key opportunities and constraints of the 'Existing situation' have been identified below. How these are addressed is set out in Part 2 of this Plan of Management.

Opportunity/ Constraint	Key issues and options
1. Burial capacity	There is limited capacity within the existing burial sections of the Cemetery. Unused sections of the site may provide additional burial space, subject to appropriate approvals. Longer term expansion of the site may also be considered, for example to the west across Penprase Street (if no longer required).
	Increasing burial capacity will extend the life of the cemetery and ensure that perpetual maintenance funds can be raised to meet long-term costs after burial capacity has been exhausted.
2. Burial options	Existing burial options (primarily monumental style) are costly to maintain and take up more land compared with other forms of burial (such as lawn cemetery style).
	Effective and efficient use of space is required to maximise both the benefits of the Cemetery to the community, as well as reducing the long-term maintenance costs for Council.
3. Natural features and character	The expansion of burial areas is likely to require the removal of some existing native trees. Any trees that are removed will be replaced within the site.
	Pests and weeds can have significant impact on structural integrity of monuments, public safety and environmental values. Ongoing management including occasional intensive targeted efforts are required to ensure that impacts are minimised.
	There is ongoing impact from surface flow drainage and occasional flooding downslope through the eastern section of the site and into the adjacent bushland of Knudsen reserve.

4. Facilities and function of cemetery	Improvements need to respect the heritage and cultural values of the site and have regard to the evolving needs of the Blacktown community. Improvements can broaden the range of burial and memorialisation options and enhance the appearance and function of the site (e.g. wayfinding, access, landscaping).
5. Forward planning	Current forward planning for the site is limited. As the supply of burial space runs out and the area surrounding the site changes from rural to urban, the Cemetery will enter a new phase in its use. The need for long-term forward planning will become more important.
	To guide the operation and maintenance of the Cemetery into the future, there are needs for a site master plan, an asset management plan/strategy, and a model for reviewing fees and charges.
6. Legislative and regulatory requirements	The need to meet legislative and regulatory requirements is becoming increasingly important, with a range of new reporting and operational requirements to be considered.
7. Children and infant section	There is no dedicated section for the burial of children and infants at the Cemetery. Establishing a dedicated section will benefit many within the community when dealing with the loss of young people.

8. Safety	Monuments that are not appropriately installed can pose a safety risk for cemetery workers and visitors. Current standards mean that monuments are generally safe. However, there is a need to enforce these standards and to identify and rectify any unsafe monuments, particularly those installed prior to the current standards coming into effect.		
	The site is bush fire prone, especially in the southern section, and this risk needs to be managed in accordance with NSW legislation, the local Bush Fire Risk Management Plan and mapping.		
9. Heritage values of the cemetery	Preserving and promoting the heritage values of the Cemetery can help to attract interest and activity from the broader community.		
	Conservation works, as well as other works within the Cemetery, should be undertaken within the context of the existing site-specific Conservation Management Plan and broader best practice.		
	No artefacts should be removed from the site without appropriate approvals and records.		
10. Overarching management and maintenance	This Plan of Management and other operational documents need to be regularly reviewed to ensure that they remain relevant. Similarly, maintenance and operational staff need to regularly update their skills and knowledge. Such practices will ensure that the Cemetery can respond to emerging issues and community needs.		



1.4 Legislative context

There are eight key pieces of legislation that apply to the use and management of Riverstone Cemetery:

- Crown Land Management Act
- Local Government Act
- · Cemeteries and Crematoria Act
- Native Title Act
- Environmental Planning & Assessment Act
- Public Health Regulation
- · Biodiversity Conservation Act
- Environmental Protection and Biodiversity Conservation Act

1.4.1 Crown Land Management Act 2016

The Cemetery is located entirely on Crown land. The Crown Land Management Act 2016 No 58 identifies provisions for the management of Crown owned land that has been dedicated or reserved. The land in the case of the Riverstone Cemetery has been dedicated for the purpose of a 'general cemetery'.

Blacktown City Council was appointed Crown land manager for Riverstone Cemetery (R1019448) on 6 November 2020. Previously, management of the land was 'devolved' to Council from 1967.

As the Crown land manager, Council can enter into leases and licences under the Local Government Act in accordance with a plan of management.

1.4.2 Local Government Act 1993

Riverstone Cemetery site is 'public land' under the Local Government Act, and Council is required to manage the 'public land' in accordance with Part 2 of the Local Government Act. This includes:

- classifying Council owned land as 'operational' or 'community'
- · categorising 'community' land
- preparing plans of management for 'community land'

Consistent also with the Crown Land Management Act, the Riverstone Cemetery site has been classified as Community Land and a draft plan of management for the cemetery land has been prepared.

The Local Government Act sets out the 'core objectives' for various categories of community land. Riverstone Cemetery is categorised as 'General Community Use' and the associated core objective is:

"...to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)."

Section 46 and Section 47 of the Local Government Act set out the powers of and requirements for councils to issue leases, licences and other estates on community land.

Requirements of the Crown Land Management Act and the Local Government Act for Council as Crown land manager for the cemetery site is highlighted in the diagram below.



1.4.3 Cemeteries and Crematoria Act 2013

The Cemeteries and Crematoria Act provides a regulatory basis for the management of all cemeteries in NSW, including Crown, local government and private facilities.

The Cemeteries and Crematoria Act was primarily introduced in response to a growing shortage of burial space, particularly in the greater Sydney metropolitan area. It established Cemeteries and Crematoria NSW as a regulatory agency for the interment industry and provides requirements that must be followed by operators (e.g. administration, reporting, procedures).

All cemetery operators, including councils may be required to provide performance reporting to Cemeteries and Crematoria NSW under s.41, for example annual reports of interment activity.

1.4.4. Native Title Act

The Riverstone Cemetery is Crown reserve managed by Council.

The Crown Land Management (CLM) Act includes specific provisions to facilitate compliance with the Native Title Act 1993 (Commonwealth) (NT Act). Native title refers to the rights and interests in relation to land and waters held continuously by Aboriginal people under their traditional laws and customs, recognised by Australian law.

All managers of Crown reserves, including councils, are responsible for complying with the NT Act.

A Native Title Manager report has been prepared to provide advice for Council on this Riverstone Cemetery draft Plan of Management (POM).

In written advice, the Native Title Manager has advised that this draft POM complies with the applicable provisions of the NT Act. A copy of the report can be accessed by submitting a request to Council via the contact details on page 6 of this document.

When proposing any act that may affect native title on Crown land or Crown reserves the act must be authorised through Part 2 Division 3 of the NT Act.

Where it is proposed to construct or establish a public work on reserved or dedicated Crown land, where native title is not extinguished, prior to approval Council will notify and give an opportunity to comment any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease as required under the NT Act.

Any leases, licences, easements and other estates on Crown land (a use agreement) may impact native title rights and interests. Any use agreement issued on Crown land must be issued in accordance with the future act provisions of the NT Act and in accordance with Part 8 of the Crown Land Management Act unless native title is extinguished.

For Crown land which is not excluded land this will require written advice of one of Council's native title managers that it complies with any applicable provisions of the Native Title legislation.

1.4.5 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 No 203 is the primary law regulating land use and development in NSW. It allows plans to be made to guide development processes and regulate land use. Such plans are known as environmental planning instruments and include local environmental plans (LEPs) and state environmental planning policies (SEPPs).

A primary function of these instruments is to specify where different kinds of development are allowed (e.g. in certain 'zones'). Any use or development of land must be consistent with the applicable environmental planning instruments.

Notable environmental planning instruments and their relevant provisions for Riverstone Cemetery, at the time this plan was written, are outlined in the following table.

Environmental planning instrument	Relevant provision(s)
Blacktown LEP 2015	Site is predominantly zoned SP1 – Special Activity (Cemetery) with a small portion for road widening in the south-east corner identified for SP2 – Infrastructure (Classified Road).
	Riverstone Cemetery is listed as Heritage Item 197 (local significance).
	Clause 5.10 – Heritage conservation, Sub clause (3) outlines instances when development consent is not required, including a specific reference to development in cemeteries.
SEPP (Sydney Region Growth Centres) 2006	The Cemetery forms part of the Marsden Park North Precinct that is proposed to be rezoned to predominantly urban purposes under the SEPP. The zoning of the Cemetery will remain the same.
	Areas of the Cemetery that are not flood prone (being the approximate western two thirds) benefit from biodiversity certification under the SEPP.

1.4.6 Public Health Regulation 2012

The Public Health Regulation controls all aspects of how bodies are disposed of, including the handling of bodies and exhumations.



View to former Diggers Shelter from the north

1.4.7 Biodiversity Conservation Act

The purpose of the Biodiversity Conservation Act 2016 No 63 (BC Act) in NSW is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

1.4.8 Environmental Protection and Biodiversity Conservation Act

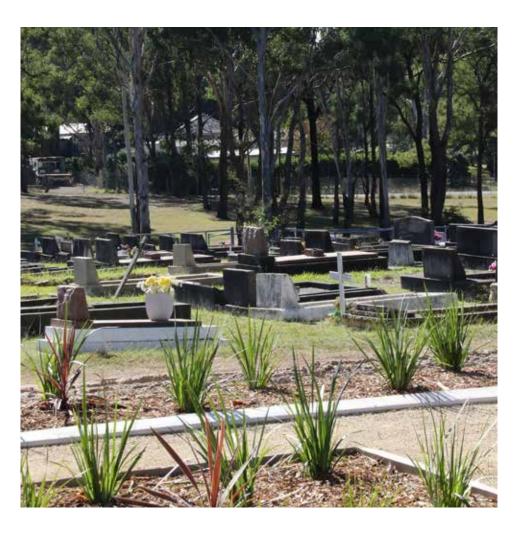
The Environment Protection and Biodiversity Conservation Act 1999 is the Australian Government's main piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities, and heritage places.



Part 2

Basis for management

This Part provides a basis for future management in the form of an Implementation action plan to achieve our vision and objectives for the Cemetery as set out in the Introduction to this Plan.



2.1 Our vision and Objectives

Our vision

Riverstone Cemetery will provides an attractive and dignified place for the interment and remembrance of the deceased.

Our objectives

To achieve our vision, we will:

- a. Offer a range of burial and ashes interment and memorialisation options at the Cemetery.
- b. Consider new opportunities for burials and ashes interment.
- c. Respect and enhance the natural and parkland setting of the site.
- d. Support maintenance practices that:
 - Are operationally efficient and cost effective.
 - Ensure the Cemetery is well presented, safe and functional.
 - Secure protection of threatened species, endangered ecological communities and bushland.
 - Control weeds and pest animal species.
- e. Support the management and use of the Cemetery now and into the future (when burial options have been exhausted) in the context of relevant legislative and regulatory requirements.
- f. Be financially sustainable into perpetuity.
- g. Respect the rural character and heritage values of the site.

2.2 Express authorisation of leases and licenses

Council will have the authority to grant leases and licences over the land, that are authorised under a plan of management.

There are no current leases or licences within the Riverstone Cemetery.

This Plan of Management expressively authorises the issue of leases, licences and other estates of the community land categorised as General Community Use covering cemetery related purposes, which may include:

- * Pop-up florist shop
- * Mobile coffee van or similar

Depending upon the type of proposed option, Council as the manager of the Crown reserve that Riverstone Cemetery is situated on, may need permission of the Minister administering the Crown Land Management Act (refer criteria in Clause 70 (2) of the CLM Regulation) to grant a lease or licence.

Under Section 2.20 of the CLM Act, a short-term licence up to 12 months would not require the Minister's consent.

2.3 Implementation action plan

We have developed an 'Implementation action plan' (refer to page 33) for this Plan of management.

The format of the Implementation action plan table includes the following columns:

- 'Management issue' addresses each of the 10 opportunities and constraints presented in Section 1.3.
- 'Objectives' identifies the relationship to the objectives outlined in the Introduction to this Plan of management. It is noted that all matters are consistent with the 'core objectives' for General Community Use land under the Local Government Act.
- 'Desired outcomes' identifies the long-term expected outcomes from the application of management strategies and actions.
- 'Strategy' identifies the high-level directions associated with each management issue.

- 'Actions' identifies more detailed steps required to facilitate the implementation of strategies.
- 'Priority' identifies the comparative timing of implementation (subject to funding) as short-term (within 5 years), medium term (5 to 10 years) or long-term (10+ years) or as 'Ongoing' or 'As required' where a dedicated time frame is not applicable.
- 'Performance measure' identifies the ways that performance or success will be measured.

2.4 Other management documents

This Plan of Management is supported by the Riverstone Cemetery Conservation Management Plan – 2009.

The implementation of this Plan of Management will be enabled through an internal facing 'operational plan' that guides staff responsible for management and maintenance of the Riverstone Cemetery.

2.5 Administration and management

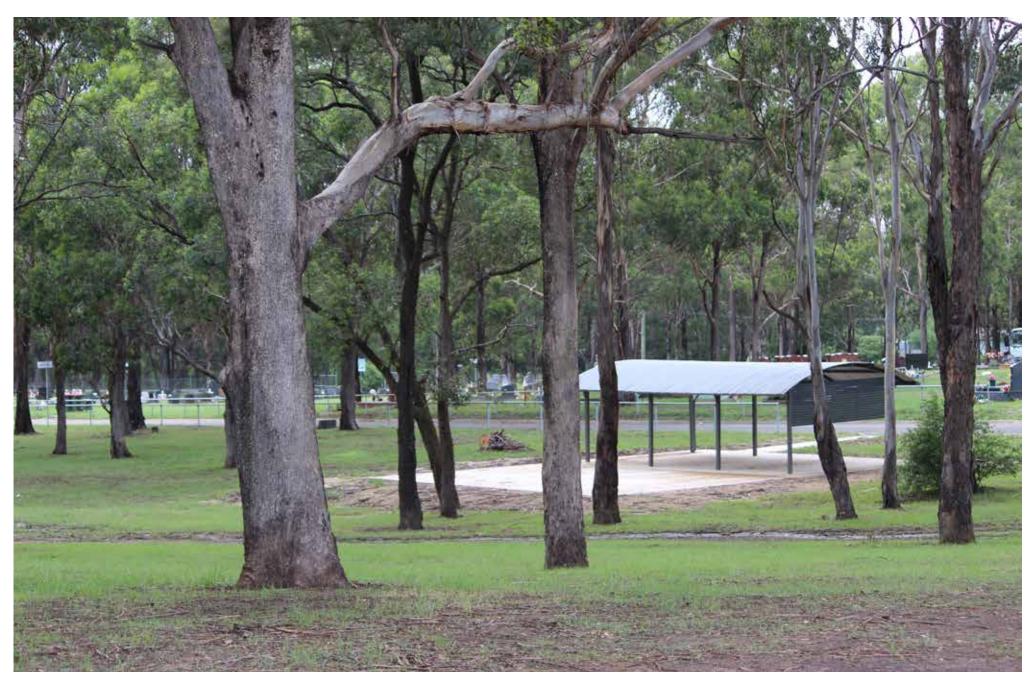
Whilst efforts will be made to implement all aspects of this Plan of Management, the timing and extent of implementation will be subject to competing priorities for our limited resources.

A financial reserve for Riverstone Cemetery, for the purposes of cemetery development and perpetual maintenance, is likely to be the primary source of funding under this Plan of Management.

It is intended that this Plan of Management will be reviewed within 10 years of the date of endorsement by Council. However, there will be ongoing monitoring on progress for implementation of the Plan and specific actions will be included in the Integrated Planning and Reporting framework applied by Council. This will include Council's 4-yearly Delivery Programs and annual Operational Plans.

Figure 1 sets out the process for preparation, adoption, implementation and review of the Plan of Management.





View to east through the Cemetery to Knudsen Reserve beyond

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
1 Burial capacity	the context of existing character	maximised within the context of	1.1 New burial areas are identified and made available over time	1.1.1 Prepare a site master plan to identify future burial areas and how they can be delivered in a co-ordinated way over the long-term.	Short-term	Master plan prepared
		and development over time		1.1.2 Obtain necessary approvals for new burial areas as identified through the master plan process.	Short-term	Approvals in place in line with planning requirements
				1.1.3 Implement available areas as required and under staging as identified through the master plan process.	Ongoing	Burial sections made available as required
			1.2 Use of existing burial areas is maximised	1.2.1 Identify unused interment sites that may be revoked under legislative requirements.	Short-term	Options for use of all interment rights explored
				1.2.2 Consider buy back options for existing interment rights to ensure that the ultimate capacity of the site can be maximised.	Short-term	Options for use of all interment rights explored

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
2 Burial options	a, b, e, f, g	f, g A suitable suite of burial options is available to meet operational and community needs	2.1 Establish lawn burial areas	2.1.1 Identify within the proposed site master plan, lawn burial sections alongside existing monumental burials to provide additional burial options within the site.	Short-term	Lawn cemetery option available
			2.2 A range of memorialisation options are available at the site	2.2.1 Identify, within the proposed site master plan, memorialisation opportunities (e.g. in gardens, memorial walls, boulders).	Short-term	Memorialisation opportunities identified
			2.3 Monitor changes in demographic and industry trends	2.3.1 Monitor trends within the funeral and cemetery industries, and as required, develop strategies/actions to address these trends over time.	Ongoing	Attendance at industry conferences and events
				2.3.2 Monitor trends in demographics within the Blacktown LGA and, as required, consider strategies/ actions to address community needs within the context of Riverstone Cemetery and other available sites.	Ongoing	Review of demographic data undertaken at regular intervals
3 Natural features and character	a, c, d, e The range of on-site activities and facilities are consistent with environmental opportunities and constraints, and broader character of the site.	3.1 Enhance existing native vegetation	3.1.1 Identify, number and assess existing trees within proposed burial areas in the context of the site master plan.	Short-term	Tree assessment completed with Master Plan	
		environmental opportunities and constraints, and broader character	and ensure replacement of vegetation where removed for development needs	3.1.2 Develop and apply a planting schedule to identify the type, size and location of proposed planting (minimum replacement rate of 2 new trees for any 1 tree removed).	Long-term	Overall number of trees on site increases over time

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
			rural/bushland	3.2.1 Minimise the use of hard infrastructure, signage and fencing in line with the site master plan and so as to not detract from the existing character.	Ongoing	Existing rural/ bushland character retained
			cemetery	3.2.2 Soften new or existing infrastructure through appropriate landscaping with native species.	As required	Planting included with infrastructure works
				3.2.3 Identify, as part of the site master plan process, other opportunities to enhance natural vegetation and ecological values including Cumberland Plain Woodland as an endangered ecological community.	Short-term	Ecological values provided within site Master Plan
				3.2.4 Investigate and mitigate the impact of surface drainage flows through the site from intense rainfall events and erosion.	Medium- term	Effective drainage measures in place to reduce flooding and erosion
			3.3 Actively control impacts of pests and weeds on the Cemetery	3.3.1 Establish a 'Pest and weed management plan' that includes ongoing and regular activities, and direction for targeted actions as required.	Short-term	Pest and weed management plan in place
				3.3.2 Ensure the Pest and weed management plan includes direction to control weeds through appropriate herbicides avoiding any adverse impact to people or grave sites or monuments.	Ongoing	Weeds managed in line with Pest and weed management plan
				3.3.3 Ensure the Pest and weed management plan includes direction to assist identification of pest impacts, and to undertake targeted and intensive baiting to control and reduce pest populations where identified.	As required	Pests managed in line with the Pest and weed management plan
				3.3.4 Implement a volunteer program to assist with maintenance of weeds within gravesites.	Short-term	Volunteer maintenance program established

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
4 Facilities and function of cemetery	a, b, e, f	b, e, f New and existing facilities consider heritage, cultural and community needs 4.1 Design outcomes to consider existing cemetery heritage/evolution in future stages 4.2 Cultural needs considered within future facilities 4.3 Cemetery is managed by Council into the future 4.4 Improve identification of rows/grave sites 4.5 Improve accessibility around the cemetery	outcomes to consider existing cemetery heritage/ evolution in	4.1.1 Identify, as part of the master plan process, future facilities and how these integrate with existing e.g. lawn cemetery and children's sections, as well as memorialisation opportunities.	Short-term	Master plan prepared with appropriate consultation
			considered within	4.2.1 Consider cultural needs within existing and future facilities, and explore opportunities for integration through the master plan process.	Short-term	Cultural needs considered within master plan
				4.2.2 Prior to the adoption and implementation of a "master plan" which authorises the establishment or construction of a public work, Council will notify and give an opportunity to comment any representative Aboriginal/Torres Strait Islander bodies, registered Native Title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease as required under the Native Title Act 1993. This may require further Native Title manager advice.	Ongoing	Native Title manager advice provided when necessary
			is managed by Council into the	4.3.1 Continue, as perpetual care managers, to manage existing interment (where not under separate agreement) and all future cemetery stages.	Ongoing	All new available interments are managed by Council
			·	4.4.1 Introduce row markers.	Short-term	Row markers installed
			4.4.2 Improve mapping of rows and graves.	Short-term	Rows and graves can be easily identified on a map	
			accessibility around the	4.5.1 As part of the master plan, consider how accessibility and parking around the cemetery can be improved.	Short-term	Master plan prepared with appropriate consultation

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
5 Forward planning	a, b, f	Long-term planning is provided to ensure efficient and effective implementation of priorities over time and in recognition of perpetual care needs	5.1 Long-term costs and revenues are understood and able to be monitored	5.1.1 Develop a master plan that provides for full utilisation of the site including predicted number of interment sites to reach burial capacity.	Short-term	Master plan prepared and readily available
				5.1.2 Develop an asset management plan/strategy alongside the master plan to understand the long-term costs of asset provision and replacement.	Short-term	Asset management plan/strategy is prepared
				5.1.3 Use the site master plan and asset management plan/strategy to establish long-term costs and revenues to assist in developing fee policies to meet perpetual needs.	Short-term	Long-term pricing strategy developed
6 Legislative and regulatory requirements	a, d, e,f	and procedures are in place to meet legislative, operational and community needs 6.2 Re record requir under Ceme Creme	strategies and policies are establish requirements and procedures for on-site industry professionals e.g. stone masons, funeral directors, asset and ground maintenance staff, spoil removal.	Medium- term	Cemetery contractor use policy developed	
			needs	6.1.2 Ensure the management of the site is transparent to site user groups and the public, addressing issues such as maintenance, ornaments, hours of operation and access requirements.	Short-term	Information readily available to the public
			6.2 Reporting and record keeping requirements	6.2.1 Maintain a register of interment rights and interments in line with Section 63 of the Cemeteries and Crematoria Act 2013.	Ongoing	Register maintained
			Cemeteries and Crematoria Act 2013 are met	6.2.2 Prepare and submit information to Cemeteries and Crematoria NSW as required in the Cemeteries & Crematoria Act 2013 including annual reporting of interment activity.	As required	Necessary reporting requirements undertaken and submitted

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
7 Children and infant section	a, b	Respectful and appropriate provision of cemetery space for children and infants is provided	7.1 Appropriate space and design of a children/infant's area is identified and made available over time	7.1.1 Include a section for the interment and memorialisation of children and infants in the proposed site master plan.	Short-term	Area included within master plan
				7.1.2 Obtain necessary approvals for the identified children and infants section as required.	Short-term	Area approved (potentially in conjunction with broader approval processes)
				7.1.3 Establish children and infants area and develop information on the new section.	Medium- term	Area available for interment
8 Safety	d	Safety implications of monuments are recognised and a structured process of safety auditing is established	8.1 A monumental safety program is established	ty program is leaders (e.g. Rookwood), a preferred process for undertaking safety checks of existing monumental within realistic resourcing limitations.	Short-term	Initial review undertaken and preferred process identified
					Ongoing	Process established and implementation commenced
				8.1.3 Ensure that all new monuments constructed in the Cemetery meet current Australian Standards.	Ongoing	Construction procedures include relevant inclusions
	d	Bush fire risk throughout the site is managed to the necessary standards	8.2. Bush fire risk is managed appropriately to protect cemetery assets	8.2.1 Ensure that bush fire management is consistent with the requirements of State legislation and the local Bush Fire Risk Management Plan.	Ongoing	Implementation with monitoring of conditions and reporting is undertaken

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
9 Heritage values of the cemetery	a, d, e, g	The Cemetery's heritage values are understood, recorded and acknowledged	9.1 All works are undertaken consistent with the site Conservation Management Plan (CMP) 2010 (or as updated)	9.1.1 Ensure historical artefacts are not removed from the site until they are property recorded (i.e. location, description, photographs) and necessary approvals obtained.	Ongoing	Artefacts are recorded where removal is required
				9.1.2 Ensure mowing and line-trimming is undertaken to minimise contact (damage) with monuments.	Ongoing	Maintenance policies are established and staff appropriately trained
			9.2 The Conservation management plan is up to date and in line with best practice	9.2.1 Review and update the Riverstone Cemetery Conservation management plan in line with current best practice including the National Trust of Australia (NSW Branch) Guideline for Cemetery Conservation (2009).	Medium- term	New Conservation management plan adopted
			9.3 Engage and celebrate heritage and cultural	9.3.1 Introduce signage and website content to promote the history and heritage values of the site.	Short-term	Signage and material available and implemented
			values of the Cemetery	9.3.2 Implement a volunteer program to photograph monuments, for inclusion in an online burial register and potentially run guided tours.	Medium- term	All monuments photographed and catalogued
				9.3.3 Investigate the use of QR codes (or the like) on site, to share information about the cemetery and who is buried there.	Medium- term	Information about the cemetery is more readily available on-site

Management issue	Objectives	Desired outcomes	Strategy	Actions	Priority	Performance measure
10 Overarching management and maintenance	a, d, e	Management documents remain up-to-date and used in a consistent manner	10.1 Review Plan of management and other operational	10.1.1 Review all actions associated with the Plan of management at regular intervals (every 3 years) to identify current and ongoing priorities. 10.1.2 Incorporate review mechanisms in operational documents and ensure reviews take place accordingly. Ongoing	Ongoing	Reviews undertaken
			documents to avoid redundancy.		Ongoing	Review mechanisms included in all management documents
		Staff are appropriately qualified and skilled to undertake required activities	10.2 Training and skills needs are identified for all cemetery staff	10.2.1 Ensure managers (and operational staff as applicable) attend regular industry events, conferences and training to be aware of an understand industry best practice.	Ongoing	Management staff training and industry attendance opportunities identified
				10.2.2 Provide operational and maintenance staff with appropriate skills training to manage the Cemetery and associated work activities in a safe and empathetic manner, including training in dealing with those in a state of bereavement/grief.	As required	Staff training needs identified and undertaken
		Maintenance of RMCB section and other past burials is undertaken regularly and consistently to a high standard.	10.3 Maintenance agreements in place involving all relevant sections of Council and meeting expectations of relevant external stakeholders.	 10.3.1 Set up regular maintenance schedules, lines of responsibility and record keeping for timely implementation. 10.3.2 Ensure implementation of maintenance agreements across Council are consistently met. 	Ongoing	Monitor and report on implementation and review agreements on annual basis

Abbreviations

APZ - Asset Protect Zone

BDAR - Biodiversity Development Assessment Report

BOS - Biodiversity Offsets Scheme

BCC - Blacktown City Council

CC Act – Cemeteries and Crematoria Act

CLM Act – Crown Land Management Act

DCP – Development Control Plan

EPA Act – Environmental Protection and Assessment Act

EPBC Act – Environmental Planning and Biodiversity Conservation Act

FFA – Flora and Fauna Assessment

LEP – local environmental plan

LG Act - Local Government Act

LGA – local government area

NWGA - North West Growth Area

POM - Plan of Management

PHR – Public Health Regulation

RCCMP - Riverstone Cemetery Conservation Management Plan

REF - review of environmental factors

SEPP – State environmental planning policy

Glossary

Archive - A collection of documents or records created or received providing information about a place, institution, person or group of people, and accumulated by a person or organisation in the course of the conduct of affairs and preserved because of their continuing value. Historically, the term has often referred more narrowly to non-current records deposited or selected for deposit in an archival institution.

Artefact - A human-made object, such as pieces of art or tools, that is of particular cultural, historical or archaeological interest.

Canopy tree - This means any tree or other woody plant that when fully grown will provide shade and/or shelter for the land beneath while allowing passage of people, animals and/or vehicles upon the land beneath.

Cemetery - A formal place containing one or more burial places.

Climate change - Climate change refers to any long-term trends or shifts in climate over many decades. These changes may be due to natural variations (such as changes in the Earth's orbit) or caused by human activities changing the composition of the atmosphere through carbon emissions that lead for global warming. Climate variability overlays and sometimes hides longer-term climate change.

Community Land - Council looks after land in public spaces like parks and reserves, natural areas, recreation spaces and cultural or heritage sites, and most of this is classified under the Local Government Act as Community Land. Most of this Community Land is owned by Council and the rest is Crown Land owned by the NSW Government and managed on its behalf by Council.

Funeral director - A person or organisation (other than the operator of a mortuary transport service) who, in the conduct of the person's business, engages, for the purpose of burial, cremation or transport, in the collection, transport, storage, preparation or embalming of bodies or engages in the conduct of exhumations.

Gravedigger - A cemetery worker who is responsible for preparing, digging and back filling graves and ensuring grave sites are appropriately presented before and immediately after burials.

Grave - A site within the cemetery where the coffin/casket containing the deceased will be or has been placed.

Heritage significance - Places and objects worth keeping due to their historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value. The four levels of heritage are within the local area, statewide, Australia-wide or worldwide. Most heritage in NSW is local heritage, meaning it is important to the heritage of the local area or region. The area or region of local heritage can cross local government area boundaries, contain more than one local government area, or only part of a local government area, such as the suburb, group of suburbs, ward, parish, county, catchment area, river basin or historic region. Heritage places that are rare, exceptional or outstanding beyond the local area or region may be state significant. Unique or outstanding heritage in a national or international context may reach the national or world levels of significance.

Memorial - An item placed to acknowledge and remember a person who has died. Memorials can take many forms. They are often placed with a person's remains (e.g. a grave marker, such as a headstone), but they can also be placed in any significant location, even if a person's remains are not at that location.

Monument - Any structure, memorial, plaque, headstone, masonry, metal work, casting or item placed over, in or around an interment site.

Plan of Management - Plans of Management (POM) are legal documents developed by councils in NSW to guide how a park or reserve (or groupings) will be managed into the long term. They establish directions for planning, resource management and maintenance of the land. The Local Government Act 1993 (LG Act) requires Council to have a POM in place for all public land that is classified as 'community land'. This land is either owned by council or Crown Land managed by council. A POM can be site specific (e.g. Riverstone Cemetery) or generic (covering a whole category or even all community land)

Planting - Any tree, shrub, bush, vine, grass or groundcover, that has been planted for aesthetic, cultural, religious, commemorative, shade or ecological purposes.

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