

## **Summary of meeting re Burial and Cremations Amendment Bill 2018**

**Meeting held on 10 October 2018**

### **Attendees:**

**Travis Tann, Tasmanian Divisional President AFDA and General Manager Millingtons**  
**Alex Tay, Director of Local Government, Dept. of Premier and Cabinet**  
**Danielle Hofman, Project Manager – Cemeteries Legislative Review**

### **Proposed amendments – changes supported**

AFDA supports several of the proposed amendments particularly:

- the five yearly audit; noting Millingtons already undertake a thorough self-audit process of its cemeteries; and
- the establishment of the Regulator role and increased oversight of compliance. Application of these provisions to prescribed businesses would also be supported.

Mr Tann did not note any concerns in relation to the proposed sale and closure processes.

### **Millingtons**

In July 2008 Millingtons took over the management of cemeteries from the Southern Regional Cemetery Trust.

Millingtons own and/or manage five cemeteries – Cornelian Bay, Kingston (Hobart Regional Cemetery), East Risdon, Cambridge and Pontville Catholic.

### **Issues of concern**

AFDA outlined concerns with some of the proposed amendments, as described below.

#### *Closure of cemeteries*

The proposed increase from 30 to 100 years since the last burial before a cemetery can be closed will potentially drive a significant increase in burial cost, given the longer period over which the cemetery manager must maintain the cemetery with no revenue coming in.

Whilst the change may not be a big issue for smaller country church cemeteries, it will effect larger council-owned and privately-owned cemeteries. It will be a significant consideration when forecasting and budgeting operating costs versus burial ratios and pricing.

Mr Tann noted that AFDA's Tasmanian Members have expressed concerns that an anticipated increase in maintenance costs resulting from this provision would require cemeteries to increase the price of plots. These costs would be passed onto the client and potentially reflect negatively on the funeral profession.

#### *Maintenance*

The proposed amendments appear to increase maintenance responsibilities for cemetery managers by shifting the responsibility for maintaining headstones from the family of the deceased to the cemetery manager.

Whilst the AFDA would not object to increased protection from the removal of headstones, the cost of repairs etc. should not be borne by the cemetery manager. The cemetery manager is responsible for upkeep of other areas of the cemetery, such as mowing the lawn, fences and paths. The costs of repair should be borne by the family of the interred as they are the monument owner.

#### *Potential cost increases*

Mr Tann described the impact on funeral businesses should the proposed amendments result in an increase to the cost of burials.

All funeral service providers offer prepaid funeral services and have a number of agreements in place. Under the Prepaid Funeral Act, the funeral provider is obliged to provide the funeral service and burial as contracted with the client. If the cost of burials were to increase, this would be borne by the funeral provider at a significant financial loss.

*Cemetery register*

Mr Tann noted the AFDA may be able to assist in bringing the cemetery register up to date and to support future audits as is currently done for the Prescribed Business register.