

Cemeteries and Crematoria Program Newsletter

April 2006

Introduction

There have been many changes over the last nine months since the commencement of the new laws, and the department would like to acknowledge and thank trusts for the considerable work they have undertaken during this period.

New contact details

As advised in the attached contact sheet, DHS has recently moved offices.

Please update your records accordingly.

New Manager, Cemeteries and Crematoria Program

Raelene Lesniowska was appointed as the new Manager of the Cemeteries and Crematoria Program in December 2005.

Raelene comes from the department's Drugs Policy and Services Branch, and brings experience in implementing complex legislation, stakeholder relations, strategic planning, policy development and operations.

Raelene is looking forward to her ongoing role working with trusts.

Cemetery trust fees

On 17 January 2006 a letter was sent to all small and medium trusts advising that all new and existing fees must be approved under the new Act by 30 June 2006.

Trusts should note that:

- A response to this letter was required by 31 March 2006.

• If a response has not yet been provided, trusts should do so as soon as possible to ensure their fees are approved by the delegate by 30 June 2006.

- The department will now meet the Government Gazette advertising costs relating to fee approvals.
- Existing fees remain current subject to approval under the Act.

The department has assisted a number of trusts with their submission of fees and encourages trusts that are having difficulty with this process to contact Peter Bright on 9096 5159 or 1800 034 280.

Insurance issues

Personal accident insurance

The Victorian Managed Insurance Authority (VMIA) has advised that additional personal accident insurance cover is now available for trust members who are 65 years of age or older.

All enquiries regarding the additional cover should be directed to Ms Jodie Ryan, VMIA on: (03) 9911 6938, 0408 595 932 or by e-mail at j.ryan@vmia.vic.gov.au

The department welcomes this outcome and is continuing discussions with VMIA in an effort to seek even more comprehensive cover for trust members in this age group.

Property insurance

The Cemeteries and Crematoria Program has commenced discussions with the VMIA regarding property insurance for cemetery trusts to provide additional cover for things such as vandalism and theft.

Further advice will be provided to trusts once the VMIA has developed a suitable policy for this purpose.

Native vegetation – do you have a PAMA?

Currently native vegetation is protected by law, including that which is on crown land reserved for cemetery purposes.

This restricts the ability of some trusts to maintain and develop their cemeteries, and in some cases to use the space that has been allocated for interments.

The department is working through these issues with the Department of Sustainability and Environment (DSE) and affected trusts to develop and implement solutions.

Throughout this process it came to the department's attention that some trusts have entered into Public Authority Management Agreements (PAMA) under the *Flora and Fauna Guarantee Act 1998*.

These agreements are between the Secretary to the DSE and trustees, and are legal instruments that provide for the management and protection of native vegetation.

If your trust has an existing PAMA, please forward a copy to the department.

This will help the program area to assess the potential impact of existing PAMAs on the future operations of affected cemeteries.

Leasing and licensing of cemetery land

Under section 36(1) and 37(1) of the Act a cemetery trust may grant a licence or lease of cemetery land for any purpose approved by the Minister.

The Minister has approved the following general purposes for cemetery trusts to enter into lease or licence agreements, without having to seek direct Ministerial approval on each occasion.

Licence: -

- Operating a flower stall at a public cemetery
- Catering services provided to mourners
- Operating a café or other retail food and beverage facility

Note that a licence must be for a specified period not exceeding three years.

Lease: -

- Erection of telecommunication towers
- Grazing of cattle or sheep
- Irrigation for agricultural purposes
- Residential
- Farming

Note that a lease must be for a specified period not exceeding 21 years.

Details of all existing or new leases or licences that relate to the approved purposes above must be advised to the department in writing within 28 days of the agreement being signed.

Applications for licences or leases for purposes other than those approved by the Minister, or which require non-standard terms and conditions, must be submitted to the department for Ministerial approval.

Trust members

Under Section 6 of the Act, a cemetery trust must consist of not less than three and not more than 11 members.

Ideally, trusts should aim to maintain a minimum of five members to enable minimal disruption to trust functions in the event of illness or absence of trust members.

Trusts who wish to advertise for new members should advise the department in writing and provide the name of a local newspaper.

The department will then place a public notice in the relevant newspaper, seeking expressions of interest.

Trust member resignations should be notified to the department by either a *Cemetery Trustee Resignation Form* or in writing, and must include a reason for the resignation.

In the unfortunate event of a trust member passing away, it would be appreciated if the relevant trust could advise the department in writing to enable the department to update its trust records.

Abstracts of accounts

Under the Act, it is a statutory requirement for all trusts to submit annual Abstracts of Accounts to the department, using the enclosed form.

Trusts should also supply certificates indicating the balance of investments and bank accounts at the end of the relevant reporting period (and where reserves are over \$25,000, an audited statement of accounts).

From 1 July 2005, abstracts are due for each financial, rather than calendar year. To facilitate this change, abstracts were requested for 1 Jan – 30 June 2005 (small/medium trusts) or 1 Jan 2005 – 30 June 2006 (large trusts), then for full financial years thereafter.

Any trusts with outstanding abstracts should submit them to DHS as soon as possible.

Abstracts for the reporting period ending 30 June 2006 are due on 1 September 2006.

Any enquiries regarding cemetery management and operations should be directed to the Cemeteries and Crematoria Program on 1800 034 280.

CEMETERIES AND CREMATORIA PROGRAM CONTACT INFORMATION

Office Location

We have moved from 120 Spencer Street to 50 Lonsdale Street, Melbourne.
Melways reference: Map 1B Grid T3.

Office Hours

Monday to Friday, from 8.30 am to 5.00 pm

Cemeteries and Crematoria Program Staff

Name	Title	Direct Contact Number
Raelene Lesniowska	Manager	(03) 9096 5970
Carol Buttigieg	Project Officer	(03) 9096 0358
Peter Bright	Project Officer	(03) 9096 5159
John Bernabo	Administration Officer	(03) 9096 5160

Regulatory Compliance and Review Staff

Name	Title	Direct Contact Number
Bryan Crampton	Manager	(03) 9096 5808
Anne-Marie Greenfield	Senior Project Officer	(03) 9096 6158

General Enquiries

General enquiries can be directed to 1800 034 280. This is a free call number.

Direct Contact Numbers

Please feel free to contact staff directly at any time, on the numbers listed above. Note that diversion of our old direct numbers is due to cease as of 10 April 2006.

Appointments

Due to security arrangements at 50 Lonsdale Street, any visitors to the program are required to make an appointment at least 24 hours in advance. This will facilitate the issue of a temporary security pass on arrival, to enable visitor access for meetings with program staff.

Fax Number: The new fax number at 50 Lonsdale Street is (03) 9096 9186.

Postal Address

Cemeteries and Crematoria Program
Department of Human Services
PO Box 4057
MELBOURNE VIC 3001

