

POLICY		Responsible Department	Essential Services & Assets
		Original Adoption Date	25.03.20
		Current Adoption Date	25.03.20
		Audit Committee Review Date	NA
		Date of Review	25.03.23

TITLE	POLICY – CEMETERY MANAGEMENT	
Latest Review Changes	New Policy	
Previous Council Reviews		
Previous Audit Committee Reviews		

Applicable Legislation:

Burial and Cremation Act 2013 Burial and Cremation Regulations 2014
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Related Policies (alphabetical list):

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Related Procedures:

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Reference Documents:

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1. POLICY STATEMENT

Clear guidelines as to the management of the cemetery under the care, control and management of the Municipal Council of Roxby Downs ("Council") will be provided to maintain a high standard, taking into account the wishes of the different cultural and religious groups within the community.

2. DEFINITIONS

Words and Phrases in this Policy have the same meaning as they do under the *Burial and Cremation Act 2013* ("the Act") and the *Burial & Cremation Regulations 2014* ("the Regulations").

3. PURPOSE

This Policy outlines the Council's objectives to ensure the management of the cemetery under the care, control and management of the Council is of a high standard and is conducted in accordance with the provisions under the Act and the Regulations.

4. PRINCIPLES

4.1 CEMETERY AND FUNERAL PROVISIONS

- 4.1.1 The cemetery is located at lot 722 Opal Road Roxby Downs. (Attached map and aerial photo)
- 4.1.2 The cemetery in the Council area provides for leases of 50 (fifty) years.
- 4.1.3 The Council does not offer a pre-paid or pre-need options.

4.2 INTERMENTS/BURIALS

- 4.2.1 Interment rights may be granted by the Council within the cemetery on completion of an application to lease and payment of the appropriate fee. The interment right gives the holder of the lease the exclusive right to bury or intern human remains in the allotted site for the term of the lease. The holder of the interment right may use the site only for interment of human remains consistent with this Policy and the Act.
- 4.2.2 All applications for a right to inter human remains in the Council cemetery must be accompanied by appropriate documentation in accordance with section 12 of the Act, regulation 9 of the Regulations and this Policy.
- 4.2.3 All interments in the Council owned cemetery are to be approved by the Council using the application form. Interments are to be undertaken by the funeral company specified on the Burial Authority. Preparation of the interment site is to be undertaken by Council or a contractor authorised by the Council.
- 4.2.4 Interments/burials must not commence more than 30 minutes prior to, nor 30 minutes after, the stipulated time on the Cemetery/Grave Order form.
- 4.2.5 Minimum Notice

At least two (2) clear business days' notice of all burials including interment of cremated human remains must be given to Council prior to burial taking place and burial may only occur after Council is provided with:

- a) Register of Burial Form; and
- b) Death Certificate or Coroners Certificate
- c) Cremation Certificate where applicable and
- d) Original Internment certificate in the case of re-opening

4.2.6 Cremated Remains Burial – (Prospective Niche Wall)

The Council is considering the development of a niche wall for the interment of cremated remains. In the event that such a facility is developed the following provisions will apply to the interment of ashes in the niche wall.

- a) Plaque must be ordered before ashes are interred in the niche wall.
- b) Ashes must be transferred to a canister of suitable design and dimensions to fit into the wall cavity either by the family or the Funeral Director.

4.2.7 The depth of all gravesites (with the exception of infant/baby gravesites) will be at 1.8m unless a greater depth is requested by a Funeral Director.

Infant/baby gravesites will be at 1.5m unless a greater depth is requested by a Funeral Director.

4.2.8 Perinatal Gestation has 'no legal presentation' and therefore no documentation is provided (i.e. birth or death certificates) from any Government Agency. The Funeral Director must state on the 'Register of Burial' Form – 'perinatal gestation and has no legal presentation' to enable the burial to proceed. Council will enter this statement into the burials database as a record of this burial.

4.3 Re-opening of gravesites, to receive additional human remains (otherwise known as dual plot) will not be permitted at the cemetery.

4.4 Authorised Representation

4.4.1 All dealings in relation to the interment and/or removal of remains will be conducted with the Authorised Representative of the deceased.

4.4.2 The Authorised Representative will be the person who satisfies Council that they are a person entitled to exercise rights of the Authorised Person.

4.4.3 The Council may make reasonable enquiries to determine the status of a person making application with the Council to exercise the rights of an Authorised Person.

4.5 Removal of Cremated Remains

4.5.1 Only an Authorised Representative will be entitled to make application to Council for the removal of cremated remains.

4.5.2 An Authorised Representative wishing to remove cremated remains must complete and submit to Council for approval an 'Application to Remove Cremated Remains' form so as to make the necessary arrangements.

4.6 Segregation

The cemetery will not be segregated into areas based on religion or ethnicity.

4.7 Ornaments and Tributes

- a) The Council acknowledges the importance of tributes at grave sites. Safety standards must be maintained in regard to 'tributes' to ensure that the environment remains in a safe and presentable condition for staff and visitors.
- b) The Council has introduced guidelines for the placement of Tributes and Cemetery Ground Management to ensure members of the community are aware of their responsibilities to the placement of memorials.

4.8 Maintenance of Plaques/Headstones/Tombstones and Memorials

4.8.1 The provision and ongoing maintenance of plaques/headstones/tombstones and memorials are the responsibility of the family, relative or friends of the deceased.

3.8.2 In accordance with section 41 of the Act, the Council may issue a notice on the responsible person for plaques/headstones/tombstones or memorials requiring repairs, removal or reinstatement. Council may remove any structure if it is deemed to be unsightly, in poor condition, dilapidated or a danger. Alternatively, the Council may repair it consistent with section 41 of the Act at the owner's cost.

4.9 Council may appoint authorised officers to ensure administration and enforcement of the Act in accordance with section 59 of the Act.

4.10 Cemetery/Lease Fees

4.10.1 Council determines its burial fee will be the contractor's fee plus 10 (ten) % plus GST.

4.10.2 Council determines its lease fee will be \$100.00 for a period of 50 (fifty) years.

4.10.3 Council determines its Cremated Remains in Niche Wall fee will be the cost of the plaque plus \$110.00 (inc GST) for fitment.

5. AVAILABILITY OF POLICY

This Policy can be obtained from the Council's website www.roxbydowns.sa.gov.au or can be inspected at the Council's principal office located at 6 Richardson Place, Roxby Downs during normal business hours.

6. REVIEW & EVALUATION

The Policy will be review and evaluated no less than once every three years.