

Cemetery Policy

Council Policy

Renmark Paringa Council

Responsible Officer	Manager Corporate Services
Relevant Legislation	Burial & Cremation Act 2013 Burial & Cremation Regulations 2014
Adopted	19 December 2017
Reviewed	May 2023
Next Review	May 2026

Purpose

This policy outlines Renmark Paringa Council's objectives in respect of Council owned and operated cemeteries. 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 the revised requirements for the operation and regulation of cemeteries, natural burial grounds and crematoria within the Council area. Council will efficiently and effectively manage its cemeteries in a caring and equitable manner to meet the needs of its community.

Definitions

Words and phrases used in this policy have the same meaning as they do in the Burial and Cremation Act 2013 and the Burial & Cremation Regulations 2014.

"Council" means the Renmark Paringa Council.

"Burial Right" means a Right for the Interment of Human remains.

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

"Memorial" means an approved gravestone or other monument, a plaque or any other approved structure used to memorialise a deceased person.

"Memorial Right" means a right for memorialisation without human remains.



Principles

The policy applies to all the cemeteries that the Council is responsible for the care, control and management and are located in the townships/settlements of Renmark, Paringa and Lyrup.

Policy

General

1. The Cemeteries are open during daylight hours every day or as the Council may otherwise determine. No person without the approval of the Council shall remain in a Cemetery outside of the hours that is open to the public.
2. The scale of fees for Cemetery services are listed in the Council's Register of Fees and Charges. These fees will be in accordance with the adopted register of Fees and Charges which are reviewed by the Council on an annual basis.

Copies of the fees and charges are available from the Council. All fees and charges shall be paid at the office of the Council.

3. A speed limit of 10 km per hour applies in the Cemetery.

A person must not drive a motor vehicle within the Cemetery in a dangerous or care less manner.

All vehicles must park in the designated parking areas whenever possible.

4. No person shall disturb or interrupt a funeral service.
5. Improper or offensive behaviour is not permitted.
6. No animals or dogs are allowed to enter a cemetery.
7. Private planting of shrubs, bushes and potted plants are not permitted.
8. Deteriorating or untidy flowers or arrangements may be removed at the discretion of the Council.
9. Loose flower containers, vases or any other items are only allowed on the memorial or plinth in Lawn Cemeteries. This means that no items shall be placed on the lawn.
10. In the event the surface of any interment site in the Cemetery sinks below the level of the natural surface of the ground, the Council may cause the site to be filled up to that level.
11. For the safety and security of the general public, tributes may be placed only in unbreakable containers. No glass, ceramic or any breakable containers or vases on or around any memorial or plinth. No pebbles or stones encroaching on lawned areas. No flammable liquids or cleaning supplies to be left on or around memorials. Exceptions are decorative solar lights placed as close as possible to memorial or plinth. or as the Council may determine.
12. No Memorial shall be erected, modified or repaired without the written consent of the Council.



13. The Council does not accept any responsibility for damage to memorials through acts of vandalism, ageing or deterioration. Repair of damaged memorials is the responsibility of the Interment Right Holder.

Interment Rights

A Cemetery site or sites may be selected from any section within a Cemetery except for sites in the Renmark Lawn Cemetery. Selection of sites in this section will only be allowed in the rows that are open at the time and if approved by the Cemetery Curator.

1. The Council may grant an Interment Right in relation to one or more sites in the Cemetery where:
 - a "Burial and Memorial Sites Interment Rights & Responsibilities " form recording the burial and memorial sites is signed by the proposed Interment Right Holder; and
 - a Interment Right number form is issued by the Council; andThe proposed Interment Right Holder pays the fee as set down by the Council's Fees and Charges.
2. The Interment Right gives the holder the exclusive right to bury or inter human remains in the allotted site. In the event of the death of the Interment Right Holder, the rights granted to the Interment Right Holder may be exercised as per the Plain English Statement form in descending order of entitlement.
3. The term of all interment rights is 99 years and commences from the date of issue.
4. The Council, family or the funeral director may select the site once payment of the fee has been made.
5. The Interment Right Holder, and only the Interment Right Holder, has the right to surrender the interment right to the Council in accordance with the Act (section 34) and Regulations. On surrender the rights granted under the Interment Right is discharged.
6. Any Memorial may be reclaimed by the Interment Right holder upon surrender of the Interment Right, or if unclaimed will be disposed of by the Council in accordance with the Act and Regulations.
7. The Council may permit the transfer of an Interment Right in accordance with the Act (section 33).



Burials

1. Burial hours are between 9.00am and 3.00pm Monday to Friday.
2. Burials outside of these times (Saturdays, Sundays & Public Holidays) may be arranged with the Council but will be subject to additional costs as per the Fees and Charges register.
3. No burial or placement of cremated remains will take place in a Cemetery unless:
A Cemetery burial/interment of ashes form has been completed by the relevant Funeral Director and received by the Council at least two full working days prior to the burial/interment.
All relevant fees are paid to the Council.
4. A maximum of two burials is permitted in coffin or casket sites provided that sufficient depth is available as per the Regulations (section 15).
5. The maximum number interments of cremated remains in one site are as follows:
 - a. Maximum of 1 in a Niche Wall
 - b. Maximum of 2 in Memorial Gardens
 - c. Maximum of 4 in Traditional and Lawn

Memorials

1. No plaque, memorial or tribute shall be installed or altered on any site within the Cemetery by any person other than a registered Monumental Mason who has submitted the appropriate application for Memorial work together with the prescribed fee as per the Council's Fees and Charges register and obtained a Permit from the Council to carry out the works.
2. Memorials shall be of marble, granite or other durable material approved by the Council. No wooden structure will be allowed other than in the form of a temporary wooden cross.
3. All memorials/monuments must be constructed and installed in accordance with the Council's specifications as displayed on the permit form.
4. Monumental masons shall clear away all refuse made by them and make good all damage caused through them or their servants.
5. The ownership of plaques, memorials and other approved structures remains with the Interment Right Holder. The Council is not responsible for the upkeep, repair or maintenance of any memorial.



Registers/Records and Plans

1. Under section 53 of the Act, the Council must maintain and make available to the public, documentation for each cemetery.
2. Copies of the registers and plans of the cemetery are available for inspection by members of the public during the office hours of the Council.

Authorised Officers

The Council may appoint authorised officers to ensure administration and enforcement of section 59 of the Act.

Document Control

Version #	Approval Date	Approved by	Amendment
1.0	4 December 2017	Policy Review Committee	- New Policy
2.0	11 November 2020	Policy Review Committee	- New Policy format
3.0	15 August 2023	Policy Review Committee	- Reviewed and adopted