



Cemetery Policy

Policy No. WKSPOL 09

Version No:	1.0
Responsible Officer/s	Works Manager
Issued:	8 April 2015
Next Review:	Dec 2019

1. Purpose

This policy outlines District Council of Grant's objectives in respect of the Council owned and operated cemetery at Port MacDonnell. It has regard to the *Burial and Cremation Act 2013* (the Act) and the *Burial & Cremation Regulations 2014* under which Council cemetery authorities must meet revised requirements for the operation and regulation of the cemetery within the Council area. Council recognises that this community cemetery is the resting place of many of the district's pioneer and respected citizens and will efficiently and effectively manage them in a caring and equitable manner to meet the needs of the community.

2. Scope

This policy applies to the Council owned and operated cemetery facility at Port MacDonnell. The cemetery shall be open at all times, subject to temporary closures required for maintenance, public safety etc. from time to time as determined. This policy is applicable to all staff and members of the public using District Council of Grant cemetery facility.

3. Definitions

Human remains – means the body or part of the body of a deceased person and includes cremated remains.

Monument – means a monument, tombstone, tablet, gravestone, kerbing, railing or other erection to be constructed in the cemetery, used for commemorative purposes.

Interment

a. burial in the earth

b. the placement of cremated remains

Cemetery Plot – A double cemetery plot is **2.4m x 2.7m** and a single cemetery plot is **1.2m x 2.7m**. The interment right fee is the same regardless of it being a single or double plot

4. Policy

Office Hours

The administration of the Cemetery is conducted at the District Council of Grant office located at 324 Commercial Street West, Mount Gambier. The office is open from Monday to Friday 8.30am to 5pm (except Public holidays).

Fees

Interment right fees are payable and cover the ongoing maintenance of the memorial and the surrounding garden.

Burial fees are applicable and will be charged to the funeral director.

The scale of fees will be reviewed on an annual basis. An up-to-date copy of the fees must be made available to any person upon request.

General Conditions

This policy applies to the Cemetery owned and operated by the District Council of Grant in Port MacDonnell.



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The terms for all new Cemetery Interment Rights shall be in perpetuity, which shall begin from the date the Interment Right was issued, whether it was issued for a reservation or burial. Existing reservations issued by Council prior to the development of this policy will be honoured by Council. The cemetery will not be segregated into areas based on religion or ethnicity in accordance with Section 22 of the Act. Council will have regard to the customs and specific needs of all those who apply for an interment permit.

Council will consider applications with regard to:

- the need for the site to be managed and maintained at a standard consistent with its significance and as an important family memorial place.
- remaining interment sites available.

No burial will be permitted to take place unless Council has sighted a Partial Death Certificate, Certificate of Identification of Deceased and sighted a name plate on the coffin or shroud stating first name, surname and date of death, in accordance with section 12 of the Act.

Administration

DOCUMENT AND RECORD KEEPING:

- The Council must keep a register of Interment Rights issued by Council recording the location of and number allocated to each site in the cemetery.
- The Interment Right must contain the full name and address of the interment right holder and identify the person/s whose remains may be interred.
- The Interment Right must identify the site and location of the Interment site and the period for which it has been issued.
- The Council must identify (as far as possible) persons whose remains are interred in the Cemetery and identify the site. Records of exhumations must be kept.
- The Interment register must include the name of the deceased person, the age and date of death, the address of the last place of residence and the date of interment. The location of the interment site and number and whether the remains were bodily or cremated remains must also be recorded in the register.
- The interment Register must state if the remains were interred in a coffin or shroud and the depth of interment. In the case of cremated remains, whether they were interred in a cinerary urn or any other container or directly in the earth.
- Council must also keep a register of memorials that includes the size and type of memorial, the names inscribed and any other epitaphs and location in the cemetery.
- Council must keep a plan of the Cemetery and note each site at which human remains are interred and each site set aside for interment.
- No interments may proceed unless a name plate with the surname, a given name and the date of death is affixed to a coffin, placed on top of a shroud (if shroud burial) or affixed to the outside or placed within a receptacle of cremated remains.
- Copies of the cemetery register and plans are to be available for inspection by members of the public during Council office hours.

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TRANSFER AND SURRENDER OF INTERMENT RIGHTS

- An interment right may be transferred and a fee not exceeding the current fee payable for an interment right may be charged.
- An interment right may be surrendered if there has been no interment or memorial erected and Council must give a refund equivalent to the current fee payable, less a reasonable fee for administration costs.

Issue of interment rights:

The Council may grant a reservation of an interment right upon application and completion of an Advance Interment form and payment of the appropriate fee. The interment right gives the holder the exclusive right to bury or inter human remains in the allotted site. Council will grant interment rights in perpetuity. If it is found that a "Reservation" site has inadvertently been used due to Council's error, the original holder of the right will be offered a replacement site, as close to the original site as possible, at no additional cost.

Before issuing an Interment Right to a person, a Plain English Statement must be given to the person. This may come from Council or the Funeral Director and ONLY when it is a new Interment Right. No interment right is required for scattering of ashes, however, prior approval of the Council is required (See section 36 of the Act)

A holder of an interment right is required to comply with the Act and Council approval prior to interment of human remains. The process of excavation or modification must be undertaken by a Council employee or contractor approved by Council. Confirmation of a burial site must be verified by Council's Administration prior to any excavation.

Burial Options

Interment Right Holders have the option of including multiple interments of no more than 6 burials in a double cemetery plot of 2.4m x 2.7m by using three depths of 1.67m, 2.13m and 3.05m. A burial must be at a depth of more than 1 metre from the surface of the ground.

Multiple Interments: Council will allow the reopening of graves at Port MacDonnell Cemetery subject to the following conditions:

- When the removal of monument slabs and headstones are required, Council staff will take all reasonable care not to cause any damage, however if the monument slab or headstone is inadvertently damaged during this process Council will not be held responsible for any repairs.

Unless Council is informed otherwise, in the instance of a husband and wife being buried in a double plot, the husband will be buried on the south side of the double plot.

Port MacDonnell Cemetery does not have a section dedicated to a natural burial ground. A burial may take place in a shroud provided the burial adheres to Burial Legislation.

Memorial Walls

A memorial wall is available at Nene Valley – More information is available from Council.

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Tributes

Council may remove and dispose of any tribute when it is deemed unsightly, offensive or is a risk to public safety. Aged flowers and wreaths may be removed at Council's discretion and without notice.

Monuments

A Monumental Works Application must be completed and approval given by Council before any Monumental works are carried out.

Cemetery monuments will only be installed by Council or a contractor approved by Council, with the written consent of the Interment Right Holder, upon completion of a Monumental Works Application.

Any damage to existing monuments is the responsibility of the Interment Right Holder named on the Monumental Works Application.

No restrictions apply to the type, size or style of monuments within the Port MacDonnell Cemetery. It is recommended that plaques and headstones are manufactured and installed by a Master Monumental Mason.

The Council shall not be responsible for the upkeep, maintenance, repair etc of any plaque, monument or structure. The Council may act to remove any structure or placed item that has become dilapidated or unsightly.

The ownership of monuments is deemed to be with the Interment Right Holder who caused the plaque or monument to be installed and is therefore responsible for the upkeep, maintenance and repair of the monument.

Landscaping may only be undertaken by authorised persons and any unauthorised landscaping may be removed by the Council.

Exhumations, removals & re-interment

Restrictions apply in accordance with legislation regarding exhumation and re-interment.

5. Responsibilities

The Works Manager responsible for compliance with this policy under delegated authority from the Chief Executive Officer.

6. References:

Burial and Cremation Act 2013
Burial and Cremation Regulations 2014

7. Review

This Policy shall be reviewed by the District Council of Grant at minimum every four (4) years, within 12 months of a general election of Council (or on significant change to legislation or other matters which could affect this policy).



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Action	Date	Minute Reference
Adopted by Council	8 April 2015	15046.6