



CEMETERY INTERMENT – COLUMBARIUM / NICHE WALL

INURNMENT

POLICY:

1. Purpose

The purpose of this policy is to outline Wakefield Regional Council's guidelines for cemetery operation in the capacity as a Cemetery Owner/Curator.

2. Scope

The scope of this Policy applies to:

- All Council cemeteries under the management of Wakefield Regional Council being: Alma South, Balaklava, Barunga Gap (Percyton), Beaufort, Blyth, Brinkworth, Hamley Bridge, Hoyles Plains (Hoyleton), Lochiel, Owen, Port Wakefield, Salt Lake, Snowtown (Condownie), White Well (Kybunga) and Whitwarta Cemeteries.
- All employed staff that are engaged in any Cemetery works.
- All Contractors authorised to carry out works within a Council cemetery.
- All leaseholders/applicants/responsible persons that have plot sites or interests within a Council cemetery.

3. Definitions

'Beam' means the surrounding above ground infrastructure bordering the lease site.

'Burial site' means a plot (lease site) that is interred.

'Contractor' means a person/organisation external to that of a Council representative/employee.

'Council' means Wakefield Regional Council, as the Owner/Curator.

'Curator' is the Curator of Cemeteries for the Wakefield Regional Council.

'Exhumation' the lawful removal of human remains from there registered location within the Cemeteries under the care and control of Wakefield Regional Council.

'Lease' means the agreement to inter/inure and associated authorised documentation.

'Lessee/Leaseholder/Responsible Person' means the name of the person in which the lease is held or the deceased or the next person responsible for the plot, such as family/relative or friend

'Memorial structure' means the type of plaque or memorial headstone or affiliated information detail tablet allowed by Wakefield Regional Council.

'Plot' means the locality within the cemetery where a burial (interment), niche wall (inurnment) is / or has occurred within the cemetery in the allocated lease site.

4. Application

This policy applies to the cemeteries under the care, control and management of Wakefield Regional Council being the Alma South, Balaklava, Barunga Gap (Percyton), Beaufort, Blyth, Brinkworth, Hamley Bridge, Hoyleton (Hoyles Plains), Lochiel, Owen, Port Wakefield, Salt Lake, Snowtown (Condownie), White Well (Kybunga) and Whitwarta Cemeteries.

5. Regulations

The Cemetery shall be considered open daily throughout the year from dawn to dusk. No person other than an employee or curator duly authorised by Council shall be permitted to enter or remain within the cemetery at any other hours.

The hours for burial shall be Monday to Friday 9.00 am to 4.00 pm. Weekends and Public Holidays (except Good Friday and Christmas Day) by special arrangement only and subject to additional fees.

Any person committing or omitting any act or violation of any of these regulations may be removed from the cemetery by order of Council, the Curator or by any Officer of the Police Force of South Australia.

The Funeral Director shall inform Council of relevant certification for the burial and ensure that the Nameplate matches that on the burial notification.

6. General

No person other than an authorized employee or contractor of Council, shall cultivate any portion of the soil within the cemetery either by planting lawns, flowers, trees or shrubs, or in any other manner whatsoever.

No person shall:

- disturb any funeral service at any grave, whether by working in the neighbourhood thereof, or otherwise,
- sell or buy any article or thing,
- distribute any handbill, card or circular or other advertisement,
- carry on any trade, business, or call to promote or advertise the same by solicitation, or by any other system or advertisement whatsoever,
- discharge any firearms except at a military funeral,
- cut, break or deface any of the statuary monuments, trees, shrubs, plants, seats, gates, posts, shelter or fences or write thereon,
- affix any bill or stencil mark to any tree, seat, gate, post, fence, wall pillar or railing,
- interfere with trees, shrubs, flowers, vases, labels, birds, animals or other property,
- commit any riot, breach of the peace, or nuisance or otherwise offend against decency or decorum,
- take or injure any of the plants, flowers or shrubs,

without the consent of the Curator.

Any tent or marquee erected in the Cemetery shall be removed immediately after the funeral. Council will require reimbursement of costs to repair any damaged area or underground services.

Nothing may be brought into or removed from the Cemetery without a permit from the Curator.

Council will take reasonable care to protect the property and property rights of owners within the cemetery from loss and damage, but disclaims all responsibility for loss or damage caused by its employees or agents and/or equipment of the Council or from other causes beyond its control.

Council reserves the right of a temporary easement at any time on or across any space, for equipment and material access necessary for interment on adjoining lots or other operational purposes.

Council will allocate plots at the Lochiel Cemetery that are not affected by high water table. This information can be sought by contacting Council.

7. Floral Tributes

The following is a policy statement regarding floral tributes:

- Non approved receptacles will be removed by the Curator or an authorised employee/contractor of Council.
- Any such receptacle that may be of some value to the owner to be noted and placed on storage for a period of three months, thereafter may be disposed of by Council.
- Council employees have the right to remove any tribute be it natural or synthetic, when in the employee's opinion the tribute has become unsightly or is unsightly.
- Council will take every precaution to ensure that floral tributes on memorials or monuments will remain intact whilst in good condition but will not be held responsible for premature removal either by its staff or members of the public.
- All plants and trees within the Cemetery (not incorporated with a lease) remain the property of Council.
- The selection of trees, plants, shrubs and materials used in the Park is at the absolute discretion of Council.

8. Leases

Council may, upon the payment of a lease fee as set down in the Fees and Charges, grant a lease for the exclusive right of burial in any section of the cemetery.

The Curator shall have the right to refuse any application for a lease or renewal and, to limit the number of leases to any one person.

The Curator shall keep a register of Leases as required by the Local Government (Cemetery) Regulations Regulation 9.

Any notice sent to a lessee or responsible person, at the last address on file in the office of Council will be considered sufficient and proper legal notification in relation to any matter pertaining to a lease.

The Lessee or responsible person must notify Council of any change in mailing address.

The transfer of leases is permitted subject to the approval of the Curator and the completion of Transfer of Lease forms available from Council. A transfer fee may apply according to the Fees and Charges at that time.

Leases for graves or plots that are unused and no longer required may be cancelled and transferred back to Council only. There will be no refund given for relinquishment of a lease.

The lessee and any other person or persons nominated by the lessee or his/her executor(s) shall have the exclusive right to the plot. It should be noted that in the event of the death of the licensee it is the responsibility of the Estate of the Lessee to transfer the lease to the next of kin, beneficiary or other appropriate person.

All leases are for a Ninety-Nine Year period (99) from the date of authorisation and payment.

A Lease is for the purpose of a burial/interment and not for the purpose alone as a memorial site.

No burial plots can be reserved except the adjoining plot for the spouse and/or relative of the deceased.

It is preferred by the Curator that the next available plot is leased to avoid 'gaps' being left in cemeteries.

All leased sites are the responsibility of the Leaseholder or responsible person and therefore any maintenance to the plot, ornaments, plantings monument and structure is to be carried out by the Leaseholder or responsible person.

All cemetery fees and charges will be reviewed annually.

All Fees and Charges shall be paid to the Council office.

Copies of Fees and Charges are available from the Council office.

9. Burial Plots

No burial shall, under any circumstances, be permitted in the cemetery until an application has been approved, and particulars of the deceased person have been recorded by the Curator.

No more than two coffin interments shall be buried in the same burial site.

No burial site will be reused for that other than the placement of ashes or the placement of a second burial as below.

Coffins shall be interred at the prescribed depth as defined by the Local Government (Cemetery) Regulations 1995, being:

- Single depth – 1.5 metres
- Double depth – 1.8 metres

No human remains may be removed from the grave except in accordance with Regulation 20 of the Local Government (Cemetery) Regulations 1995.

Every grave within the Cemetery will be dug by Employees or Contractors of Council.

10. Niche Wall

An inurnment will be scheduled by the relevant contractor for placement within the Niche Wall at the allotted plot in accordance with the lease.

All leased niches are the responsibility of the Leaseholder or responsible person and therefore any maintenance to the niche, ornaments, plantings is to be carried out by the Leaseholder or responsible person.

It is preferred by the Curator that the next available niche is leased to avoid 'gaps' being left in the niche wall.

11. Memorial Plaques And Monuments

No person other than a duly authorised employee or agent/contractor of the Council, shall install or alter any monument, plaque or memorial in any section within the cemetery.

All monuments, plaques and memorials shall be of a design, dimension and quality approved by Council or the Curator.

All applications to construct a monument above a height of 1.2 metres, is to seek planning approval and provide drawings of footings to prove stability and security of the structure.

No monument structure will be approved above a height of 2.4 metres.

No ornaments are to be secured to a monument without the approval of the Curator.

No monument, plaque or memorial shall be removed without the consent in writing of the Curator.

The registered licensee/lessee shall keep monuments, plaques and/or memorials in good repair and proper condition.

Council may realign or alter the position or memorials after consultation with the leaseholder and only after a period of 3 months has elapsed from the time of notification and consultation.

Any monument, plaque or memorial deemed unsightly or unsafe, must be repaired or replaced by the grantee or licensee within 8 weeks of the notification by Council or the Curator. All headstones not removed by the licensee/lessee within 3 months of notification will be removed by the Curator and held for a period of six months, prior to disposal.

Council will not accept any responsibility for damage to monuments through acts of vandalism, ageing or deterioration. Repair of damaged monuments is the responsibility of the licensee or lessee, who will be contacted by the Curator.

RESPONSIBILITIES:

The Infrastructure Services Manager is accountable for ensuring the proper operation of this Policy.

LEGISLATION:

Local Government Act 1934 - Part 30 (Cemeteries) - .

Local Government (Cemetery) Regulations 1995 - .

Local Government (Exhumation of Human Remains) Regulations 2005

REFERENCES:

Cemeteries Association of South Australia (CASA),

Bookings to Backfill - Aust Cemeteries & Crematoria Assoc. (ACCA)

REVIEW:

This Policy shall be reviewed at least every 24 months or more frequently if legislation or Council needs changes to the content.

Adopted by Council ;

Version 1 : 26 November 2008 - Minute 117

Amended : 23 March 2011 - Minute 203