



**FRANKSTON CITY COUNCIL CEMETERY TRUST
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 17 MAY 2023 AT 6.15PM**

PRESENT
Cr. Nathan Conroy (Mayor)
Cr. Kris Bolam
Cr. David Asker
Cr. Suzette Tayler

OFFICERS:
Mr. Phil Cantillon, Chief Executive Officer (Trust Secretary)
Ms. Brianna Alcock, Manager Governance
Team Leader Cemetery
Cemetery Officer

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

I acknowledge the Traditional Custodians of the land on which we meet today, the Bunurong People of the Kulin Nation, and pay my respect to Elders past, present and future. I would like to extend that respect to Elders of other communities who may be here today.

WELCOME FROM THE MAYOR

As part of the Frankston Cemetery Trust (Cemetery Trust) and under the Cemeteries and Crematoria Act 2003, the Trust must meet at least once annually. These meetings are held for the purpose of keeping the Trust informed regarding matters relation to the Frankston Memorial Park in particular and current issued pertaining to management of cemeteries in general, in addition to authorising certain actions.

In accordance with Council's Frankston Memorial Park Model Rules and the guidance for Class B Cemeteries, the Cemetery Trust should hold one of its general meetings open to the public at least once annually. Councillors are delegated annually to the Frankston Cemetery Trust as representatives of all Councillors, being the Cemetery Trust.

The meeting today is open to the public, via live stream, and will provide the Cemetery Trust with an update on, refurbishment of the toilet and columbarium building, short and long term capital works projects, maintenance of Cemetery grounds, review of the current Cemetery fees and utilisations review.

Item	Topic	Presenting Officer	Page
	Open meeting and welcome new members	Mayor, Cr Conroy	
1	Confirmation of Trust Meeting Minutes for 26 October 2022	Mayor, Cr Conroy	3
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1. Confirmation of Trust Meeting Minutes for 26 October 2022

Minutes of the Cemetery Trust Meeting held on 26 October 2022 were presented at the Council Meeting (CM17) held on 21 November 2022. A copy of these Minutes is attached.

Trust Secretary Recommendation

That the Trust notes the endorsed Minutes from the 21 November 2022 Council Meeting.

ATTACHMENTS

Attachment A: [↓](#) Council Confirmation of Minutes for the Frankston Cemetery Trust held on 26 October 2022 (CM17 - 21 November 2022)

Attachment B: [↓](#) Cemetery Trust Minutes - 26 October 2022

COUNCIL MEETING MINUTES	26	21 November 2022 2022/CM17
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12.7 Confirmation of Minutes for the Frankston Cemetery Trust held on 26 October 2022

(BA Corporate and Commercial Services)

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Harvey

That Council:

1. Receives and adopts the Minutes of the Frankston Cemetery Trust meeting held on 26 October 2022;
2. Notes the updates provided on the Caretakers House and Toilet Building refurbishment projects;
3. Notes the update provided on the maintenance of the Cemetery grounds;
4. Receives and approves the assessment for removal of the Rotunda and the area to be relevelled given the occupational health and safety risk;
5. Notes and approves the increase of fees over three years to recover direct costs, pending final approval by the Department of Health;
6. Notes the Abstract of Accounts 2021-2022 was signed and sealed on 26 October 2022; and
7. Resolves for Attachment C (Frankston Memorial Park – Fee justification model – Monumental section) to be retained confidential indefinitely on the grounds that it contains information that is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; (*Local Government Act 2020, s.3(1)(g)*). These grounds apply because the information concerns costing formulated tables and would, if prematurely released, result in provision of these tables to other parties.

Carried Unanimously

Note: Refer to page 5 of these Minutes where this item was Block Resolved

Chairperson's initials.....



**MINUTES OF THE CEMETERY OF THE FRANKSTON CITY
COUNCIL CEMETERY TRUST
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON ON
26 OCTOBER 2022 AT 5.00PM**

TRUST COMMITTEE:	Cr. Nathan Conroy (Mayor) - Chair Cr. Kris Bolam Cr. David Asker
APOLOGIES:	Director Corporate and Commercial Services Director Infrastructure and Operations Manager Operations
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer (Trust Secretary) Manager Governance Coordinator Building Projects Team Leader Cemetery Cemetery Officer
EXTERNAL REPRESENTATIVES:	Nil.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

I acknowledge the Traditional Custodians of the land on which we meet today, the Bunurong People of the Kulin Nation, and pay my respect to Elders past, present and future. I would like to extend that respect to Elders of other communities who may be here today.

Item	Topic	Presenting Officer	Page
1	Declaration of disclosure of any conflict of interest	Mayor, Cr Conroy	
2	Confirmation of Trust Meeting Minutes for 6 April 2022	Mayor, Cr Conroy	3
3	Project Update	Coordinator Building Projects	5
4	Park Maintenance Update	Manager Operations	6
5	Removal of Rotunda (OH&S) Concerns	Manager Governance	7
6	Review of Frankston Memorial Park fees	Manager Governance	8
7	Sealing of Abstract of Accounts for 2021-2022	Manager Governance	9
	Closure of Meeting	Mayor, Cr Conroy	

Cemetery Trust Meeting

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26 October 2022

WELCOME FROM THE MAYOR

As part of the Frankston Cemetery Trust (Trust) and under the Cemeteries and Crematoria Act 2003, the Trust must meet at least once annually. These meetings are held for the purpose of keeping the Trust informed regarding matters relation to the Frankston Memorial Park in particular and current issued pertaining to management of cemeteries in general, in addition to authorising certain actions.

In accordance with Council's Frankston Memorial Park Model Rules and the guidance for Class B Cemeteries, the Cemetery Trust should hold one of its general meetings open to the public at least once annually. The meeting held on 6 April 2022 was open to the public and therefore this meeting is closed to the public. Councillors are delegated to the Frankston Cemetery Trust as representatives of all Councillors, being the Frankston Cemetery Trust.

The meeting today will provide the Trust with an update on, refurbishment of the Caretakers House and the Toilet Building, maintenance of cemetery grounds in general and request for contract to be outsourced, removal of rotunda, review of the current Cemetery fees and sealing of the Abstract of Accounts.

1.1 Confirmation of Trust Meeting Minutes for 6 April 2022

Minutes of the Cemetery Trust Meeting held on 6 April 2022 were presented at CM05 on 26 April 2022. A copy of these Minutes is attached.

It is recommended that the endorsed Minutes are noted.

Trust Secretary Recommendation

That the Trust notes the endorsed Minutes from the 26 April 2022 Council Meeting

Cemetery Trust Decision

Moved: Councillor Asker

Seconded: Councillor Conroy

Trust Secretary Decision

That the Trust notes the endorsed Minutes from the 26 April 2022 Council Meeting

Carried Unanimously

Cemetery Trust Meeting	4	26 October 2022
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2.2 Project Update

Caretaker House Refurbishment

The Caretakers House has now been refurbished to accommodate a Cemetery Customer Service office to provide better safety oversight and service experience at Frankston Memorial Park. A defects check has been completed and handover meeting is scheduled with officers for Thursday 27 October, with transition to occupy the site following this.

Toilet Building Refurbishment

The Toilet Building refurbishment project is progressing and works are currently underway. A contract was awarded to the preferred tender and the renovation commenced in September 2022. The project is scheduled for delivery in January 2023.

It is recommended that the updates on both projects are noted.

Trust Secretary Recommendation

That the Trust notes the verbal update provided on the Caretakers House and Toilet Building refurbishment projects.

Cemetery Trust Decision

Moved: Councillor Asker

Seconded: Councillor Bolam

Trust Secretary Decision

That the Trust notes the verbal update provided on the Caretakers House and Toilet Building refurbishment projects.

Carried Unanimously

3.3 Park Maintenance Update

The park maintenance and upkeep of the Cemetery Grounds are currently arranged by the Operations Department and carried out by contractors appointed for horticultural maintenance of parks across the municipality.

In addition whilst Council resolved to use a contractor for burials to ensure specialised OHS standards and safety requirements are met, we have since observed exceptional service for burials and positive feedback from clients.

In order to comply with Council's Procurement Policy a Request for Tender (RFT) was put together with the intention to get a feel for the open market and potentially combine the provision of park maintenance and burials due to the unique and specialised requirements for the Cemetery. This process is considered as best practice, best value and offers full transparency. The Tender is currently open and closes in November 2022.

In the past six (6) months the Cemetery have also had

- The concrete beams in the lawn section pressure cleaned and painted
- Niche Wall cleaned and the wisteria pruned
- Memorial Roses deadheaded and re staked in preparation for spring
- Grave sites cleaned and sprayed for weeds
- The storm water pits cleared
- New plants in the Lawn Promenade and the Arbor Walk

Cemetery Trust Meeting	5	26 October 2022
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It is recommended that the latest updates on the park maintenance are noted.

Trust Secretary Recommendation

That the Trust notes the update provided on the park maintenance.

Cemetery Trust Decision

Moved: Councillor Asker

Seconded: Councillor Conroy

That the Trust notes the update provided on the park maintenance.

Carried Unanimously

4.4 Safety concerns with Rotunda

In 2007, Trust Members made a decision to highlight the center of the Cemetery grounds with the installation of a heightened concrete circle (Rotunda) where the internal roads meet. The rotunda was intended to symbolize the reverse dome of a church. Since then, feedback about the Rotunda has been received from members of the public, stonemasons and particularly Funeral Directors, who have raised that it is an obstruction for the hearse to drive over. This raises an occupational health and safety (OHS) concern and makes the final journey of the deceased to remain dignified and respectful, becoming more complex.

When Councillors visited the site in March 2022, observations were made about the suitability, functionality and condition of the Rotunda.

It is recommended to proceed with investigating options to have the Rotunda assessed for removal and relevel the area given the OHS concerns.

Trust Secretary Recommendation

That the Trust:

1. Approves the assessment for removal of the Rotunda and the area to be relevelled given the occupational health and safety risk.
2. Refers for the assessment to include the investigation to potentially relocate the Rotunda to another area within the municipality.
3. Be provided with photographs of the Rotunda and photos to be stored as historic records.

Cemetery Trust Decision

Moved: Councillor Asker

Seconded: Councillor Bolam

That the Trust:

1. Approves the assessment for removal of the Rotunda and the area to be relevelled given the occupational health and safety risk.
2. Refers for the assessment to include the investigation to potentially relocate the Rotunda to another area within the municipality.
3. Be provided with photographs of the Rotunda and photos to be stored as historic records.

Carried Unanimously

5.5 Review of Frankston Memorial Park fees

In 2018, a Management Review for the Cemetery was conducted. A key recommendation of the report was to identify methods to increase revenue, as based on benchmarking other local Council operated cemeteries, the current Cemetery fees were reported as static and insufficient. The Review also identified insufficient utilisation of land and no perpetual maintenance trust in place.

Cemetery staff have been communicating with the Department of Health (DOH) to review the current fees via a Fee Justification Model required by DOH. As the current fees are quite low and have not been increased for many years, DOH have recommended to initially focus the first increase on recovering the current direct costs (e.g. direct cost of burial interment) and have proposed a three year staggered approach to the fee increase, which would include CPI + 33% each year. The increase is minimal compared to other similar Class B cemeteries and would enable a perpetual maintenance trust to be established which is a standard requirement for cemeteries.

The fee increase for year one is outlined in an updated price list for Frankston Memorial Park– Direct Cost Recovery (Attachment B), together with attachments C and D for the proposed increases to take place the following two financial years, noting the CPI increases will be added accordingly in line with the recommendations provided by the Department of Health.

Once this increase has been approved by the Trust and Department of Health, it would be gazetted by the Department of Health. The first year increase would then be in effect, noting as these are statutory fees they do not form consideration as part of Council’s annual budget process. Further steps to consider increasing the remaining fees, such as reservation of memorial sites, is the next stage in the fee review and utilisation process.

It is recommended to approve to continue with the next step of implementing a fee increase to ensure that direct costs are recovered by the Trust and ensure that a perpetual maintenance trust can be established.

Trust Secretary Recommendation

That the Trust:

1. Approves the increase of fees, pending final approval by the Department of Health.
2. Propose the investigation into a Hardship Policy in relation to purchase of plaques and reservation of Memorial sites only.
3. Be provided with information about the terminology of “a pauper”.

Cemetery Trust Decision

Moved: Councillor Conroy

Seconded: Councillor Bolam

That the Trust:

1. Approves the increase of fees, pending final approval by the Department of Health.
2. Propose the investigation into a Hardship Policy in relation to purchase of plaques and reservation of Memorial sites only.
3. Be provided with information about the terminology of “a pauper”.

Carried Unanimously

Cemetery Trust Meeting	9	26 October 2022
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6.6 Sealing of Abstract of Accounts for 2021-2022

The Abstract of Accounts for the financial year 1 July 2021 to 30 June 2022 have been completed and is attached for signing and sealing as attached.

Trust Secretary Recommendation

That the Trust notes that the Abstract of Accounts for the 2021-2022 be signed and sealed.

Cemetery Trust Decision

Moved: Councillor Asker

Seconded: Councillor Conroy

That the Trust notes that the Abstract of Accounts for the 2021-2022 be signed and sealed.

Carried Unanimously

The meeting closed at 5.35pm

2. Toilet and Columbarium building refurbishment

The Toilet & columbarium building refurbishment project is drawing closer to completion, providing a DDA compliant toilet and housing a columbarium, which will accommodate 148 ashes interments. The external area of the building also has two customised niche walls currently in the process of being created, adding a further 48 ashes interment opportunities. The aim is to have the project delivered by June 2023.

Trust Secretary Recommendation

That the Trust:

1. Notes the project to refresh the building in the Cemetery which houses the toilet and a new columbarium for 148 ashes interments, along with external nice walls for a further 48 ashes interments; and
2. Notes the project is expected to be completed by June 2023.

ATTACHMENTS

Nil

3. Grounds Maintenance Update

A new contractor specialising in horticultural maintenance of cemeteries commenced on 1 January and an immediate overall improvement of the grounds are being noticed.

A separate contractor, with over 40 years' experience in the cemetery industry, was awarded for the grave digging and installation of plaques. Noting that any potential issues arising are being addressed on a case-by-case basis, due to the complexity of burials.

Meetings are held with Council officers and the contractors to evaluate performance and expectations.

Trust Secretary Recommendation

That the Trust:

1. Notes the newly appointed contractor for horticultural park maintenance have made an overall improvement on the presentation of the grounds;
2. Notes the contractor for grave digging are providing a good service and addressing potential issues as they arise; and
3. Notes the update provided on park maintenance.

ATTACHMENTS

Nil

4. Capital Works Projects and other projects

Rejuvenation of front entrance at Caretakers House

With the refurbishment of the Caretakers House complete it is timely for the rejuvenation of the front entrance adjacent to the House to commence.

It will include repositioning of the compound/storage bay within the grounds; installation of a new pedestrian gate with a more defined walkway/path and driveway for authorised vehicles; and installation of new storm water pits and drains. This will allow for any future potential projects to establish new garden beds and/or niche walls.

The project is expected to be delivered by July 2023.

Arbour Walk / Pergola

An asset condition audit was conducted in 2019 which recorded the existing Arbour Walk, located at the entry at Government Road, as being in a poor condition with the foundations and structure visibly damaged. This condition has since deteriorated, and the scope of the project is now to renew/upgrade the Arbour Walk and review the current entrance located on Government Road.

The project is expected to be completed by next financial year 2023-2024.

Storm Water Drains

Historically the Cemetery grounds have reoccurring issues with the drainage of excess water, causing the monuments to sink and making some burials quite challenging for staff and contractors, along with being a difficult time for families to experience, especially during the winter months. An audit report would ideally be required to identify the need to possibly replace and address the old terracotta storm water pipes as well as updating any drains and pits which will assist in alleviating any drainage issues.

The works will need to be considered in a project submission as part of the capital works process.

Rotunda/Roundabout

At the Cemetery Trust meeting in March 2022, Trust Members identified the need to have the Rotunda within the grounds assessed due to operational concerns, especially during burials. Quotes to initiate this project will be obtained in the next financial year.

The works will need to be considered in a project submission as part of the capital works process.

Trust Secretary Recommendation

That the Trust:

1. Notes the rejuvenation of the driveway, path and repositioning of the storage bay at the front entrance to the Cemetery, which will provide better access for pedestrians and vehicles, is expected to be completed by July 2023;
2. Notes repair works on the Arbour Walk are expected to be completed by next financial year 2023-2024 to improve its condition;
3. Notes an audit report is required to assess the condition of storm water drains and pits on the grounds;
4. Notes the rotunda roundabout in the centre of the Cemetery grounds requires quotes to assess its removal to ensure improved use of the internal drive; and
5. Notes the updates provided on the status of works on assets in the Cemetery.

4 Capital Works Projects and other projects

ATTACHMENTS

Nil

5. Utilisation Review

In line with the recommendations from a consultant report completed in 2020, a Landscape Architect with an extensive background in cemeteries and cemetery design has been engaged to commence Stage 1 of a Utilisation Review. The scope of the Review is to maximize the interment field and offer more choices, whilst retaining the landscape character of the Cemetery. Once Stage 1 is complete, it is anticipated this will inform development of a masterplan in 2024-2025, which combines with the strategic horizon set out in the original report.

Memorial Park usage from 1 July 2022 – 31 Dec 2022:

- Burials: 11
- Interments: 9
- Memorial sites reserved: 6
- Extension of reservations: 3
- Plaques: 12
- Memorial sites relinquished (handed back to the Trust): 1
- Applications from stonemasons: 10

Trust Secretary Recommendation

That the Trust:

1. Notes a Landscape Architect with a background has been engaged to commence a utilisation review of the Cemetery;
2. Notes the scope of the Utilisation review is to maximise the interment field and retain the landscape character of the Cemetery, which will inform the development of a future master plan; and
3. Notes the Memorial Park usage from 1 July 2022 - 31 December 2022.

ATTACHMENTS

Nil

6. Frankston Memorial Park Fees Update

At the Cemetery Trust Meeting Held on 26 October 2022 the Trust resolved to:

- “1. Approve the increase of fees, pending final approval by the Department of Health.*
- 2. Propose the investigation into a Hardship Policy in relation to purchase of plaques and reservation of Memorial sites only;*
- 3. Be provided with information about the terminology of ‘a pauper’”*

Council officers have been working closely with the Department of Health seeking an increase of fees on all pricing options that are available to the public.

An increase in fees will offset projects like refurbishment of the toilet and columbarium building as not only will a percentage of income be apportioned to the Perpetual Maintenance Fund for the Cemetery (a requirement for all Cemeteries) it has included the development of several new memorial sites for ashes interments which can be sold and provide a further form of income.

The Department of Health have begun the formal processing of the models for the Monumental section, Lawn section and Plaques and it is expected that approval will be given via publication in the government gazette before the end of June 2023. A two year staggered approach to the increase has been suggested by the Department, noting that the CPI increase (expected in July) for 2023 will not be applied to the new or updated fees once these are approved by the Department.

The two models regarding the reservation of Ashes Memorials (Single pre Need and Dual Pre Need) are still in the process of being finalised by the Department, as calculation of this pricing is far more complex. The approval and publication in the government gazette is yet to be determined.

Officers are currently looking into options for a Hardship Policy, and how it could apply for cemetery fees. The definition of a pauper was provided in the Cemetery newsletter to the Trust. A "pauper's grave" is a historic term for a public gravesite that may be shared by a number of deceased people. The site is unmarked and not listing personal details of any individuals buried there. The plot number is noted for the public record. The wording "pauper's grave" is an old terminology generally still used within the Cemetery industry, however also referred to as "public health funerals" or "destitute funerals".

Trust Secretary Recommendation

That the Trust:

1. Notes the Trust resolved to increase Cemetery fees at its Cemetery Trust Meeting on 26 October in accordance with the requirements of the Department of Health;
2. Notes the update on the status of formal processing of the Cemetery fees increase by the Department of Health;
3. Notes investigation into the Hardship Policy for its application to purchase of plaques and reservations of memorial sites is in progress;
4. Notes the definition of a “pauper” was provided in the Frankston Memorial Trust Newsletter; and
5. Resolves that the attachment (Draft Fees - Frankston Memorial Park - May 2023) is to remain confidential indefinitely on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets and if released would unreasonably expose the business, commercial or financial undertaking to

6 Frankston Memorial Park Fees Update

disadvantage (*Local Government Act 2020, s.3(1)(g)*). These grounds apply because the information includes detailed pricing that, if released, would impact the relationship between Council and the Department of Health.

ATTACHMENTS

Attachment A: Draft Fees - Frankston Memorial Park - May 2023 -
CONFIDENTIAL