

CEMETERY OPERATING POLICY



COUNCIL POLICY

Reference Number	694579
Responsible Business Unit	Contracts
Responsible Officer	General Manager Corporate Services
Legislation	Burials and Cremation Act 2013 and Regulations 2014
Relevant Delegations	Burials and Cremation Act 2013
Related Policies Management Guidelines Frameworks	Cemetery Management Guideline
Link to Strategic Plan	Objective 3.3 - Improve community health, safety and well being
Council resolution	Item 64.1
Date Adopted	30 June 2014
Review Date	2016
Previous Revisions	nil

POLICY STATEMENT

The Rural City of Murray Bridge manages cemeteries at Adelaide and Bremer Roads Murray Bridge and at Monarto and Callington. All interments of bodily remains are undertaken in accordance with the Burial and Cremations Act 2013. Registers containing records of all interments and lay out plans for each cemetery are maintained by the Council in accordance with the Burial and Cremation Regulations 2014 and are easily accessible for perusal by the public.

OBJECTIVES

To ensure that the interment of bodily remains occurs in accordance with relevant legislation and that the Council keeps appropriate registers, records and plans that are available to the public.

SCOPE

This policy applies to all burials and ashes placements within the four cemeteries operated by the Rural City of Murray Bridge at Adelaide Road and Bremer Road, Murray Bridge and at Monarto and Callington.

PRINCIPLES

Opening Hours

The Cemetery is open Daylight Hours every day or as the Cemetery Authority may otherwise determine. A person, must not, without the approval of the Cemetery Authority or the Chief Executive Officer, be in the Cemetery at any other time.

Fees

The Authority may fix fees and charges for granting Rights and all other services and may alter such fees and charges from time to time.

The fees and charges will be reviewed, at a minimum, on an annual basis. An up-to-date copy of the fees and charges is available at the principal office of the Authority.

Landscaping

A person, must not, without the approval of the Authority, landscape or change the landscaping of any portion of the Cemetery.

The Authority may alter or transfer any landscaping, memorial or memorial garden bed as it may determine.

General Conduct in the Cemetery

A person must not cause any nuisance in the Cemetery.

A person must at all times whilst in the Cemetery conduct themselves in a manner that respects the rights and safety of others.

Rights

The Authority may grant a Right upon payment of a fee as determined by the Cemetery Authority in relation to one or more sites in the Cemetery.

Removal of Monuments

A Grantee may reclaim a Memorial at any time before it is removed and disposed of by the Authority.

The removal of a Memorial must be undertaken by a recognised Monumental Mason with the relevant approval and at the expense of the Grantee.

Rights under a Memorial Right

A Grantee has for the term of the Memorial Right the exclusive right to Inter human cremated remains and to erect an approved monument or to erect an approved monument without human remains in the site allotted.

Disposal of Cremated Remains

Upon the expiry of the Term of a Memorial Right, the Grantee may request the Cemetery Authority to dispose of the cremated remains by interment in an unmarked location or that the Grantee or some other person authorised in writing by the Grantee will collect the cremated remains.

Compliance with Operating Policy

A person must comply with all relevant legislation and this Operating Policy and the associated Management Guidelines where:

- they wish to inter remains in the Cemetery;
- they wish to re-open an interred grave; or
- they wish to remove remains from the Cemetery.

Exhumations, removals and re-interment

The right to exhume a non-cremated human remains is laid out in the following:

- *Burial and Cremation Regulations 2014*
- *Burial and Cremation Act 2013*

IMPLEMENTATION

Once adopted the CEO or relevant General Manager will be responsible for implementing the

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policy. This includes advice to staff, awareness training, monitoring of adherence to the policy and media releases advising the community of changes impacting on the operations of Cemeteries.

A review of the Cemetery Operating Policy will be undertaken every four years.

DEFINITIONS

The following definitions apply in this Operating Policy:

"Authority" means the Rural City of Murray Bridge.

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

"Cemetery" means the Adelaide Road Cemetery, Bremer Road Cemetery, Callington Cemetery and Monarto Pioneer Cemetery

"Chief Executive Officer" means the Chief Executive Officer of the Cemetery Authority.

"Extended Term" means each extended duration of the Initial Term of a Burial Right.

"Grantee" means a person who is or persons who are the holder of a Burial Right or any other person entitled to exercise the rights of the Grantee under a Burial Right in accordance with the terms of a Burial Right.

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

"Initial Term" means the initial duration of a Right.

"Interment" of Human Remains includes:

- the placement of cremated remains in a columbarium or other structure designed as a repository for human remains;
- the burial in the earth of cremated remains (with or without a container);

but does not include the scattering of cremated remains.

"Memorial" means:

- an approved gravestone or other monument; or
- a plaque; or
- any other approved structure or physical object used to memorialise a deceased person.

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

"Monument" means a monument, tombstone, tablet, gravestone, kerbing, railing or other erection to be constructed in the Cemetery, used for commemorative purposes for burial sites.

"Right" means a Burial Right or a Memorial Right.

"Term" includes the Initial Term and any Extended Terms.