



## **PLAN OF MANAGEMENT FOR CEMETERIES**

**2017**

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# CEMETERY MANAGEMENT PLAN

## 1 INTRODUCTION

### 1.1 *Statement of Purpose*

This Plan of Management has been written to comply with the Cemeteries and Crematoria Act 2013 section 93.

The regional cemetery lands are considered to be 'operational land' and 'crown land'. In accordance with the Local Government Act 1993 and the Crown Lands Act 1989, the core management objectives identified for these lands are;

1. Promote, encourage and provide for the use of the land;
2. Provide facilities on the land;
3. Meet the current and future needs of the local community and of the wider public in regards to the use of the land.

The utilization and management of 'operational land' and 'crown land' is governed by:

1. A Plan of Management applying to the land;
2. Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land.

The Plan of Management for 'operational land' and 'crown land' must identify the following:

1. The category of the land;
2. The objectives and performance targets of the plan with respect to the land;
3. The means by which the council proposes to achieve the plans objectives and performance targets;
4. The manner in which the council proposes to assess its performance with respect to the plans objectives and performance targets.

### 1.2 *Objectives of the Plan*

It is the purpose of this management plan to place before Council and the Community a management strategy that integrates all of the regional cemeteries and continues their efficient operation.

This document aims to:

1. Provide information on standard safe working practices that have been adopted for use in cemeteries;
2. Provide a framework for the maintenance of the regional cemetery lands at a level acceptable to both the Council and the Community within the scope of the resources available;
3. To ensure that the cemetery lands are used for the purpose for which they have been dedicated;
4. To ensure that the Community can contribute to the development and implementation of this plan;
5. To comply with all of the legislative obligations placed on Council as Trustee of the cemetery lands.

### 1.3 Where this Plan Applies

Council is the Trustee for 20 cemeteries within this region. They are as follows:

Cemetery	Lot, Section & DP	Address	Locality	Land Category	Operational status	Manager	Management arrangement
Attunga Cemetery	Lot 10-14 DP 114775	Ridge Street	Attunga	Crown Land	Operational	Tamworth Regional Council	Devolved
Attunga Cemetery	Lot 7304 DP 1146813	Ridge Street	Attunga	Crown Land	Operational	Tamworth Regional Council	Devolved
Barraba Cemetery	Lot 1 DP 1135806	Memorial Dive	Barraba	Crown Land	Operational	Tamworth Regional Council	Private
Barraba Cemetery	Lot 7300 DP 1136359	Memorial Dive	Barraba	Crown Land	Operational	Tamworth Regional Council	Devolved
Bendemeer Cemetery	Lot 1 Sec 12 DP 758090	Frederick Street	Bendemeer	Crown Land	Operational	Tamworth Regional Council	Devolved
Bowling Alley Point Cemetery	Lot 7013 DP 96292	Nundle Road	Bowling Alley Point	Crown Land	Operational	Tamworth Regional Council	Devolved
Dungowan Cemetery	Lot 7302-7303 DP 1154301	Ogunbil Road	Dungowan	Crown Land	Operational	Tamworth Regional Council	Devolved
Kootingal / Moonbi Cemetery	Lot 7320 DP 1159692	Thomas Street	Moonbi	Crown Land	Operational	Tamworth Regional Council	Devolved
Hanging Rock Cemetery	Lot 7002 DP 1030465	Happy Valley Road	Hanging Rock	Crown Land	Operational	Tamworth Regional Council	Devolved
Manilla Cemetery	Lot 7013-7014 DP 1065785	Namoi River Road	Manilla	Crown Land	Operational	Tamworth Regional Council	Devolved
Manilla Historic Cemetery	Lot 2 Sec 42 DP 758644	River Street	Manilla	Crown Land	Closed	Tamworth Regional Council	Devolved
Manilla Graves	Lot 190 DP 752178	Ratcliffe Avenue	Manilla	Crown Land	Closed	Tamworth Regional Council	Devolved
Nundle Cemetery	Lot 7001 DP 1030464	Nundle Creek Road	Nundle	Crown Land	Operational	Tamworth Regional Council	Devolved
Niangala Cemetery	Lot 7002 DP 96287	Niangala Weabonga Road	Niangala	Crown Land	Closed	Tamworth Regional Council	Devolved
Oak Creek / Weabonga Cemetery	Lot 7002-7003 DP 96286	Weabonga Road	Weabonga	Crown Land	Closed	Tamworth Regional Council	Devolved
Somerton Cemetery	Lot 7003 DP 1116475	Somerton Tip Road	Somerton	Crown Land	Closed	Tamworth Regional Council	Devolved
Somerton Cemetery	Lot 7300-7301 DP 1142819	Somerton Tip Road	Somerton	Crown Land	Closed	Tamworth Regional Council	Devolved
Tamworth Cemetery	Lot 1 DP 724326	Showground Road	Taminda	Crown Land	Operational	Tamworth Regional Council	Devolved
Tamworth Cemetery	Lot 1 DP 1145316	Showground Road	Taminda	Local Government	Operational	Tamworth Regional Council	Local Government
Tamworth Cemetery	Lot 1 DP 164889	Showground Road	Taminda	Local Government	Operational	Tamworth Regional Council	Local Government
Tamworth Cemetery	Lot 2 DP 633198	Showground Road	Taminda	Local Government	Operational	Tamworth Regional Council	Local Government
Tamworth Cemetery	Lot 3 DP 152850	Showground Road	Taminda	Local Government	Operational	Tamworth Regional Council	Local Government
Tamworth Cemetery	Lot 7004 DP 1030068	Showground Road	Taminda	Crown Land	Operational	Tamworth Regional Council	Devolved
Watsons Creek Cemetery	Lot 135 DP 753839	Millers Road	Watsons Creek	Crown Land	Closed	Tamworth Regional Council	Devolved
Watsons Creek Graves	Lot 7004 DP 1029460	Den Mountain Road	Watsons Creek	Crown Land	Closed	Tamworth Regional Council	Devolved
Winton Cemetery	Lot 7001 DP 1026359	New Winton Road	Winton	Crown Land	Closed	Tamworth Regional Council	Devolved
Woodsreef Cemetery	Lot 46 DP 752205	Old Bundarra Road	Woodsreef	Crown Land	Closed	Tamworth Regional Council	Devolved
Woolomin Cemetery	Lot 238 DP 755350	Woolomin Gap Road	Woolomin	Crown Land	Closed	Tamworth Regional Council	Devolved

See Appendix B for maps showing the locations of the cemeteries.

## **1.4 Operational Cemeteries**

The following cemeteries are deemed to be open for interments:

1. Attunga Cemetery
2. Barraba Cemetery
3. Bendemeer Cemetery
4. Bowling Alley Point Cemetery
5. Dungowan Cemetery
6. Hanging Rock Cemetery
7. Kootingal / Moonbi Cemetery
8. Manilla Cemetery
9. Nundle Cemetery
10. Tamworth Cemetery

## **1.5 Closed Cemeteries**

The following cemeteries are deemed to be closed for interments:

1. Manilla Historic Cemetery
2. Manilla Graves
3. Niangala Cemetery
4. Oak Creek / Weabonga Cemetery
5. Somerton Cemetery (*Right of Burial Holders and Ashes Only*)
6. Watsons Creek Cemetery
7. Watsons Creek Graves
8. Winton Cemetery (*Right of Burial Holders and Ashes Only*)
9. Woodsreef Cemetery
10. Woolomin Cemetery

Should anybody provide to Council a Right of Burial then a new burial may occur at these cemeteries.

Should Part 4 of the NSW Cemeteries and Crematoria Act 2013 be enacted upon then these cemeteries may be opened to new reservations.

## **1.6 Closed Areas within Cemeteries**

Due to inaccurate and lost records there are several operating cemeteries which have existing areas closed to new reservations. Council will honor all prior reservations however any new reservations may now be located in a different section of the existing cemetery. These new areas will be in the form of a General or Lawn Section.

The following cemeteries have closed sections within them:

1. Kootingal / Moonbi Cemetery
2. Manilla Cemetery
3. Nundle Cemetery

The following cemeteries are closed to new reservations:

1. Somerton Cemetery
2. Winton Cemetery

## **1.7 Future Cemeteries**

Council has a concept to provide a major long term Lawn Cemetery facility at a site on the Oxley Highway, Tamworth opposite the Tamworth Airport. This proposal is yet to be confirmed by Council.

As a short term measure the existing Tamworth Cemetery is being expanded towards Dampier Street to make use of some vacant land owned by Council.

### **1.8 War Cemeteries**

There is currently only one War Cemetery within the Tamworth Regional Council area. This cemetery is located on Forest Road, Tamworth. This cemetery is managed and maintained by the Office of Australian War Graves.

### **1.9 Private / War Grave Cemeteries / Historic Burials**

There are currently several Private Cemeteries and Historic Burial Sites within the Tamworth Regional Council area. There is also a War Grave Cemetery on the outskirts of Tamworth.

This management plan does not include them but Council wishes to acknowledge their existence and historic value.

## **2 PERFORMANCE TARGETS OF THE PLAN**

### **2.1 Targets**

The performance targets of the plan are outlined as follows:

1. Providing for the extension of the cemeteries where required, Tamworth, Barraba and Manilla Cemeteries;
2. Retaining the value of the existing assets by utilizing an efficient and cost effective maintenance program, subject to available resources;
3. To maintain and preserve existing monuments, as well as regulating future monumental work;
4. To encourage community participation in the care of family plots;
5. Provide effective administration of the cemetery records for funeral and genealogical services;
6. Continue to maintain and enhance the permanent cemetery records.

### **2.2 Methods of Achievement**

The means by which council will achieve the objectives and performance targets of the plan are as follows:

1. By providing for the ongoing maintenance and developmental work, where required, through effective financial planning;
2. By implementing appropriate work programs within council to ensure that envisaged levels of maintenance are achieved;
3. By ensuring that staff are equipped with the knowledge and equipment to perform their duties to the best of their ability;
4. By allowing the community access to this management plan and ensuring that all procedures are transparent and accountable;
5. To set fees and charges at a level which meets the costs of maintaining the cemeteries, but which is also equitable to the community;
6. Regularly review fees, procedures and community needs.

### **2.3 Assessment of Performance**

As the cemetery lands have been classified as 'operational land' and 'crown land' the measurement of the level of achievement that council attains with the objectives and performance targets are reliant on the general opinion of the community to a great degree.

The monitoring and measurement of the achievement by council of the performance targets will be assessed through the following methods:

1. Community comments regarding the quality of work undertaken and the levels of maintenance on cemetery lands;
2. The community's satisfaction with existing facilities and comments for future improvements;
3. The ability of staff to quickly and accurately access information regarding existing grave plots and those required for future use;
4. For the budgets allocated to be adequate for the work required on the cemetery lands.

### **3 CURRENT PRACTICES AND SERVICES**

#### **3.1 Burial activities**

1. Grave allotments are available on application and the payment of the prescribed fees and charges. Payments and enquiries are available at the Tamworth, Manilla, Barraba and Nundle offices;
2. All fees and charges will be set out in Council's annual schedule of fees and charges;
3. Persons undertaking burials or other work on the cemetery lands shall hold the necessary and appropriate certificates and registrations, and be able to produce the said documentation if requested;
4. Burials must conform in all aspects to the provisions under the Public Health Act and Regulations. This includes all Policies which the NSW Health Department amend or bring into effect;
5. The difficulties of performing burial services, particularly in the regional cemeteries, are recognized by Council requiring three to four (3–4) days notice. Technical, environmental and occupational health and safety issues are the motivators behind such a decision;
6. Where possible Council will try and accommodate specific religious beliefs in relation to burial services, i.e the Bretheran, Muslim.

#### **3.2 Maintenance of Grounds**

Council will maintain the physical environment of the cemeteries to a set standard. The level of maintenance will match the level of use of the cemetery.

General maintenance consists of:

1. Mowing the lawns;
2. Weed control is usually undertaken using herbicides, although whipper snipers may also be used;
3. Upkeep of existing fences and gates;
4. General cleaning;
5. The collection and removal of garbage;
6. Removal of dead and withered flowers, and broken vases as required (plastic flowers);
7. Generally the lawns of the cemeteries are not watered, except for the Tamworth Lawn Cemetery;
8. The access roads into the cemeteries are also maintained by council staff.

#### **3.3 Maintenance of Burial Sites**

The maintenance of headstones and graves are the responsibility of the families.

Council undertakes general maintenance of the grave plots in the form of:

1. The supply of a desk top plaque base for lawn burials;
2. The drilling of headstones and affixing of plaques, as well as on the columbarium walls and memorial gardens;
3. The construction of reinforced concrete beams on which the headstones are placed;
4. Council will provide fill for graves that are subsiding on a regular basis particularly after heavy rain.



### **3.4 Historical Grave Sites**

Historical monuments should remain in their original location to retain their original context. However, if this is unavoidable the following steps should be taken:

1. Monuments removed from their original location should be reinstated, if the correct placement is known. Where the original locations are not known, these individual monuments should be allowed to free stand in a section of the cemetery;
2. The odd alignment of monuments should not be regarded as a problem, unless they pose an occupational health and safety risk;
3. The elements or components of a grave should not be separated. If reassembly of a monument is not possible, the monument should have its inscription documented then be laid face down on a gravel base at an inclined angle to allow drainage and aeration around the stone;
4. The removal of monuments to ensure their conservation should only occur in extreme circumstances, where the monument is of great value and at serious risk. Its location and parts should be carefully recorded to enable its return at a later stage;
5. All cemetery monuments should be retained in situ;
6. Inspections of old headstones are undertaken on a regular basis and any headstone deemed to be dangerous is placed horizontal on the grave to make safe;
7. Some sandstone headstones have been covered with earth to protect them from damage and the elements.

## 4 MONITORING AND REVIEW

Plans of management must continue to evolve, while this plan may be endorsed at a particular time, there must be provision for review and updating as strategies are being implemented or circumstances have changed.

Possible changes relevant to the cemeteries may include the following:

1. Changes to the physical environment (such as natural disasters);
2. Changes to the economic environment (reductions in available funding);
3. Changes to the organizational management (restructuring of management);
4. Changes to the political environment (changes in government, changes in policy directions).

It is recommended that the management plan of the cemeteries be reviewed and amended every five years. The cemetery management will also remain accountable to the community, who will ultimately reveal the achievement of the council's performance.

### 4.1 Asset Management

There are two maintenance programs for the care of cemetery assets:

1. *Seasonally* – to examine how the cemeteries are being maintained and to plan for peak times or important events. Examples of this could be the spring/summer mowing of lawns and weed control, as well as sprucing up for Mother's and Father's Days, and other important calendar days;
2. *Annually* – to examine the existing assets on cemetery lands and determine what maintenance or upgrading is required. Appropriate requisitions will be prepared for Council's consideration with the Annual Budget.

### 4.2 Asset Acquisition

Future directions and improvements to be made to the regional cemeteries include:

1. Mapping of the cemeteries and burial locations, using the GIS computer system and ground penetrating radar;
2. Construct an amenities block at the Barraba Cemetery;
3. The installation of power to Barraba Cemetery is required as a safety and security measure, as the cemetery is located within the boundary of the town;
4. All signage and row markers need to be upgraded at all of the regional cemeteries;
5. The uneven rows at Barraba Cemetery need to be straightened to alleviate potential safety issues;
6. A memorial is to be constructed at the Nundle Cemetery for the Chinese graves that it contains;
7. Grave shoring equipment is to be purchased and used at all cemeteries by staff;
8. The development and extension of cemetery land needs to be conducted at Tamworth, Barraba and Manilla Cemeteries;
9. A portable shade is to be purchased for Tamworth Cemetery to replace the existing deteriorated one;
10. The upgrading of ancillary facilities, like garbage bins, seats and shelters, are required at all of the regional cemeteries;
11. The construction of a columbarium and memorial garden at the Kootingal Moonbi Cemetery.

## 5 RISK MANAGEMENT

### 5.1 Public Safety

The regional cemeteries management and staff are committed to a policy of risk management and public liability minimization. Regular inspections and monitoring of the cemeteries is conducted to identify potential and future risks and hazards. Reports of such hazards and incidents are made and acted upon.

Any identified public safety hazards should be removed and/or appropriate warning signs and barricades should be erected as soon as possible.

### 5.2 Work Health and Safety

Under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*, anyone who can affect the health and safety in the workplace has a legal responsibility to protect it.

As an employer, Council must provide:

1. A safe workplace and methods of working;
2. Equipment, tools and machinery in a safe condition;
3. Safe and hygienic facilities, including toilets, eating areas and first aid;
4. Information, training and supervision to all workers;
5. A process of consultation with workers to keep them informed and involved in decisions that may affect their health and safety;
6. Processes for identifying hazards, and assessing and controlling risks.

A number of Australian Standards are also applicable to working within cemeteries.

These include:

1. AS 1470 – 1986 Health and Safety at Work;
2. AS 4204 – 1994 Headstones and Monuments;
3. AS 1657 – 2013 Fixed Platforms, Walkways, Stairs and Ladders;
4. AS 1716 – 2012 Selection, Use and Maintenance of Respirators;
5. AS 2865 – 2009 Safe Work in Confined Spaces;
6. National Standards of Manual Handling also apply.

Some general guidelines that apply to staff working on cemetery lands are:

1. Only persons trained in handling human remains to 'Mortuary hygiene Standards' should do so. This is particularly relevant in the case of an exhumation;
2. When staff are sent to regional cemeteries, they must be equipped with an effective means of communication to summon assistance when required;
3. Working within graves is classified as a confined space; as such the legislative rules for this apply. Every open grave must be shored or supported by an approved method;
4. When excavating a grave, two people must be in attendance;
5. Personal hygiene and clean up must not be neglected;
6. Injuries and accidents must be reported as soon as is practicable.

Council has developed several procedures for work within cemeteries. These are:

1. SWP 44009 – Cemetery Operations;
2. SWP 41009 – Excavations;
3. SWP 21002 – Manual Handling;
4. SWP 21005 – PPE.

### **5.3 Insurance**

Adequate insurance is maintained by council for the following:

1. Public liability;
2. Workers Compensation (compulsory);
3. Fire and damage to replaceable assets.

Contractors who carry out works within Council's cemeteries must have adequate insurance cover for the following:

1. Public Liability;
2. Workers Compensation.

Necessary monitoring and procedures to minimize health and safety risks to management, staff and visitors should be conducted regularly, thereby limiting the exposure of council to litigation.

## **Cemetery Management Procedures**

### **6 MANAGEMENT GENERAL**

#### **6.1 *Activities Restricted in Cemeteries***

Council does not permit any person to undertake any activity (including undertaking any works and those specific activities listed in 6.2 within a cemetery unless:

1. the activity is an approved activity as defined in the procedures; or
2. the person holds an exclusive right, burial permit, exhumation permit or monument permit issued by Council in accordance with the procedures to undertake that activity.

#### **6.2 *Specific Activities Referred to in 6.1 are:***

1. Damage, deface, interfere with or alter any burial site or monument;
2. Enter or remain in a cemetery between sunset and sunrise;
3. Permit an animal (other than a guide dog) to enter a cemetery;
  - a. Take part in any gathering, meeting or assembly within a cemetery, except for the purpose of religious or other ceremony of interment or commemoration;
4. Engage in trade or commerce within a cemetery, except for the purpose of religious or other ceremony of interment or commemoration;
5. Distribute any circulars, advertisement, paper, drawn or photographic matter;
6. Drive an unauthorized vehicle within a cemetery at a speed of more than 8 kilometers an hour;
7. Drive a vehicle through a cemetery for the purpose of travelling between places outside of the cemetery – only authorized vehicles may enter the cemetery;
8. Park a vehicle on any known burial site, verge or plantation or in a manner that is likely to impede traffic;
9. Camp or reside on any land within a cemetery;
10. Possess or drink any alcoholic or intoxicating beverage within a cemetery;
11. Urinate or defecate, at any place (other than a public toilet) within a cemetery;
12. Bring into or leave on any part of a cemetery, any rubbish, refuse, scrap metal (including remains of vehicles), rock, soil, sand or trade waste;
13. Remove any dead timber, logs, trees, flora, whether standing or fallen from within a cemetery.

#### **6.3 *Maintenance***

1. Council will maintain and repair all roadways, pathways within each cemetery but will not unless Council otherwise determines, maintain or repair any grave site or any monument placed on, in or near any grave site;
2. The grantee of an exclusive right of burial will preserve, repair and maintain the grave site and monument to which the exclusive right of burial and monument permit relates.

## **6.4 Removal of Items**

1. Council may remove and dispose of any item (including monuments, cremated remains and floral tributes) placed on, in or near any burial site or any other part of a cemetery, that is not approved or in a manner that is not approved by an exclusive right of burial or monument permit.

## **6.5 Tributes**

### **6.5.1 6-month mourning period**

For the first 6 months following interment (or following the placement of the final monument) Council staff will permit the presence of more tributes than permitted by Clauses 6.5.2 and 6.5.3 with the following exceptions and conditions:

1. Glass does not form part any tribute;
2. No more than two solar powered lights form part of the tributes;
3. Tributes may not include alcohol / food / item that will attract vermin;
4. Tributes do not restrict cemetery operations;
5. Aged flowers and wreaths will be regularly removed from the grave by Council staff;
6. No tree, shrub or other plant is to be planted;
7. Tributes are not offensive / disturb others, hinder cemetery operations, are appropriate to the site, and are located within the boundary of the plot.

Non-compliant and collected tributes (at the end of the six (6) month period or placement of the final monument) which are in the Staff's opinion are considered of value, will be registered and stored at an appropriate location. They will be made available upon the request of the owner. After a period of up to six months they will be disposed of.

### **6.5.2 Cemeteries (non-lawn cemetery areas)**

1. No floral or other tribute is permitted to be placed on the lawn area, or overhang the edge of the monument;
2. Other than fresh flowers, a tribute cannot be greater than 300mm in height.
3. Containers (vases and the like) required to hold floral tributes are restricted to three articles for each grave;
4. Aged flowers and wreaths will be regularly removed from the grave by Council staff;
5. No tree, shrub, or other plant is to be placed or planted in the cemetery;
6. Should it become necessary for Council Staff to remove vases and other items and where in the Staff's opinion these items are considered of value, they will be registered and stored at an appropriate location. They will be made available for collection upon the request of the owner, for a period of up to six months, after which they will be disposed of.

### **6.5.3 Lawn Cemeteries**

1. No floral or other tribute is to be placed on the lawn area outside the extent of the approved plinth;
2. Containers (vases and the like) required to hold floral tributes are restricted to one article for each grave with this container being placed in a special opening provided in the plinth;
3. Glass is not permitted as part of any tribute;
4. Solar powered lights are restricted to one article for each grave with the light being placed in the special opening provided in the plinth;
5. A single small Australian flag may be placed in the special opening provided in the plinth (this will be removed if faded or damaged);
6. No use is to be made of glass jars and containers, which will detract from the general appearance of the park;
7. Aged flowers and wreaths will be regularly removed from the grave by Council staff;
8. No fixtures or fittings are to be attached to the plinths or placed on the lawn area;
9. No tree, shrub or other plant is to be placed or planted in the lawn section other than by Council staff;
10. Should it become necessary for Council Staff to remove vases and other items and where in the Staff's opinion these items are considered of value, they will be registered and stored at Councils Works Depot and be available for return to owners on request at Council's Administration Buildings, for a period of up to six months, after which they will be disposed of.

## **6.6 Certificates**

Council will provide a certificate to a grantee of any permit or right issued by Council within 21 days after payment is received.

## **6.7 Administration**

1. Forty eight (48) hours notice is required for an interment in any of Councils cemeteries. Special circumstances will be considered in waiving this period;
2. Fees, where applicable, are payable to Council. They may be paid to the customer service centre at Ray Walsh House Peel Street Tamworth or any regional office located at Nundle, Manilla and Barraba.

## **6.8 Vertical Burials**

1. Council may consider a vertically spaced cemetery (as opposed to a conventional horizontal spacing) in the future for lawn cemeteries;
2. Vertical spaced cemeteries are not planned for any Council cemetery and not to be implemented for any burial, (unless a religious or cultural request to undertake such a burial is received).

## **6.9 Precast Burial Crypts**

1. Council may consider using precast burial crypts in the future.
2. Precast burial crypts are not planned for any Council cemetery at the present time however if the need arises to construct a cemetery in this manner then Council reserves the right to investigate this option.

## **6.10 Columbarium Walls**

Currently Council has columbarium walls in several of its cemeteries. These walls provide a place for people to inter loved ones' ashes.

Council has had a request to build a columbarium wall at the Kootingal Moonbi Cemetery.

## **6.11 Memory Gardens**

Currently Council only has the Rose Garden and May Garden within the Tamworth Lawn Cemetery. These gardens provide an alternate place to inter loved ones' ashes.

Council has had a request to build a memory garden at the Kootingal Moonbi Cemetery.

## **6.12 Removal of Unapproved Structures**

1. Should it become necessary for Council Staff to remove vases and other items and where in the Staff's opinion these items are considered of value, they will be registered and stored at Council's Works Depot and be available for return to owners on request at the Council's Administration Buildings, for a period of up to six months, after which they will be disposed of;
2. Oversized vases and other tributes can be removed where the tributes placed within them obscure, or interfere with an adjacent plaque / plot / vase.

## **6.13 Religious Tolerance**

1. Council staff will endeavour to facilitate religious needs of the deceased and their families. Such requirements must be submitted in writing with sufficient time to accommodate their request;
2. Council staff will not permit a religious activity to proceed where it is contrary to legislated requirements for burials;
3. Council will charge additional fees to cover the costs of special requests as estimated by Council staff, or incurred during the course of the funeral service.

## **6.14 Burial of Amputated Body Parts from a Living Person**

Council will not facilitate the interment of amputated body parts from a still living person (whether cremated or not).



## **6.15 Renewable Interment Rights**

As part of the introduction of the Cemeteries and Crematoria Act 2013, Part 4 Interment Rights, the granting of renewable interment rights was incorporated. It is noted that at the time of this plan being written that Part 4, Cemeteries and Crematoria Act 2013, has not yet commenced.

Should Part 4 Interment Rights, be enacted upon Council will not be entertaining renewable interment rights due to the following issues:

1. The associated administrative requirements set out by the Cemeteries and Crematoria Act 2013;
2. The fact that rural New South Wales does not have the pressures of limited access to land for new cemeteries;
3. The increased tendency for people to opt for cremation over traditional burials.

## **6.16 Interment Service Levies**

1. The Cemeteries and Crematoria NSW may levy the following:
  - a. a contribution towards the cost of the administration of this Act to the extent that it relates to cemeteries (a **general levy**);
  - b. in special circumstances, a contribution towards the cost of acquiring particular land under section 14 (a **special levy**).
2. A general levy or special levy:
  - a. may be imposed by reference to an interment service of a kind prescribed by the regulations;
  - b. may be imposed on any person who is an operator of a cemetery, or an operator of a class of cemetery, prescribed by the regulations;
  - c. is to be of an amount, or calculated in the manner, prescribed by the regulations;
  - d. is payable in respect of the period prescribed by the regulations;
  - e. is to be paid within the time and in the manner specified by the Cemeteries Agency by notice in writing to the person liable to pay the levy.

## **6.17 Fees and Charges**

Fees and charges for cemeteries are listed in the Annual Operation Plan and are subject to change on a yearly basis. Any changes to the fees and charges will be listed in the exhibition period of each Annual Operation Plan.

All Right of Burials have a standard plaque and desk (for graves) included in the cost. This is a nominal value and no refunds will be given for not using this inclusion.

## **7 RECORDS**

Council is required to maintain certain records in accordance with the Public Health Regulation 2012, Clause 68. In order to fulfill this requirement and provide necessary information Council shall maintain a register of all exclusive rights, burials and exhumations in respect of each cemetery.

### **7.1 Registers**

All burial information will be kept in electronic form so as to permit simple cross referencing of entries by surname and burial site. The register will also be kept at Council's Offices due to the majority of the cemeteries not having permanent staff on site.

### **7.2 Contents of Register**

1. The name, age and last address of each person whose remains have been, or are to be, interred;
2. The date of each such person's death;
3. The date of the burial;
4. The portion, division, section, allotment where the burial was or is to be made;
5. The name of each person holding an exclusive right, burial permit or monument permit in respect of each burial site;
6. The name of the undertaker who transported (or who is to transport) each such persons remains to the cemetery;
7. The fees paid to Council in respect of the exclusive right, burial permit, monument permit or exhumation permit;
8. The name of the person (if any) who conducted (or who is to conduct) any ceremony at the interment; and
9. Where an exhumation has taken place, the date on which the exhumation took place, the name of the person whose remains were exhumed, the name of the person who undertook the exhumation.

### **7.3 Availability of Cemetery Register Information**

1. The provision of information will be determined by Councils responsibility under the Privacy and Personal Information Protection Act, 1998;
2. Copies or extracts of burial registers may at Councils discretion, be provided;
3. Information will be available during Councils ordinary business hours.

## **8 PROTECTING BURIAL SITES AND MONUMENTS**

### **8.1 Burial Site Identification**

Burial sites are generally, but not always, located within rows, sections or parts of a cemetery. Signposting or marking of such rows, sections or parts may not always be accurate, despite Councils best endeavors. The best means of determining a particular burial site is located within a cemetery is to:

1. Locate the row, section or part of the cemetery in which the particular burial site is located by determining where that row, section or part is located relative to identifiable features within the cemetery. Identifiable features include, boundary fences, roads, parts and sections and permanent structures such as buildings, pathways;
2. Locate the particular burial site within the row, part or section by determining the position of the particular burial site relative to not less than four (4) other burial sites or other identifiable features. The most relevant burial sites for this purpose are those shown in Councils records to be adjacent to the particular burial site or those at the extremities of the part, row or section in which the particular burial site is located;
3. Resolve any anomalies or inconsistencies. Council's records may contain anomalies, inconsistencies or insufficient information to properly identify the location of a particular burial site on the basis of those records alone. In these circumstances it is mandatory that a physical inspection of the area within a cemetery relevant to that particular burial site be conducted to ascertain whether the location of that particular burial site can be located with a reference to no less than four (4) other burial sites, monuments or other identifiable features.
4. Report any anomalies to Council in writing;
5. Dispute where position of burial site is uncertain. If at any time there is doubt as to the correct location of a burial site that location must be determined by the Manager Horticulture and Recreation.

### **8.2 Application of Burial Site Identification Procedures by Council.**

Council must apply the procedures for site identification set out in Part 3.1 whenever it:

1. considers any application for an exclusive right or permit;
2. considers whether to establish any new burial site within a cemetery in accordance with Part 4;
3. places or replaces any monument on any burial site, and
4. undertakes any works (other than routine maintenance of any part of the cemetery that does not permanently alter or affect a burial site or monument) within a cemetery.

### **8.3 *Application of Burial Site Identification Procedures by Others***

The procedures for site identification set out in Part 3.1 must be applied by:

1. any person undertaking any works (including but not limited to installation of any monument, any grave digging and any exhumation) within a cemetery;
2. any grantee of a right or permit issued by Council prior to allowing or undertaking any act that will affect any burial, site, monument, including any burial site or monument to which any such right or permit relates.

## **9 NEW BURIAL SITES**

### **9.1 Location and Type**

In assessing the location and type of any new burial sites Council may need to consider:

1. the number, type and location of burial sites, with the location of such sites to be determined in accordance with Part 3;
2. the current demand for exclusive rights in each operational cemetery;
3. the religious, cultural and ethnic background of applicants for exclusive rights in each operational cemetery;
4. Whether the availability of proposed new burial sites within the cemetery will:
  - a. Require the construction of additional vehicle parking facilities, roadways, pathways or service utilities within that cemetery or additional maintenance of any such facilities, utilities, roadways or pathways;
  - b. Result in increased traffic within or outside that cemetery;
  - c. Add to the administrative and or maintenance costs incurred by Council in respect of the cemetery; Cause pollution or contamination of land within or adjacent to the cemetery;
  - d. Confer to any person, business, community group or organisation any advantage (including any monopoly) or disadvantage;
  - e. Have any actual or potential detrimental impact on any burial site, exclusive right or monument.

### **9.2 General Restrictions on New Burial Sites**

New burial sites may not be located on any land where:

1. Any works associated with the new burial sites will or is likely to cause pollution of any type or contaminate land;
2. The land is unstable or prone to substantial wind or water erosion;
3. Such new burial sites will interfere with other burial sites and monuments within a cemetery and/or;
4. Where the location of new burial sites will place, persons working on or visiting those new burial sites, other burial sites or other land within a cemetery, at risk of injury or harm.

## 10 EXCLUSIVE RIGHT OF BURIAL / BURIAL SITES

Items or human remains must not be interred at any burial site except in accordance with this clause.

### 10.1 Types of Burial Sites

There are number of types of burial sites:

1. **grave sites** (for the interment of human remains or cremated human remains).
2. **columbarium** (for the interment of cremated human remains).
3. **mausoleums** (for the interment of human remains). These are not currently being used within Council's cemeteries. Council reserves the right to investigate there use in the future.
4. **crypts** (for the interment of human remains). They can be below or above ground. These are not currently being used within Council's cemeteries. Council reserves the right to investigate there use in the future.

### 10.2 Types of Exclusive Right of Burial

Council may grant either a **pre purchase** or an **immediate use** exclusive right:

1. A **pre purchase** exclusive right of burial is issued to the grantee allowing a burial right to be reserved. The grantee of a reserved exclusive right of burial is required to submit an application on an appropriate permit for each interment.
2. An **immediate use** exclusive right of burial and burial permit is issued to the grantee at the time of a burial.

### 10.3 Interments Restricted to Certain Times

Except as otherwise agreed to in writing by Council, interments may only take place at any burial site between 9.00am and 5.00pm Monday to Saturday.

### 10.4 Application for an Exclusive Right of Burial - Pre Purchase (Reservation)

1. An application for an exclusive right must be made using the appropriate form;
2. Payment is to be made in full at the time of application;
3. If the applicant is unable to pay in full the amount for which the reservation is the Council may enter into a payment plan, the Exclusive Right of Burial will only be forwarded and deemed to be granted only when the full payment has been made, the cost of the pre purchase plot shall be the fee set in Council's Fees and Charges in the particular financial year of the final payment, (should the applicant become deceased before the end of the payment plan then the remaining payments must be paid before an Exclusive Right of Burial will be forwarded);
4. Council may require further information from the applicant at any time prior to determining an application for an exclusive right;
5. An extra fee for the burial shall be paid upon an application for interment;
6. Funeral Directors are not permitted to purchase numerous reservations in their company's name. All reservation applications must have the person's name who will be interred on the application at a future date;

7. Should a reservation become surplus to the requirements of the purchaser, Council reserves the right to purchase back the plot at the cost at which it was purchased or organise through a Funeral Director for the plot to be resold to another person at the cost at which it was originally purchased;
8. A cemetery operator cannot, without the approval of the Cemeteries and Crematoria NSW, grant or transfer an interment right to a person if the granting or transfer of the interment right will result in the person holding (including jointly holding) interment rights in respect of more than two (2) interment sites in the cemetery for which the interment right is sought or sought to be transferred.

### ***10.5 Application for an Exclusive Right of Burial - Immediate Use (New Purchase) plus burial permit***

1. An application for a burial permit must be made using the appropriate form;
2. Each such application must:
  - a. Specify the name of the person whose remains are to be interred;
  - b. Contain a clear description of the burial site at which the proposed interment is to take place;
  - c. Specify the date on which the proposed interment is to take place;
  - d. Specify the name of the undertaker the applicant proposes to engage for the proposed interment.
3. Council may require further information from the applicant at any time prior to determining an application for an exclusive right of burial and permit;
4. This right of burial includes all fees and charges associated with an interment.

### ***10.6 Application for Burial Permit - Existing exclusive right reservation or Second Interment***

1. An application for a burial permit must be made using the appropriate form;
2. Each such application must:
  - a. Specify the name of the person whose remains are to be interred;
  - b. Contain a clear description of the burial site at which the proposed interment is to take place;
  - c. Specify the date on which the proposed interment is to take place;
  - d. Specify the name of the undertaker the applicant proposes to engage for the proposed interment.
3. A copy of the exclusive right of burial granted in respect of the subject burial site (if available);
4. If a copy of the exclusive right of burial is not available the following must be supplied, Proof that the applicant:
  - a. Is the grantee of the exclusive right of burial that relates to the subject burial site; or
  - b. The applicant has the written consent of the surviving grantee of the exclusive right of burial that relates to the subject burial site and each subject person.
5. Where Clause 10.6 (4a and b) does not apply, a statutory declaration by the applicant stating:
  - a. The applicant is not the grantee of the relevant exclusive right of burial;
  - b. The applicant does not have the consent of the surviving grantee of the relevant exclusive right and the reason why such consent has not or cannot be obtained;
  - c. The relationship between the applicant and the surviving grantee.

6. Council may require further information from the applicant at any time prior to determining an application;
7. An extra fee for the burial shall be paid upon an application for interment.

### **10.7 Matters to Be Considered**

Council must take into consideration the following matters when determining an application for an *exclusive* right of burial:

1. The terms of any exclusive right of burial that relate to the subject burial site;
2. Whether the applicant has established that they the applicant:
  - a. Are or have the consent of the grantee of the subject exclusive right; or
  - b. In any other circumstances has provided Council with acceptable evidence that such consent-is not able to be obtained; and
  - c. The applicant has sufficient relationship with the person whose remains are to be interred to warrant granting of an exclusive right of burial to the applicant.
3. For original applications consider the location of pathways, service conduits, roadways, other burial sites and monuments that will or might be directly or indirectly affected by the granting of the exclusive burial' right sought. Council must identify each burial site and monument in accordance with Clause 3;
4. The extent to which the granting of an exclusive right of burial and any consequential works will:
  - d. Interfere with access by any person, whether undertaking works in the cemetery or otherwise, to any part of the cemetery;
  - e. Confer a monopoly of any business or service provided at or arising from the cemetery;
  - f. Benefit a person or part of the community to the detriment of another person or another part of the community or confer a relative financial or business advantage to one or more persons;
  - g. Cause water pollution, including but not limited to pollution of ground water, air pollution, noise pollution or contaminate land;
  - h. Exacerbate existing sources of pollution or further contaminate the land;
  - i. Create additional demand for resources or amenities at the cemetery;
  - j. Affect any part of the cemetery that is of historical or cultural significance.
5. The location of the water table and any ground water in or under the relevant grave site;
6. The type of soil contained within the grave site; and
7. Where soil and other material removed from the grave site during any anticipated grave digging operations will be stored or disposed of.

### **10.8 Restrictions on the Granting of Burial Permit**

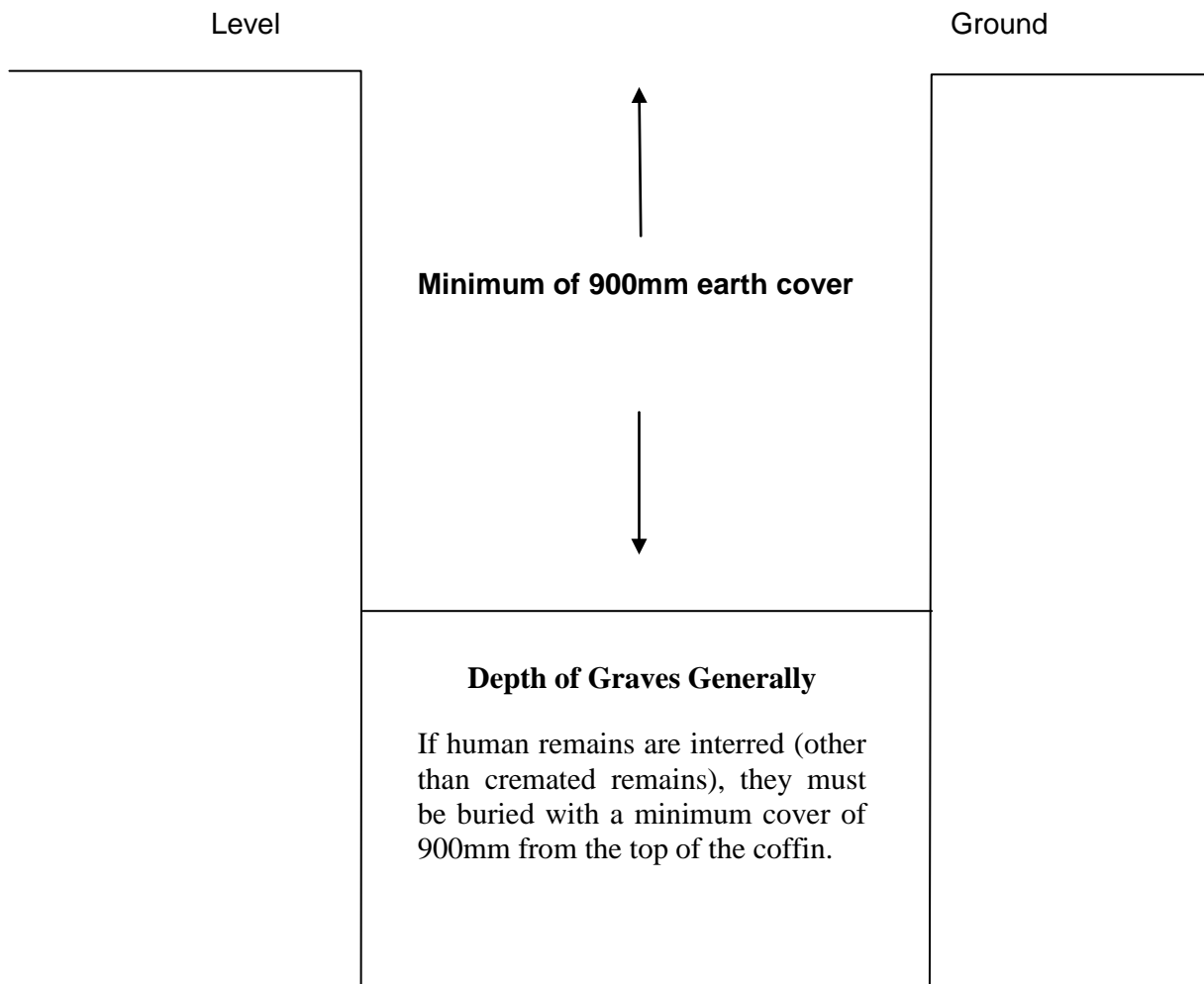
Council must not grant a burial permit where:

1. The applicant is not the next of kin or otherwise considered by Council to have sufficient relationship to the person whose remains the applicant proposes to inter;
2. The maximum depth of a grave will enter any established ground water flowing under the upper surface of the grave site;
3. The upper surface of the uppermost coffin to be interred in the grave site will be not less than 900mm below the natural surface level of the grave site;
4. Where the applicant seeks to inter the remains of more than two adult persons in any grave site. For the purpose of this sub-paragraph only, an adult person is defined as:



- a. One person aged seven (7) years or more at time of that person's death;
  - b. Two persons aged at least one (1) year but less than seven (7) years at the time of each such person's respective deaths.
5. Where the applicant seeks to inter the cremated remains of more than eight (8) people.

#### DEPTH OF BURIAL



### ***10.9 Discretion when determining an Application***

Council may:

1. Grant an exclusive right of burial/burial permit subject to any conditions which may be specified in the exclusive right of burial permit; or
2. Refuse to issue an exclusive right of burial/burial permit.

## **10.10      *Conditions of an Exclusive Right of Burial***

1. Each exclusive right of burial issued by Council shall have the following conditions, in addition to any conditions specified in the exclusive right:
  - a. The Policy forms part of the exclusive right of burial.
  - b. The exclusive right of burial confers on the grantee a licence to do the following:
    - i. Inter human remains and any specified items in the burial site;
    - ii. Prevent any person from interring any remains in the subject burial site;
    - iii. Prevent any person from erecting any monument on or over the burial site;
    - iv. Engage any undertaker to inter human remains or items in the burial site.
  - c. Where the exclusive right of burial is a grave right:
    - i. Exclude any person (other than the authorised funeral director or authorised contractor) during any *grave* digging works;
    - ii. Prevent the exhumation of interred remains from the grave site (except where such exhumation has been ordered by a coroner or a court).
2. The exclusive right of burial does not:
  - a. Confer on the grantee any right to exclude any person from having access to the burial site (except where necessary to ensure works undertaken do not cause pollution or cause a danger to any person working in or visiting the cemetery in which the burial site is located);
  - b. Authorise the construction or erection of a monument on the subject burial site. A grantee of an exclusive right of burial requires a monument permit before erecting or constructing a monument on a burial site;
  - c. The exclusive right of burial confers on the grantee (Whether personally or by an agent such as a Funeral Director and any Sub Contractors employed) an obligation to.
3. Ensure any person undertaking any works on a burial site holds a relevant work permit issued by Council with respect to those works or works of that type:
  - a. Ensure that no monument (except as permitted by a monument permit), plant tributes, floral tributes, or containers not approved by Council, are erected or placed on or about the burial site to which the exclusive right of burial relates;
  - b. Repair, maintain and preserve any monument placed on or in a burial site in accordance with a monument permit;
  - c. Remove any monument placed on or in a burial site that is not approved by a relevant monument permit;
  - d. Notify Council of any change of address within seven (7) days otherwise Council will assume the address for the grantee is the address set out in the application is the current address;
  - e. Ensure that any person attending a service at the subject burial site does not:
    - i. Damage any part of the cemetery, including but not limited to any burial site or monument in the vicinity of the service or subject burial or monument in the vicinity of the service or subject burial site;
    - ii. Place any floral or other tribute in a location not specifically approved in the subject exclusive right of burial;
    - iii. Bring to the cemetery any animal (other than a guide dog);

- iv. Ensure that as part of the burial process;
- v. The human remains to be interred have been placed in coffin to which a lid has been securely sealed;
- vi. The upper surface of the upper most coffin interred in the grave site is to be not less than 900mm below the natural surface level of the soil of the burial site;
- vii. The human remains have been transported to the burial site in a sealed coffin in accordance with the Public Health Regulation, 2012;
- viii. Inform Council in writing, not less than seven (7) days after the conclusion of the interment.
- f. That the interment has been completed;
- g. The date of death of the person whose remains were interred; and
- h. The full name of that person;
- i. The full name of the undertaker engaged to prepare or transport the body of the deceased; and
- j. The full name of any person conducting a religious or commemorative service at the burial site at about the time of the interment;
- k. That on the completion of an interment at the grave site ensure:
  - i. All planks, building equipment, protective coverings and soil are removed from adjoining burial sites or monuments, ensuring all such burial sites and monuments are cleaned thoroughly and washed if necessary;
  - ii. The burial site, adjoining land, adjoining burial sites and monuments in the vicinity of the burial site are left in a neat and tidy condition;
  - iii. All pathways and roadways around the grave site are in a clean condition, which includes the removal of all rubbish, paper and other refuse;
  - iv. All flowers and cards relating to the interment are either removed from the cemetery or placed on the grave mound within the grave site;
  - v. Any excess soil is placed in an area designated by Council within the cemetery for that purpose, or removed from the cemetery;
  - vi. Place a marker or cross, bearing the deceased's name;
  - vii. Ensure any dislocated slabs are replaced on the grave site within fourteen (14) days of the completion of the interment.
- 4. Council may, at any time and by notice in writing to any grantee of the exclusive right of burial, revoke the exclusive right if, in the opinion of Council, the grantee has failed to comply with or has breached any condition of the exclusive right of burial;
- 5. The granting of an exclusive right of burial does not restrict the ability of Council to:
  - i. Establish any new burial sites within a cemetery, subject to compliance with Clause 4;
  - ii. Restrict access to any burial site as Council considers necessary to undertake routine maintenance of structures within the cemetery, to protect the safety of people working or entering a cemetery, or to undertake any work necessary to prevent or contain pollution within a cemetery.
- 6. The granting of an exclusive right of burial does not interfere with nor prevent or otherwise fetter Council's ability to exercise any right or discretion pursuant to any relevant legislation (including the Cemeteries and Crematoria Act 2013, the Public Health Act 2010, the Local Government Act, 1993, or the

- Cemeteries and Crematoria Act 2013) or any regulations made under any such legislation;
7. An exclusive right of burial may not be sold or transferred except with the express written consent of Council:
    - a. Applications can be made on an application form;
    - b. Council will not transfer half of a right of burial, i.e. if a separation occurs and the owners of an exclusive right of burial do not wish to be buried in the same plot a new exclusive right of burial shall be purchased;
    - c. Council may transfer a location within a cemetery upon request if there is another available plot.
  8. Council may buy back an exclusive right of burial previously purchased. If Council decides to buy back a burial plot it shall be purchased at the same cost as it was originally purchased.

### **10.11      *Issue of Certificate***

Within 21 days of granting an exclusive right of burial Council must provide a grantee of that exclusive right a certificate showing the following:

1. The grantees name and address;
2. The amount paid by the applicant to Council;
3. The date on which the exclusive right of burial was granted;
4. A description of the physical location of the burial site to which the exclusive right of burial relates;
5. Any terms or conditions under which the exclusive right of burial was granted.

### **10.12      *Burial Rights, Plot Title and Tenure***

Space requirements or more the lack of space in Cemeteries pose certain considerations to be placed upon the traditional ways of allocating burial entitlements. These include:

1. Denominational religious allocations:
  - a. There is a tendency to retain this traditional allocation for religious and ethnic association. The allocations need to be flexible so that a particular sect does not “sterilise” space;
  - b. The Cemetery will strive to maintain denominational religious allocations to cater for communities needs.
2. Right of burial transfers:
  - a. Some transfer rights are forgotten for various reasons or the holder is deceased and has been buried elsewhere. The access to un-used burial rights requires consultation with the next of kin and the adopted procedures followed for the repurchase of any unused, surrendered, or redundant plots.
3. Reservations tenure:
  - a. Reservations can be accepted in the lawn section for single and double depth graves.
  - b. The cost of each reservation is outlined in Councils Annual Fees and Charges;
  - c. Regardless of whether a single interment reservation is made, the minimum plot depth will be that of a double depth grave to cater for a future interment if necessary;
  - d. Burial Rights are issued by Council in perpetuity or until used;
  - e. No specific plot can be reserved however reservations can be taken within specific lawn areas while capacity remains available as determined by Council;

- f. A cemetery operator cannot, without the approval of the Cemeteries and Crematoria NSW, grant or transfer an interment right to a person if the granting or transfer of the interment right will result in the person holding (including jointly holding) interment rights in respect of more than two (2) interment sites in the cemetery for which the interment right is sought or sought to be transferred.

### **10.13      *Emergency Burials***

1. Where requested by a Police officer, a representative from NSW Health, the NSW Coroner, or Incident Controller of an activated Local Emergency Management Committee an emergency burial will be facilitated by Council staff;
2. In this instance the appropriate fee does not need to be paid in advance;
3. An emergency burial includes mass burials (eg, following a catastrophe). In this instance, guidance on how to conduct such a burial will be obtained from the NSW Department of Health.

### **10.14      *Transferring of an Exclusive Right of Burial***

1. A cemetery operator may, on application, transfer an interment right from one (1) person or two (2) or more persons as joint holders to one (1) person or two (2) or more other persons as joint holders.
2. An application under subsection 1 may be made only by the holder of the interment right concerned or, if the interment right is held by joint holders, by all the joint holders.
3. An application for the transfer of an interment right must be in the form prescribed by the regulations or approved by the Cemeteries and Crematoria NSW and be accompanied by the appropriate fee.

### **10.15      *Bequeathing of an Exclusive Right of Burial***

1. The holder of an interment right may bequeath the right as if it were the holder's personal estate (subject to section 51 of the Cemeteries and Crematoria Act 2013).
2. A person to whom an interment right devolves as a result of a bequest does not become the holder of the right until the cemetery operator's register is amended to indicate that fact.
3. On application made by a person to whom an interment right has devolved as a result of a bequest, the cemetery operator must amend the cemetery operator's register so as to indicate that the person has become the holder of the interment right.
4. An application under this section must be in the form prescribed by the regulations or approved by the Cemeteries and Crematoria NSW and accompanied by the appropriate fee.
5. The executor or administrator (within the meaning of the *Probate and Administration Act 1898*) of the estate of the holder of an interment right who has bequeathed the interment right must give the relevant cemetery operator written notice of the death of the holder within the period prescribed by the regulations after the executor or administrator becomes aware of the death

## **11 WORK UNDERTAKEN IN CEMETERIES**

### **11.1 Restrictions on Work undertaken in Cemeteries**

1. A person may not undertake work of any type in a cemetery unless that person and those engaged or employed by that person to undertake that work, hold valid work permits from Council for the specific work to be undertaken or work of a type that is otherwise covered by a work permit;
2. A work permit does not authorise any interment or exhumation at any burial site, erection of any monument or works in any part of a cemetery. A work permit authorises persons to undertake works otherwise approved;
3. A work permit is valid for a period of two (2) years, when it may be renewed;
4. Council may suspend or cancel a work permit by giving seven (7) days notice in writing for non compliance with Council's policies and procedures.

### **11.2 Application for Work Permit**

A person or organisation may apply for a work permit to work in cemeteries by submitting to Council an application on an appropriate form, along with the supporting documentation.

Supporting documentation to include verification that they are a registered contractor of Council. Upon receipt of the application and supporting documentation Council will consider the following:

1. The type of work to which the application relates, having particular regard to the potential that work has to cause pollution, contamination, or to require or potentially cause conditions that may cause harm to persons undertaking the work, visiting the cemetery or otherwise working within the cemetery;
2. The experience, if any, of the applicant in undertaking work the type to which the permit application relates;
3. The trade qualifications required for the particular type of work to be undertaken;
4. If the applicant has undertaken work of a similar nature, the manner in which such work was undertaken,
  - a. Having regard to the manner in which that work was undertaken in minimising the risks such work posed to persons affected by that work;
  - b. Having regard to the manner in which that work was undertaken in minimising the potential for environmental harm caused by such work; and
  - c. The quality of such work;
5. That the applicant has acknowledged reading the Policy, the Work Health & Safety Manual and all necessary Australian Standards that relate to the work to which the permit relates;
6. That the applicant has provided a signed acknowledgment of induction of the procedures set out in the Work Health & Safety Manual.

### **11.3 Conditions of Work Permit**

- 1 The work permit holder will indemnify and hold safe and harmless Council against any action, proceeding, claim, damage, loss and expenses whatsoever that may result from Council's consent to the execution of the work proposed in the application;
- 2 The Policy, and in particular this clause of the Procedures, form part of the conditions of each work permit that each grantee of each work permit is required to comply with.
- 3 This includes each of the following:
  - a The grantee must ensure that an adequate supply of clean fresh drinking water is kept where works are undertaken;
  - b Where plant, machinery or equipment is required to undertake the works all persons undertaking those works are required to hold any necessary certificate of competency or permit issued under the Occupational Health and Safety Regulation;
  - c All persons using tools and machinery must be instructed by the grantee of the work permit in the correct and safe use of those tools or machinery;
  - d Where machinery or plant equipment is required to undertake any excavation or other works it is the grantee of the work permits responsibility to ensure that the ground on which that machinery or plant stands is sufficiently stable to ensure the support of the working load of that machinery or plant equipment and that the operation of that machinery or plant equipment will not come into contact with any power line, service conduit or monument;
  - e Any person or team of persons engaged in grave digging operation or engaged in work at a location that is more than 500 meters from the nearest occupied building or not within the direct line of sight of a person capable of providing assistance, that person or team must be provided with the following;
    - i A reliable system of Communication such as a two-way radio or mobile phone;
    - ii A first aid kit;
    - iii Instruction in basic first aid principles;
    - iv Access to a motor vehicle.
  - f Ensure that at least four (4) persons are engaged or employed for the purpose of lowering or raising any coffin (containing a person over twelve (12) years of age or weighing more than 40 kilograms) into or out of any grave site.
  - g That all manual handling of coffins be in accordance with the Work Health and Safety (Manual Handling) Regulation 2011.
  - h Where any person is required by the grantee to work in a confined space such as a grave site, the grantee must ensure that the person undertakes that work in compliance with Work Health and Safety (Compliance Basis) Regulation, 2011 and having regard to the Australian Standard 2865-1995 "Safety Working in Confined Spaces";
  - i Ensure that all persons engaged or employed by the grantee to undertake grave digging erect barricades, protective restraints or reinforced covers to limit access to the site of the grave digging so as to ensure public safety;
  - j Restrict access to the grave digging site to those employed or engaged for the purpose of grave digging;
  - k That not less than two persons are engaged or employed for grave digging;
  - l That a properly constructed and placed ladder is used for entering and exiting graves during grave digging, with any such ladder to extend from the base of the excavation to at least 600mm above the top of the grave site;

- m That all persons entering a grave site during grave digging procedures wear an approved safety helmet in good order;
- n Ensure that prior to the commencement of excavation all ground support material, tools, equipment and personnel are available at the site;
- o That all persons in grave digging have been advised of the soil types at each cemetery to which the Policy applies, and that where any doubt exists, that persons conduct such works as if the soil type is the most unstable soil type, being damp sandy soil. This requires that:
  - i Where the overall depth of the grave is less than 1.5 meters, 2 box shoring sets to be used to within 200mm of the base of the grave;
  - ii Where the overall depth of the grave is between 1.5 and 2.1 meters, 3 box shoring sets to be used to within 400mm of the base of the grave.
- 4 That each box shoring comprise Oregon timber of size of not less than 200mm x 75mm cross-section with a stress rating of not less than F149 or Structural Grade No.1 with each box shoring set to include:
  - a 6 longitudinal timbers cut to the length of the grave site, with 3 such longitudinal timbers to form a wall 600mm x 75mm on one side of the grave and the other 3 Longitudinal timbers to form another wall 600mm x 75mm; and.
  - b 6 spreaders, being the width necessary to accommodate the width of any coffin to be interred in the grave site;
- 5 That shoring box sets be inserted as the excavation progresses, by firstly installing the longitudinal timbers along the width of the grave and secondly forcing the spreaders between the longitudinal timbers using a timber mallet;
- 6 The grave be excavated to a width 25mm narrower than the sum of the width of the spreader bars used in the box shoring;
- 7 That after the coffin is placed in the grave, the shoring box set be removed, two longitudinal timber runners and 2 spreaders at a time, as the grave is filled with soil.

Note: Allotments are not to be filled with sand or any other materials other than the soil from the said allotment.



## **12 MONUMENTS**

### **12.1 Only Certain Types of Monuments to be Erected**

1. Council will only issue a monument permit in respect of a burial site if the monument is of a size and type approved by Council;
2. Work is not permitted to commence unless a monument permit has been issued by Council.

### **12.2 Specific Requirements for Facilities**

1. Monumental Cemeteries:
  - a) Grantee will only erect a headstone of a type and design approved by Council:
    - i. The design plans and specifications of monument and surrounds are to be forwarded to Council for determination;
    - ii. The monument may be of any style, material, kerbing approved by Council;
    - iii. The monument and kerbing or surrounds are to remain within the burial site area of 1.2m x 2.4m;
    - iv. No trees are to be permitted to be planted on the grave site;
    - v. The headstone is to include an inscription stating allotment number and monumental masons name on the base of the headstone or the foot of the kerbing.
2. Historic or Closed Cemeteries:
  - a) Where a grave site is over 50 years old, it is subject to the *Heritage Act. 1977*;
  - b) Council will not issue a monument permit in respect of a burial site which is over 50 years unless; the proposed works conform to the requirements of the National Trust.

### **12.3 Relationships to Rights, Permits and Approvals**

1. A monument permit will only be granted in respect of a burial site with the consent of the grantee of the exclusive right of burial;
2. If such grantee is deceased or incapacitated, the legal personal representative of the person(s) whose remains are to be interred in the burial site may give consent;
3. The granting of a monument permit confers no right of burial in respect of any burial site.

### **12.4 Monument Permit**

No person shall construct, erect, inscribe or *remove* any monument in a cemetery unless:

1. That person holds a monument permit issued, by Council and the monument is constructed or erected in compliance with that approval;
2. The monument is constructed or erected in accordance with Australian Standards Association AS4204 "Monuments and Headstones" 1994 and any additional requirements determined by Council;
3. The person holding a monument permit (or agent or assigns) issued by Council will indemnify and hold safe and harmless Council against any action, proceeding, claim, damage, loss and expenses whatsoever that may

result from Council's consent to the execution of the work proposed in this application;

4. Council will not arbitrate disputes between the contractor and the grantee named in the permit.

## **12.5 Application for a Monument Permit**

1. An application to Council for the issue of a monument permit must be made on the appropriate form and must be accompanied by sketches, drawings, specifications and other particulars of the design of the proposed monument;
2. Council requires the payment of a fee by the applicant for a monument permit;
3. Upon receipt of an application for a monument permit and the fee requested by Council in respect of that application, Council may:
  - a) Grant a monument permit subject to any conditions as may be specified in the monument permit; or
  - b) Request further information before granting or refusing approval;
  - c) Refuse to issue a monument permit.

## **12.6 Obligations under a Monument Permit**

Each grantee of a monument permit must ensure:

1. Any person engaged or employed to undertake the works has, in respect of those works undertaken within a cemetery, a valid work permit for those works or works of that type;
2. The works are conducted strictly in accordance with the monument permit;
3. The site is returned to a clean and tidy condition after the completion of the works; and
4. Council is notified in writing within seven (7) days of the completion those works.

## **12.7 Removal of Monuments**

1. Council may (where a monument has been erected, constructed, inscribed or otherwise placed without the prior issue of a monument permit or contrary to any condition contained in a monument permit do any or all of the following:
  - a) Remove or demolish the monument;
  - b) Require any person holding an exclusive burial right for the burial site the monument is attached to or erected upon to remove, demolish, or alter the monument;
  - c) Erase, correct or require the erasure or correction of any inscription on the monument; and
  - d) Recover from the grantee of the exclusive burial right or the grantee of the monument permit any costs incurred by Council in performing any of the above.
2. Where Council considers that any monument is in immediate risk of collapse or otherwise capable of causing harm to any person, Council may take such action as is required to ameliorate that risk, including but not limited to removing any such monument or laying any such monument on the ground with the side bearing all or the majority of inscriptions face down on the ground of the burial site. Where Council takes such action it will, within seven (7) days of taking such action, do each of the following:

- a) Photograph the monument;
  - b) Attempt to notify the person holding an exclusive burial right and monument permit in respect of the burial site or monument, such notice to inform such person of the action taken and requiring such person to either remove the monument from the cemetery or undertake such works to re-erect the monument;
  - c) Place an advertisement in a locally distributed newspaper placing the person holding an exclusive burial right or monument permit on notice of the action Council has taken and that the monument is to be removed or re-erected within fourteen (14) days of that date of publication of the notice.
3. Where council is of the opinion that a monument is likely to collapse or fall over at any time, is dilapidated or unsightly or has parts separating from the monument, Council may:
  - a) Photograph the monument;
  - b) Erect about the monument barriers and signs warning of the danger posed by the monument;
  - c) Make reasonable efforts to instruct the 'grantee of any exclusive burial right relating to the burial site to which the monument is attached and the grantee of any monument permit to take immediate steps to ensure that the monument is no longer unsafe;
  - d) Place a public notice in a locally distributed newspaper identifying the burial site to which the monument relates and indicating that unless the grantee of the monument permit and/or the grantee of the exclusive burial right acts within seven (7) days (in the case of a monument of a height greater than 750mm) or fourteen (14) days (in the case of a monument of or less than 750mm) of the date of the public notice to make the monument safe and reserving Council's right to recover the costs it may incur in ensuring the monument is safe if such grantees do not make the monument safe within the period specified;
  - e) Where the grantee has not made the monument safe within period specified in the public notice, Council may take such steps as necessary to make the monument safe, which will usually consist of laying the monument face down on the ground, above or adjacent to the burial site.
4. Where Council is of the opinion that a monument is affected by subsidence and has a vertical angle of 80 degrees or less (when measured from the natural ground level of the burial site to which the monument is attached or erected, Council may:
  - a) Make reasonable efforts to contact the grantee of the monument permit and instruct the grantee to take steps to repair the monument;
  - b) Publish a single public notice in a locally distributed newspaper identifying the grave site or memorial site that the monument relates to and indicating that the grantee should take immediate steps to repair the monument;
  - c) Monitor the site and, if necessary, take steps set out in Clause 12.7 (3).

## **12.8 Maintenance of Monuments**

1. With the exception of obligations for a grantee of a monument permit to maintain or repair a monument, a monument permit expires upon completion of the construction and erections of the monument or six (6) months from the date of the monument permit, whichever occurs first;
2. The grantee of a monument permit is responsible for maintaining and repairing monuments. If Council is required to undertake any work so as to

ensure public or employee safety it may recover those costs from the grantee.

## **12.9 Head Stone Materials**

There are many different types of materials now being used for monuments. Council wishes to acknowledge their use and reserve the right to allow their use within the cemeteries, i.e. stone, marble, granite, concrete, glass, stainless steel, etc.

As with traditional monument materials a Monument Permit must be applied for so that Council can assess the intended monument with the monument guidelines.

Any use of lighting will need to be approved by Council. Any such lighting will not be connected to Council's electrical supply or the local street electrical supply. Council may allow the use of solar powered lights as long as they comply with electrical codes and are self-contained, i.e. part of the monument. Council will not undertake any maintenance or repair work to monuments which have deteriorated over time. This includes any monuments with lighting of any type.

## **13 EXHUMATIONS**

A person must not exhume human remains except in accordance with the Public Health Regulation 2012, Clauses 69 – 72.

### **13.1 *Restrictions on Exhumations***

A person must not exhume human remains unless that person has obtained, prior to commencing exhumation, an approval by NSW Health Units.

### **13.2 *Exhumation Permit***

An application seeking an exhumation permit must be on the appropriate form and forwarded to a NSW Health Unit

### **13.3 *Conditions of Approval for Exhumation from Grave***

Each exhumation permit is subject to the conditions as set out by NSW Health in the Exhumation of Human Remains: Procedures.

## 14 ASHES

### 14.1 Design of Ash Receptacles

1. The ash receptacle must fit entirely within the space for the receipt of ashes;
2. Oversized ash receptacles will be returned to the individual (or funeral director) responsible for supplying the receptacle for conversion to an appropriate size.

### 14.2 Columbarium Walls

Each plot on a wall shall:

1. Be fitted with a single bronze plaque the same size as is standard for each columbarium wall (Figure 1). No plaques are to be constructed from marble, granite, etc;
2. Be accompanied by a single small flower vase (fitted to the right hand side of the plaque) identical to the bronze niche strap vase from Phoenix Foundry (77mm high 30mm opening diameter);
3. Have four (4) corners, be straight edged, and painted bevelled edge design (as per Phoenix Foundry design specifications) with dimensions as shown in Figure 1 and Figure 2;
4. A motif, or a single photo of the deceased can be included on the plaque (provided it fits within the plaque boundary);
5. Text to be either brass or gold/brass in colour (as shown in Figure 1);
6. Council staff will fit all wall plaques with such plaques only being fixed where they are compliant with the design specifications.

Removal of unapproved structures will occur:

1. Should it become necessary for Council Staff to remove vases and other items and where in the Staff opinion these items are considered of value is, they will be stored at the registered and stored at an appropriate location. They will be made available for collection upon the request of the owner, for a period of up to six months, after which they will be disposed of;
2. Oversized vases and other tributes can be removed were the tributes placed within them obscure, or interfere with an adjacent plaque / plot / vase.

Plaque Dimensions - Cemetery	Height	Width
Barraba	125mm	160mm
Dungowan	125mm	160mm
Tamworth	125mm	160mm
Manilla – Old	125mm	160mm
Manilla – New	210mm	210mm
Nundle	125mm	160mm

Table 1 Plaque Dimensions



Figure 1 – Compliant Plinth and Flower Vase



Figure 2 Illustration of Right hand fitted Niche Strap Vase (source: Phoenix Foundry design website)

### **14.3 Memorial Garden**

Memorial Gardens are an alternate ash interment option to the traditional Columbarium Wall.

Each plot shall:

1. Be fitted with a single bronze plaque to Council's standard;
2. No plaques are to be constructed from marble, granite, etc;
3. Be accompanied by two gold vases.

### **14.4 Scattering of Ashes in Public Reserves**

The scattering of ashes is permitted within all of Councils public reserve network in accordance with the Scattering of Ashes Policy.

No memorials shall be placed within Councils public reserves where ashes have been scattered. This includes flowers, monuments, plaques and any other identifying markers.

Council may by request permit a memorial plaque for those people it deems as worthy of promoting due to their historical significance.

### **14.5 Interment of Ashes**

The interment of ashes is only permitted within Open Cemeteries once a Right of Burial has been granted.

## **14.6 *Removal of Ashes***

The removal of ashes from a columbarium or memory garden can only be undertaken upon a request from the holder of the Right of Burial.

The ashes and plaque will be presented to the holder of the Right of Burial. Once ashes are removed from their interred position the Right of Burial is then considered to be null and void.

A fee shall be charged for removal of ashes at the present value of an interment. This is set in Council's annual fees and charges.

No refund shall be given and the site can be resold for an interment.

## **14.7 *Interment of Ashes in Closed Cemeteries***

The interment of ashes in closed cemeteries is permitted only if the ashes being interred have relatives within the closed cemetery.

Council's fees and charges apply to these works.



## **15 NATURAL VEGETATION**

### **15.1 *Operating Cemeteries***

Natural vegetation within Councils operating cemeteries needs to be identified and kept to promote natural corridors for native fauna and flora. However the vegetation still needs to be controlled so as these operating cemeteries can be used as per the planned allotted interment plots.

### **15.2 *Closed Cemeteries***

Natural vegetation within Councils closed cemeteries needs to be identified and kept to promote natural corridors for native fauna and flora. However the vegetation may need to be controlled so that unmarked interments are not adversely affected by regrowth.

### **15.3 *Threatened Communities***

Natural vegetation within Winton Cemetery has been classified as Grassy Box Gum Woodland and needs to be retained and protected. However existing graves still need to be protected from damage from regrowth which could damage monuments which have been placed over or around graves.

Although Winton Cemetery has been classified as a closed cemetery efforts should be made to protect and identify all interments within the cemetery.

A Plan of Management was written and agreed to in 2001. TRIM reference 49315/2005.

## **16 DISPUTE RESOLUTION**

Where any dispute arises in respect of Council's implementation of the Policy, any person who seeks to resolve that dispute may request that the Director of Regional Services review Council's implementation.

Where a person believes that they have paid for a right of burial, plot, plinth, plaque or other service or approval (non-standard plinth) relating to the cemetery. Such claim will be provided or approved where:

1. Inspection of Council's records following the receipt of the complaint reveals the complaint justified;
2. The complainant provides documented evidence to support their claim (eg, invoice or Council letterhead correspondence – but excluding email).

Where such evidence is not provided the complainant must comply with the requirements of this plan or Council's current operational practices where not covered by this plan.

## 17 GLOSSARY OF TERMS

TERM	MEANING
<b>Applicant</b>	any person making application for an exclusive burial right, burial permit, monument permit, exhumation permit, work permit required from or issued by Council pursuant to the Policy.
<b>approved activity</b>	a) in respect of burial sites, the quiet and respectful commemoration of the dead or undertaking historical research; b) the use of roadways and pathways to gain access to burial sites.
<b>body</b>	means the body of a deceased person.
<b>exclusive burial right</b>	an exclusive right of burial granted by Council for use of a burial site and may be a <b>grave</b> right for the interment of human remains or cremated human remains.
<b>burial permit</b>	permission to inter human remains or cremated human remains in a grave site.
<b>burial site</b>	land and/or structures within a cemetery used for the interment of human remains (including cremated human remains) and may be a grave site (for the interment of human remains or cremated human remains).
<b>cemetery</b>	an operational cemetery or a closed cemetery.
<b>cemetery manager</b>	the Council officer assigned or appointed to manage and administer the Council's Cemeteries.
<b>closed cemetery</b>	the Winton Cemetery, and other cemeteries deemed closed from time to time.
<b>Council</b>	Tamworth Regional Council.
<b>cremated remains</b>	human remains that have been cremated in accordance with the <i>Public Health Regulation, 2012</i> .
<b>crypt</b>	a chamber constructed above ground for the immurement of the dead.
<b>exhumation</b>	the removal of human remains from a burial site.
<b>exhumation permit</b>	a permit issued by Council in accordance with Public Health requirements.

<b>TERM</b>	<b>MEANING</b>
<b>grantee</b>	a person granted an exclusive burial right, burial permit, immurement permit, exhumation permit, monument permit, or work permit by Council. Where there are 2 or more owner/holders these should be registered as "joint tenants".
<b>grave right</b>	an exclusive right of burial granted by Council to use a grave site and may be: a) immediate use right; b) pre purchase right.
<b>grave site</b>	land within a cemetery used exclusively for the purposes of interring human remains (whether cremated or .not) beneath the surface of the land of the grave site.
<b>Immure;</b>	containment of body and coffin within a crypt.
<b>Immurement permit</b>	permission to immure human remains or cremated human remains in a crypt.
<b>inter; interment</b>	to bury human remains or cremated human remains in a <i>grave</i> site.
<b>monument</b>	any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around a burial site.
<b>monument permit</b>	right granted to the grantee to place a monument over, in or around a burial site.
<b>WH &amp; S Manual</b>	the Work Health and Safety Manual (Integrated Management System) adopted by Council from time to time.
<b>Operational Cemetery</b>	includes Tamworth Cemetery and Manilla Cemetery, managed or owned by Council that receives new burials or in respect of which exclusive burial rights, burial permits, immurement permits, exhumation permits, or work permits are granted by Council.
<b>Pathological Samples</b>	any part or tissue sample removed from a specific, identifiable deceased human body.
<b>the Policy</b>	the Tamworth Regional Council Cemeteries Policy and accompanying Procedures.
<b>undertaker</b>	a person who, in the conduct of the person's business engages in the collection, transport, storage, preparation or embalming of human remains for the purposes of burial, cremation, transport or exhumation. Also known as Funeral Director.

**TERM**

**MEANING**

**work permit**

a permit allowing a person, company or organisation to engage in specific activities within a cemetery or specified cemeteries.

## 18 APPENDIX A

Conditions for Monumental / Mason Work and Guidelines for Monumental Work in  
Tamworth Regional Council Cemeteries

## ***CONDITIONS FOR MONUMENTAL / MASON WORK***

For further information contact Tamworth Regional Council on 6767 5555

### ***Access Times***

Access to the Council cemeteries is available for the purposes of the site inspection and measuring up during designated opening hours of the cemetery.

### ***Hours of Work***

Masonry work may only be carried out between the hours of 7:00am and 5:00pm on normal working days of the week. Work cannot be carried out on Saturdays, Sundays and Public Holidays.

### ***Restrictions on Works***

Masonry work is not to be carried out within 200 metres of a funeral service that is in progress or as designated by Council. The Mason or the Mason's Authorised Representative is to coordinate with the Council's nominated representative on the appropriate date and time for the works, to ensure minimal conflict with funeral services and maintenance work.

### ***Concrete kerbs and surrounds***

These are not permitted in any lawn sections of Council's Cemeteries.

### ***Vehicular Movements***

Vehicles used in the performance of the masonry works are not to be parked so as to obstruct the movement of a cortege, hearse or vehicles used by the deceased person's immediate family during the conduct of a funeral service.

### ***Conduct of the Works Site***

The Mason or the Mason's Authorised Representative is responsible for carrying out the works in a tradesman-like manner and for the environmental protection and tidiness of the site during and on completion of the works.

### ***WH&S Requirements***

1. Monumental Masons carrying out works in Councils Cemeteries will need to be inducted into the Cemetery on a yearly basis;
2. Monumental Masons are required to have their own Safe Work Method Statements and WH&S general induction for construction work;
3. The masonry contractor will be required to provide Council with a copy of their Public Liability Insurance on a yearly basis at the site induction.

***Execution of the Works***

Masonry work is to be carried out in accordance with:

1. Guidelines for monumental works in Tamworth Regional Council Cemeteries;
2. The approved Monumental Works Permit;
3. Australian Standard for Monuments and Headstones in Cemeteries.



## **GUIDELINES FOR MONUMENTAL WORK IN TAMWORTH REGIONAL COUNCIL CEMETERIES**

To provide for uniformity and consistency in Tamworth Regional Council Cemeteries the following regulations apply to all monuments erected in Councils Cemeteries.

This document supersedes Tamworth City Councils document “Guidelines for Monumental Works” in Tamworth Lawn Cemetery adopted 28 June 1988 and the former Barraba Shire Council’s previous policy.

These regulations apply for Private monumental works in both Lawn and Monumental Sections or Council Cemeteries.

### ***What type of monument (headstone) is permitted?***

All monumental works carried out in Council controlled Cemeteries are subject to prior approval by Council. Council will not issue a monumental permit in respect of a burial site except for the erection of a monument (headstone) of size and type approved by Council. Council will only grant a monumental permit with the consent of the grantee of the Right of Burial. All monuments remain the property of Right of Burial Grantee (or their Heirs and Successors). Council is not liable for the future care, maintenance, preservation, conservation or restoration of the construction (headstone and surrounds) erected or placed over the grave.

The headstone must be of a type and design approved by Council, installed by a monumental mason who has obtained a monumental permit approval.

#### **a. Plaques and Monuments – Lawn Sections and Niche Walls**

In the Lawn Section of the cemeteries an approved headstone (**only**) can be placed on the concrete beam at the head of the grave.

The headstone can be a recumbent “desk” style affixed to the beam or an upright (vertical) headstone set on a headstone base with the following dimensions:

1. Base – 1000mm max (length) for single monument;
2. Base – 1800mm max (length) for double monument;
3. Width – 430mm max;
4. Affixed to the beam with a maximum height of 600mm above the beam (**including base**);
5. Bronze plaques for use on Niche Walls and on Council supplied concrete headstone/footstone are ordered and placed by Council and no other monumental plaque is allowed.

#### **b. Monuments – Monumental Sections**

If the burial is in the older monumental sections of Council Cemeteries an approved headstone and or kerbing/slab may be installed **3** months after the burial to allow for subsidence and settlement.

In the monumental section of a Cemetery monuments may be erected subject to the following conditions:

1. The design plans and specifications of the monument are to be forwarded to Council for determination;

2. The monument and kerbing or surrounds are to remain within the burial site area.

### ***Standards for monumental work in Lawn Cemetery***

1. All work shall be in accordance with Australian standard AS4204 Monuments and headstones in Cemeteries and strictly in accordance with the monument permit;
2. All work will be limited to the exclusive right and property of the Grantee;
3. All work will be carried out in a tradesman like manner;
4. All materials shall be of permanent and durable granite construction. Timber, bricks and mortar, ferrous metals etc are not considered permanent or appropriate for monument construction;
5. The work shall not interfere with the rights of visitors to the cemetery;
6. All debris, rubbish will be removed from the site and the cemetery on the completion of the works.

### ***Permits***

No monumental work can commence without a permit.

1. Application for a monumental permit is to be submitted on the standard form and signed by the holder of the "Right of Interment" or a duly authorised representative of the Right of Burial. Measurements must be in metres;
2. Monumental work permits will be issued within 14 days;
3. No work can be carried out within the cemetery unless the mason or his representative has the Monumental Work Permit with them;
4. Monumental Work Permits are valid for 12 months after the date of approval, after which time a new permit will be required if construction has not commenced.

### ***Fees***

Fees for monumental works are listed in Council's "Schedule of Fees and Charges" and apply for both Lawn and General Sections.

## **19 APPENDIX B**

Cemetery Location Maps.





**Disclaimer:**

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