

Crown Cemeteries Advisory Committee

Charter

1 Purpose of the Crown Cemeteries Advisory Committee (CCAC):

The CCAC's primary function is to provide advice, consultation and reports to the Minister on any matter affecting the development of policy regarding the strategic management of all of the public cemeteries and crematoria in New South Wales.

2 Objectives:

The CCAC functions in an advisory capacity to assist in the development of policy to assist the management of public cemeteries and crematoria in New South Wales.

The objectives of the CCAC include but are not limited to:

- investigate and consult, as a matter of priority, the implementation of limited and renewable tenure in NSW and provide advice to the Minister;
- providing oversight in relation to the legislative, regulatory and policy framework governing Crown cemetery management;
- promoting strategies and proposals to enhance the sustainability of Crown cemeteries;
- identify appropriate areas for new cemeteries and appropriate lands convenient to those areas;
- identify infrastructure requirements of the Crown cemetery network for now and the longer term;
- evaluate appropriate pricing structures and funding models and regularly reviewing those structures and models;
- identify trends in cemetery management and community expectations and needs;
- bring to the notice of the Minister matters the CCAC considers warrant attention and proposing strategies and outcomes
- identify and facilitate the resolution of issues that relate to the strategic management of public cemeteries;
- promote cooperation and communication between cemeteries;
- promote public cemetery good governance;
- ensure that the foregoing are consistent with equitable access to public cemeteries and crematoria that recognises the linguistic, religious, racial and ethnic diversity of the people of New South Wales.

3. Authority

The CCAC was established by the Minister for Lands on 28 October 2009 under Section 12 of the *Crown Lands Act 1989*

The Committee has no delegated powers.

4. Functions

The functions of the CCAC include but are not limited to:

- establishing subcommittees to investigate and issue a final reports to the CCAC;
- making and keeping a record of Committee meetings minutes circulated to members for comments and approval and signed by the Chairperson ;
- complying with the NSW Government's recordkeeping standards;

5. Membership

The CCAC shall consist of 16 Committee members appointed by the Minister, comprising:

- 3 community members
- 5 representatives of the major Crown Cemeteries
- 1 representative – Land and Property Management Authority
- 1 representative - Department of Health
- 1 representative – Heritage Branch of the Department of Planning
- 1 representative – National Trust
- 1 representative – Community Relations Commission
- 1 representative - Office of Australian War Graves
- 2 representative – Council managed Crown Reserve cemeteries

Committee Members Terms of Appointment

Committee members hold office at the pleasure of the Minister and will be appointed for such terms as the Minister decides.

Members can have their terms renewed for a period of time to be specified by the Minister.

The Minister can remove any member from the Committee at anytime.

The Minister may fill any vacancy that may occur on the Advisory Committee.

The Minister, the Chairperson or the CCAC may invite representatives from other stakeholder groups as observers to the committee' meetings.

Initially the Minister has invited the following organisations to nominate observers:

- Cemeteries and Crematoria Association of NSW;
- Australian Funeral Directors' Association;
- Funeral Directors' Association of NSW Pty Ltd;
- Rookwood Necropolis Trust;
- Funeral Industry Association

The Minister and/or the CCAC (by way of a resolution) can invite particular individuals or organisations to attend meetings if required.

The Minister has also convened a group comprising remunerated managers of the major Crown cemeteries, or their equivalent, to assist the CCAC.

6. Role and Responsibility of Committee Members

The role of a Committee member is to:

- participate in the deliberations of the CCAC;
- recognise the CCAC resources, budget and strategies, and the need for efficiency and effectiveness in the activities for which the CCAC has been established;
- prepare for meetings and be well informed on issues before the CCAC, and seek additional information if required;
- identify and acknowledge any potential for a “Conflict of Interest” to occur through participation on the CCAC and to declare such Interests as and when they arise;
- acknowledge, that Community members, are appointed as individuals and cannot represent the interests of their nominating organisations or any other interest or stakeholder group to which they belong;
- ensure, in the case of representatives of organisations, that the views reflect those of the organisation(s) they represent;
- observe confidentiality as required.

7. Chairperson and Deputy Chairperson

The Chairperson and Deputy Chairperson are to be appointed by the Minister. (Initially the Minister has appointed the Land and Property Management Authority representative as Chairperson).

The CCAC is to nominate a suitable person from the remaining members to the Minister for appointment as Deputy Chairperson.

Upon resignation or termination of the term of office of the Chairperson or Deputy Chairperson the Minister shall appoint replacements after consultation with the CCAC.

8. Frequency of Meetings

The CCAC is to meet at least 4 times a year with special meeting to be held on an as-needs basis. At least one meeting per year is to be held outside Sydney.

9. Quorum

The quorum at any meeting shall be half plus one of the members of the CCAC including the Chairman.

10. Voting

Matters before the CCAC may be determined in resolutions adopted by consensus. Questions arising at a meeting of the Committee are to be decided, in open voting, by a majority of the votes of members present.

An observer to the CCAC may contribute to debate but is not entitled to a vote on any matter.

In the case of a tied vote, the Chairperson or Deputy Chairperson shall have a casting vote. Votes of members will be recorded in the minutes on request.

The mover and seconder of a motion will be recorded in the minutes.

The person chairing the meeting may order a complicated motion to be divided and put in the form of two or more motions.

11. Resolution without meeting

A resolution approved by each Committee member by email, letter or facsimile is as effectual as if it had been passed at a meeting of the Committee and shall be placed in the Minute Book.

12. Members interests to be disclosed

Clauses 7-9 of the *Conduct Guidelines for Members of NSW Government Boards and Committees* are to be complied with by all members of the CCAC.

13. Disclosure of information

The Chairperson will inform members, on the agenda paper, or at the beginning of an agenda item, whether an item requires Ministerial approval, and hence whether the decisions of the Committee are to remain confidential or can be disseminated immediately after the meeting.

14. Payments to members

Members may be reimbursed for actual expenses occurred to attend committee and sub-committee meetings. Claims must be made to the Executive Officer and be supported by receipts or other evidence of expenses.

15. Administrative support

The Land and Property Management Authority is to provide the following support:

- Executive Officer
- Secretarial resources

16. Executive Officer Role and Responsibilities

The Executive Officer must distribute in advance of a Committee meeting an agenda approved by the Chairperson and any related papers to:

- each member of the CCAC and observer;
- any other person to whom the Chairperson directs the Executive Officer to send papers;

The Executive Officer must ensure Committee meeting minutes are prepared and provided to members and others as directed by the Chairperson within 14 days after each meeting.

Minutes, once agreed by the CCAC members as accurate, are to be formally confirmed by the Committee at the next meeting and signed and dated by the chairperson.

17. Reporting and Annual Performance Review

The CCAC shall produce an Annual Report at the end of each financial year (July- June) which includes:

- A summary of CCAC activities and outcomes for the year
- Lists of the subcommittees and technical groups which supported the Committee during the year;
- Committee member profiles
- Member attendance statistics
- Financial statement
- Other matters considered relevant by the CCAC.

The Minister may in addition request a report on any aspect of the Committee's operations.

18. Review of Charter

The CCAC will review this Charter annually.

19. Key contacts

Chairperson

Graham Harding
Ph 4920 5001
graham.harding@lpma.nsw.gov.au

Deputy Chairperson

Richard d'Apice AM
Ph: 9233 9011
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Executive Officer

Stephen Fenn
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Crown Cemetery Advisory Committee

Standing Orders

The proceedings of CCAC meetings are to be conducted in accordance with these *Standing Orders*. On matters not covered by these Standing Orders the Committee may determine their own procedures.

Meetings

Meetings of the CCAC are to be held in accordance with the Charter and at such times as the Chairperson sees fit.

The Chairperson is to preside at all meetings of the Committee at which present, or in which participating eg meeting being held by telephone or by similar means. If the Chairperson is not present or participating the Deputy Chairperson will preside or in the absence of both the Chairperson and Deputy Chairperson it will be the nomination of the Chairperson.

Invitees and observers may be admitted to the meeting (refer charter) and shall be bound by these standing orders.

Papers for consideration at a meeting of the Committee must be received by the members three (3) days prior to the meeting.

The Chairperson and any other member may table papers at a meeting however the CCAC will decide whether to receive and consider late and tabled papers at that time or to receive the papers for consideration at some other time.

A matter to be considered by the Committee may, at the direction of the Chairperson, be referred for consideration by another committee or by the Committee and may, in the meantime, be determined by the Committee.

The Chairperson is responsible for the Committee's proper conduct and will ensure that :

- (i) material relevant to a decision to be made has been made available to all members
- (ii) all matters are well considered
- (iii) all members are able to contribute to the discussion of any matter and
- (iv) the decision on a matter is clearly understood by all in regard to action statements and will be communicated by the Chair as "*The Minutes will record that*".

When interpreting the standing orders, or deciding a point of order or practice not covered by the Standing Orders, the decision of the Chair person is final, unless the majority of members forthwith support a motion of dissent.

In cases of urgent necessity any Standing Orders may be suspended on a motion adopted by a majority of the Committee members present.

At any meeting comprising not a quorum the members may discuss any business on the agenda and may make recommendations for future consideration.

Recording decisions

The Chair and Committee membership is to ensure that Minutes:

- Accurately summarise proceedings in Minutes
- Record all decisions
- Record changes to decisions
- Record dissent
- Are treated as records to be secured with appropriate access restriction.

Meeting attendance

Attendances at meetings are to be recorded. Non-attendances are also to be recorded.

Agendas

Each normal Committee meeting agenda shall among other items comprise the following standard items:

1. Welcome
2. Apologies
3. Acceptance of Minutes of previous meeting and actions arising
4. Reports regarding Committee actions carried over and status of implementation of all Committee decisions.
5. Reports
6. Financial Report
7. General business
8. Issues and Actions registers
9. Next meeting

Agenda's are to be issued three (3) days in advance of the meeting

A meeting timetable that provides adequate allowance for consideration of key strategic issues is to be set in the agenda.

All Committee members shall have right to contribute to the agenda.

The meeting shall ensure agenda items for discussion are critical, complex or strategic

The Chairperson is to oversight the preparation and distribution of agenda and papers to members.

Confidentiality and release of information

Matters dealt with by the Committee are to be treated as confidential and shall not without the prior authority of the chairperson be disclosed to any person other than members or officers representing Committee members.

Committee meetings are held in camera to enable the Committee to explore all options and to freely discuss matters which may be part of deliberative processes contributing to decisions by the Minister, and the Government and may affect personal privacy and may be commercial in confidence or commercially sensitive.

Unless otherwise determined by resolution of the Committee:

- (i) The Chair is the spokesperson for the Committee on all matters concerning the Committee
- (ii) The Committee Chair may nominate others to speak on specific matters concerning Committee functions and activities.

Obligations of members

A member must at all times act honestly as a member of the Committee.

A member is not to make improper use of information acquired by virtue of the performance of any function, to gain, directly or indirectly, an advantage for him or herself or to cause detriment to the committee or Minister or Government.

Representations

If a member has had relevant verbal communication with or on behalf of a person with an interest in a matter which is before a meeting for consideration, the member is to disclose the substance of the conversation for the information of the members participating in the meeting and for the minutes. The person chairing the meeting may request the member to provide a brief file note recording the substance of the conversation.

If a member has received relevant written material including emails from or on behalf of a person with an interest in a matter which is before a meeting for consideration, the member is to offer the material to the Committee secretary who will circulate or table the material so that it is available for the information of the members participating in the meeting and for recordkeeping. Relevant material addressed to the Committee chairperson will be included or referred to in the papers for the meeting.

Telephone, video and internet meetings

A communication between a majority of the members by telephone, audio-visual or other electronic means is a valid meeting of the Committee if each participating member is capable of communicating with every other participating member instantaneously at all times during the proceedings, and all members were advised that the communication would be taking place and were given the opportunity to participate.

Annual Committee Performance Self Assessment

Separate to the issue of its Annual report the Committee shall in the first quarter of its operating year evaluate its performance in meeting its goals.

Impacting legislation and standards

- Crown Lands Act 1989
- Anti Discrimination Act 1977
- Freedom of Information Act 1989
- Heritage Act 1977
- Public Health (Disposal of Bodies) Regulation 2002
- Independent Commission Against Corruption Act 1989
- Occupational Health & Safety Act 1983
- Ombudsman Act 1974
- Privacy Act 1998
- Protected Disclosures Act 1994

- Public Finance & Audit Act 1983
- Public Sector Management Act 1988
- Public Sector Management (General) Regulation 1996
- Public Sector Management (Goods and Services) Regulation 2000
- State Records Act 1998