

CEMETERY MANAGEMENT POLICY	
Administration Policy	
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1. POLICY STATEMENT

Council will efficiently and effectively manage the Council's cemeteries in a caring and equitable manner to a high standard of presentation while considering the wishes of the different cultural and religious groups within the community and the cost of the service.

2. PURPOSE

2.1 Purpose

To provide a defined process to ensure cemeteries under the care, control and management of the Council are managed and maintained to a high standard of presentation relative to the resourcing and funding available and in accordance with the Burial and Cremation Act 2013 and relevant Regulations.

2.2 Scope

2.2.1 This Policy applies to the following cemetery facilities owned or operated by Council:

- **Port Augusta Cemetery (Carlton Parade)**
at 154 Carlton Parade, Port Augusta;
- **Port Augusta West Cemetery**
at 25 Old Tarcoola Road, Port Augusta West; and
- **Stirling North Garden Cemetery**
at 16 Bowman Road, Stirling North.

2.2.2 This Policy does not apply to the inactive Westside Cemetery on Caroon Road, Port Augusta West. This historical site will be maintained by Council only to provide safe public access.

2.3 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 and Cremation Regulations 2014* (the Regulations).

2.4 Strategic Reference

4 Infrastructure

4.1 Our physical infrastructure meets our community needs.

5 Governance and Financial Sustainability

5.5 We meet or exceed legislative and accreditation requirements for all relevant programs.

3. PRINCIPLES

3.1 Cemetery and Funeral Provisions

3.1.1 All cemeteries in the Council area provide for rights for burial purposes in perpetuity pursuant to The Act.

- 3.1.2** The Council does not offer a pre-paid or pre-need interment rights, however an Interment may be reserved, refer clause 3.3.

3.2 Interment rights

- 3.2.1** Interment rights may be granted by the Council on completion of an application 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. The holder of the interment right may use the site only for interment of human remains consistent with this Policy and the Act.
- 3.2.2** Interment right holders may seek approval of the Council to surrender or transfer the right to another person/family in accordance with the Act. Council will not unreasonably withhold its approval however, administrative fees for the surrender, formal transfer and recording in the Council's register will be at the cost of the holder of the interment right in accordance with the Regulations.
- 3.2.3** All interments in Council cemeteries 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 will be undertaken by Council, or a contractor authorised by the Council.

3.2.4 Minimum Notice

At least two 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) Partial/Death Certificate or Coroners Certificate, and
- c) Cremation Certificate where applicable

3.2.5 Cremated Remains Burial – Stirling North Garden Cemetery (Niche Wall)

- a) A Plaque must be ordered before ashes are interred into the Niche Wall.
- b) Ashes must be transferred to a canister provided by Council either by the family or the Funeral Director.

- 3.2.6** Interments/burials must not commence more than 30 minutes prior to, nor 30 minutes after, the stipulated time on the Cemetery/Grave Order form. However, council recognise that issues can arise out of the control of the funeral director/family and in this instance we ask that contact is made advising the council of any late arrivals.

3.2.7 Perinatal Gestation

The Funeral Director must state on the 'Register of Burial' Form – 'perinatal gestation and has no legal presentation' to enable the burial to proceed without the provision of a death/partial death certificate. Council will enter this statement into the burials database as a record of this burial.

3.3 Interment Reservations

- 3.3.1** At the time that an interment right is granted for a burial at the Port Augusta Cemetery (Carlton Parade), the interment right holder may reserve a maximum of one site, directly adjacent to the burial interment right, for a period of 10 years, upon payment of the relevant reservation administration fee.
- 3.3.2** An interment right reservation may be renewed for an additional 10-year period, at the expiry of the initial 10-year period, upon payment of the relevant reservation administration fee.
- 3.3.3** Interment right reservation holders may seek approval of the Council to surrender or transfer the right to another person/family in accordance with the Act. Council will not unreasonably withhold its approval, however administrative fees for the surrender, formal transfer and recording in the Council's register will be at the cost of the holder of the interment right in accordance with the Regulations.
- 3.3.4** Use of the reserved interment right for a burial will require the surrender of the interment right reservation to Council, and the issue of an interment right in accordance with clauses 3.1 and 3.2.

3.4 Re-opening of gravesites

The re-opening of gravesites, to receive additional human remains, otherwise known as a double plot, can only occur at the Port Augusta West Cemetery and Stirling North Garden Cemetery. Due to soil instability and the risk of collapse, graves cannot be re-opened at the Port Augusta Cemetery (Carlton Parade).

3.5 Authorised Representation

- 3.5.1** All dealings in relation to the interment and/or removal of remains will be conducted with the Authorised Representative of the deceased.
- 3.5.2** The Authorised Representative will be the person who satisfies Council that they are a person entitled to exercise rights of the Authorised Person as stated on the Application for Burial Form.
- 3.5.3** 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.

3.6 Removal of Cremated Remains

- 3.6.1** Only an Authorised Representative will be entitled to make application to Council for the removal of cremated remains.
- 3.6.2** An Authorised Representative wishing to remove cremated remains must complete and submit to Council for approval an 'Application to Remove Cremated Remains' form to enable the Council to make the necessary arrangements.

3.7 Segregation

Cemeteries will not be segregated into areas based on religion or ethnicity alone, however Council will have regard to the customs, practices and specific needs of all those who apply for an interment right.

3.8 Memorials within Cemeteries

3.8.1 Headstone/Tombstone Provision

- a) The provision and ongoing maintenance and upkeep of tombstones at the Port Augusta (Carlton Parade) and Port Augusta West Cemeteries and Heritage Areas of the Stirling North Garden Cemetery are the responsibility of the family of the deceased.
- c) The provision and ongoing maintenance of headstones at the Stirling North Garden Cemetery are the responsibility of Council.

3.8.2 Plaques (Grave Headstone) Stirling North

- a) The cost of plaques is calculated and included as part of Council's cemetery fee structure. Council is responsible for ordering plaques with the design and layout of plaques to be determined in negotiation with the Authorised representative while upholding the existing aesthetic of the cemetery.
- b) Plaques will not be ordered until the cemetery fees have been paid in full.
- c) The provision and ongoing maintenance of plaques is the responsibility of the family of the deceased.

3.8.3 Ornaments and Tributes

- a) The Council acknowledges the importance of tributes at grave sites, however 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.

3.9 Maintenance of Memorials

3.9.1 Unless otherwise stated within this Policy Council is not responsible for the upkeep, repair or maintenance of any memorial.

3.9.2 In accordance with section 41 of the Act, the Council may issue a notice on the owner of a memorial requiring repairs, removal, or reinstatement of the memorial. Council may remove any structure deemed to be unsightly, in poor condition or dilapidated. Alternatively, the Council may repair it consistent with section 41 of the Act at the owner's cost.

3.10 Consumption of Alcohol

Council is subject to a Total City Dry Area regulation and therefore the consumption of alcohol within a public place is illegal. It is therefore important that the public be mindful the consumption of alcohol **within any** cemetery in Port Augusta could lead to an expiation notice being issued.

3.11 Authorised Officers

Council may appoint authorised officers to ensure administration and enforcement of the Act.

3.12 Cemetery Fees

3.12.1 Council determines its cemetery fees on an annual basis as part of its budget process.

3.12.2 Fees and charges can be found within the Council's Fees and Charges Register, which can be obtained from Council's website www.portaugusta.sa.gov.au or can be inspected at Council's principal office at 4 Mackay Street, Port Augusta.

4. AVAILABILITY OF POLICY

4.1 This Policy and the Register of Cemeteries can be obtained from the Council's website www.portaugusta.sa.gov.au or can be inspected at the Council's principal office located at 4 Mackay Street, Port Augusta.

4.2 Copies of this Policy can also be provided upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

4.3 Copies of the registers and plans of the Council's cemeteries are available for inspection by members of the public at Council's offices at 4 Mackay Street, Port Augusta during normal Council Office hours, in accordance with section 53 of the Act.

5. RESPONSIBILITY & REVIEW

5.1 Responsible Officer

Director Infrastructure

5.2 Availability

This policy will be available on Council's website.

5.3 Review

This policy will be reviewed within 12 months of a General Election for Local Government, or as required to meet other obligations.

6. REFERENCES

6.1 Legislation

Burial and Cremation Act 2013
Burial and Cremation Regulations 2014

6.2 Other References

Fees and Charges Register