

Policy

Cemetery Operations

Responsible department	Public Health and Environment	Document Register ID	250.2021.30.2
Policy owner	Cemetery Services	Review date	20 May 2023
Date of Council Meeting	20 May 2021	Resolution Number	101/21
Legislation, Australian Standards, Code of Practice	<ul style="list-style-type: none"> • Cemeteries & Crematoria Act 2013 • Public Health Act 2010 & Public Health Regulation 2012 Part 8 Disposal of bodies • Crown Lands Act 2016 • Native Title Act 1993 <p>Note: the most recent edition and revision of the above documents shall apply to the policy.</p>		
Aim	To ensure the optimal management, maintenance and planning of the cemeteries within the region		

Purpose

Council controls the administration, management and maintenance of all public cemeteries in the Snowy Monaro Region. The cemetery procedures aim to provide details of the steps funeral director, monumental masons, contractors, volunteers and members of the public need to follow to meet Council requirements and ensure the safe and efficient operations of the cemeteries within the region.

This policy specifically applies to the following cemeteries:

Cooma, Bredbo, Michelago, Nimmitabel, Nimmitabel Pioneer, Numeralla, Jerangle, Aston, Bibbenluke, Bombala, Bungarby, Cathcart, Corrowong, Craigie, Delegate, Mount Cooper, Tombong, Adaminaby, Boloco, Gegezerick, Jindabyne, Moonbah, Old Adaminaby and Round Plain.

1 Cemetery Management

1.1 Planning Maintenance and Conduct of Cemeteries

Council will make provisions for the planning, conduct and maintenance of cemeteries under its control. Council will determine use and location of plots and interments and where necessary the ability to conduct religious or other ceremonies of burials and commemoration.

Specific procedures are in place in relation to monuments, plaques and placement of ashes.

Please refer to section 6 of the policy for further information regarding maintenance of the cemeteries.

1.2 Cemetery Rules

The following is a list of general rules that apply to both members of the public and people undertaking work in the cemetery.

A person may not:

- Damage, deface or interfere with burial plots and monuments
- Bury, inter or exhume any human remains, whether cremated or not without written consent from Council.
- Carry out any works, including erection or repair of monuments without written consent from Council. Alterations, restoration or maintenance must be approved by Council Staff.
- Place glass in the cemetery, including glass ornaments or vases.
- Drive a vehicle at a speed of more than 8 km per hour.
- Park a vehicle on any known burial plot, verge or plantation, or in a manner which is likely to impede traffic.
- Plant any tree, shrub, herbage or other plant without prior consent.

Funeral Directors, Monumental Masons, contractors and volunteers are expected to abide by these rules where applicable.

1.3 Interment

All interments must be approved by Council's Cemetery Services staff. For people wishing to reserve/purchase plots for future burials, an Interment Right can be arranged directly with Council.

All burial arrangements of bodily remains must be made through a Funeral Director who will in turn liaise with Council.

Interment of cremated remains can be arranged directly with Council.

1.4 Allocation of Plots

Burial plots are allocated once Council receives an Application for Interment Right (Reserve) or Application for Order of Interment (Burial).

Council offers the service of Pre-Need purchase. This can be arranged by completing an Application for Interment Right.

In the case of a burial request where no Pre-Need plot has been purchased, family may request a preferred burial location, Council will endeavour to assist, however, may need to allocate location at its discretion.

A maximum of two coffin interments may occur in the same burial site with the approval of Council. The decision for a plot to be double depth must be made at the time of the first interment.

If the plot is pre-purchased as a "single" depth and at the time of interment the decision is revoked and requested as a "double" depth, the funeral director must firstly confirm with Council. The new Right Holder is to be nominated and the appropriate fee to be charged.

The maximum number of burials (including cremated remains) is at the discretion of Council.

In some historical sections of some cemeteries the choice of plot may need to be changed at the time of digging due to unforeseen circumstances, such as unmarked graves or underground obstacles.

Where a plot needs to be moved from the reserved location the family will be notified and a suitable site chosen for the burial

1.5 Transfer of Right of Interment

A Right holder may transfer the rights of their holding to another person only following application to Council.

Once the transfer has been accepted by Council a new certificate of Right of Interment will be issued to the new holder.

If a person wishes to transfer the Right of Interment to Council a full refund of received monies will be paid to the applicant.

2 Order of Interment – Arranging a Burial

All funerals must be arranged through a Funeral Director and may not take place unless an “Order of Interment” has been approved.

A burial can only be arranged following the receipt of an Application for an Order of Interment. This form is completed and submitted to Council by the Funeral Director. The application for an Order of Interment must be received by Council at least 4 working days prior to the burial date. The Funeral Director and Applicant must sign acknowledging the undertaking of the funeral and payment arrangements.

A valid Death Certificate or Coroners Order is to accompany the Application for Order of Interment.

Upon approval of an Application for Order of Interment the applicant and Funeral Director will be provided with a certificate to confirm the arrangements.

2.1 Hours of Operation

Snowy Monaro Regional Council Cemeteries shall be open to the public at all times, subject to temporary closures required for maintenance or public safety. This may occur periodically as determined by Council without notice.

Burials shall be carried out between 9.30am and 3.00pm, Monday to Friday. Burials may take place outside of those hours by special arrangement only. Special arrangements can be made for burials that are requested on public holidays or over the Christmas/New Year holiday period, however, Council reserves the right to deny special requests. Additional fees will apply to cover Council's costs where any special arrangement occurs.

Council will where appropriate undertake special considerations for burials where religious requirements dictate.

3. Funeral Directors

Funeral Directors are required to sign documentation requesting the issuance of an Order of Interment.

Funeral Directors are to liaise with Council on relevant matters pertaining to funeral arrangements at Council Cemeteries.

A funeral director must specify when a coffin/casket will be oversize to ensure council contractors are aware for digging purposes. Additional fees may apply for oversize burials.

Funeral Directors are to refer to Council for confirmation of any Council fees relating to the burial.

The allocation of plot location is undertaken by Council and not the Funeral Director.

4. Next of Kin/Applicant for Burial

Next of Kin/Applicant for burial are required to sign the application for Order of Interment agreeing to payment terms and conditions.

Next of Kin/Applicant for burial are responsible for arrangements in relation to the permanent marking of the grave which is requested to be within 12 months of burial. They are also responsible for the ongoing maintenance of the memorial.

Refer to section 5 of the policy for Erection of the Memorial.

5. Erection of a Memorial

Approval to carry out specific work will be provided after a monumental mason or equivalent submits an "Application to Erect a Monument/Memorial". An application must be submitted prior to the erection of any monument or headstone.

Works are not to be carried out or interfere with any services which may be being carried out in the cemetery.

All monument work is to comply with AS4204 – Headstones & Cemetery Monuments.

Should any damage occur to the monument being worked on or any other monument in the cemetery in relation to the works being carried out it is the responsibility of the mason to undertake all reparation works.

6. Cemetery Maintenance

All maintenance in and around Council's cemeteries (excluding maintenance of graves and monuments) must be undertaken by Council staff, registered Council volunteers or authorised contractors. Council will maintain the lawn areas, roadways and paths to an appropriate standard and in accordance with Council's budget allocation for the maintenance of cemeteries.

Council will endeavour to reduce damage from native, introduced and farm animals by baiting, trapping and fencing; however, due to the rural and remote nature of some of the cemeteries it is not always possible to prevent animals from entering and disturbing the cemeteries.

Council will endeavour to fill-in burrows created by animals in accordance with Council's budget allocation for the maintenance of cemeteries.

7. Contractors

All contractors, workmen, grave diggers and maintenance works must have the approval of Council prior to undertaking works within a Council managed cemetery.

The following should be viewed by Council prior to engagement:

- Public Liability Insurance - \$20 million
- Workers Compensation Insurance
- Undertake the necessary WH&S Operating Procedures.

8. Volunteers

Council recognises, supports and values the important role of volunteers in the regional community.

Volunteer groups wishing to undertake works within the cemeteries are required to apply to Council and be approved and authorised as volunteers

The group is expected to adhere to strict WH&S Policy and Risk Management guidelines

9. Heritage Issues

Council recognises that cemeteries are places of significance to the communities due to architectural, social and genealogical significance and will provide information when requested.

9.1 Monuments of Historic Graves

Where a grave site is over 50 years old, it is subject to the *Heritage Act 1977*. Council will not issue approval for modification or erection of a new works without reference to the requirements under the National Trust of Australia.

Where a grave has been left unmarked for at least 50 years and no applicant for the burial can be found, it is permitted that other persons may erect a monument at their own expense, with approval from Council and reference to the National Trust standards.

10. Exhumations

Exhumations will not take place unless prior written consent has been obtained from the Director General of the NSW Department of Health and approval has been granted by Council.

An exhumation may take place if it has been ordered by a court.

All costs incurred in carrying out an exhumation will be paid by the applicant.

11. Related Documents

This procedure should be read in conjunction with the following documents:

Documentation

- 250.2020.630.1 - PROCEDURE - Interment of Ashes to an existing grave
- 250.202.583.1 – PROCEDURE – Ordering of Plaques For Council Cemeteries
- 250.2020.20.1 – PROCEDURE – Cemetery Reservation Fees
- 250.2020.57.1 – POLICY- Plaques in Council Cemeteries
- 250.2021.58.1 – POLICY – Headstones and Cemetery Monuments
- 250.2020.5.2 – FORM Application For Interment of Ashes
- 250.2017.392.3 - FORM - Application for Perpetual Interment Right
- 250.2017.391.4 – FORM - Application for Perpetual Order of Interment
- 250.2016.144.5 - FORM- Application for Erection or Repair of Memorial
- 250.2021.55.1 – FORM –Application To Vary Council Cemetery Approval
- 250.202.6.2 - FORM – Application For Transfer Of Perpetual Interment Right

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.