

POLICY

Policy name	Cemeteries Management
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Divisional Manager Works
Directorate	Infrastructure Services
Approval date	27 August 2013
Community Strategic Plan Objective	2. Our Community Is A Great Place To Live
Delivery Program	Parks Foreshores and Community Facilities
Operational Plan	Provide, maintain and renew: Cemeteries

Purpose

Council is the Crown Reserve Trust Manager of active cemeteries located at Nelligen, Batemans Bay, Mogo, Moruya, Bodalla, Narooma, Nerrigundah and Central Tilba (Tilba-Tilba Cemetery). The cemetery and crematorium located at Broulee is privately run and does not come under Council's control. The Cemeteries Management Policy is intended to ensure the appropriate administration, management and maintenance of burials, inurnments and monument installations in cemeteries under Council's control.

This Policy and associated Code of Practice has been reviewed to align with industry standards and current practices of other local government areas in New South Wales. The Policy and Code assist Council in meeting the needs of the community and provide clear guidelines for requests for burials, inurnments and reservations at cemeteries under Council's control.

This Policy and associated Code of Practice will also ensure monuments are constructed to Australian Standards where applicable, will not hinder future maintenance operations and will not pose a risk to the public. Monuments must be constructed in keeping with other monuments in the cemetery. This is of particular importance in cemeteries of cultural and heritage significance, as listed in Council's Local Environmental Plan (LEP).

This policy shall be read and implemented in conjunction with the Cemeteries Code of Practice which outlines Council's requirements for the management of cemeteries and aims to:

- Promote an integrated framework for dealing with the management of cemeteries.
- Ensure consistency and fairness in the manner in which the Council deals with the community, the bereaved, funeral directors and monumental masons.
- Ensure compliance with legislative requirements under the *Crown Lands Act 1989*, *Crown Lands (General Reserves) By-Law 2006*, *Work Health and Safety Act and Regulation 2011* and *Public Health Act 2010 (NSW)*.
- Promote awareness of the requirements of these *Acts* with respect to currently accepted practices regarding the management of cemeteries, including monumental works.
- Take such steps as are appropriate to ensure that the relevant parties are treated with empathy, respect and dignity; that burials and monumental works are conducted in a safe and sustainable manner.
- Make Council's policies and requirements for the management of cemeteries readily accessible and understandable to the public.

Policy statement

1	<p>Application</p> <p>This policy ensures the appropriate administration, management and maintenance of burials, inurnments and monument installations in the cemeteries under Council's control.</p>
2	<p>Legislation</p> <p>Eurobodalla Shire Council's cemetery management will operate in accordance with the: <i>Crown Lands Act 1989, Crown Lands (General Reserves) By-Law 2006, Work Health and Safety Act and Regulation 2011, Public Health Act 2010 (NSW)</i></p>

Implementation

This policy will be implemented by following Council's *Cemeteries Code of Practice*, which specifies in detail the plan, procedures and matters to be considered as listed below:

Requirements		Responsibility
1	<p>General Planning, Conduct and Maintenance</p> <p>Council may take such provision, as it considers necessary for the setting aside of sections for different types and classes of burials e.g.; denomination or non-denomination, the construction of monuments, location of burials, cemetery improvements, the conduct of ceremonies, the disposition of cremated human remains, landscaping and any other matter relating to the management of the cemetery.</p>	Council, Funeral Directors, Monumental Masons
2	<p>Burial Licence (Reservation)</p> <p>Burials are not to take place unless Council has granted a Burial Licence (Reservation) in respect of a burial place in a cemetery.</p>	Council Officers Funeral Directors
3	<p>Exercise of Burial Licence</p> <p>Burials are not to take place unless Council has issued an Exercise of Burial Licence. From 1 July 2013 any monumental works carried out in cemeteries under Council control will require a permit. Permit conditions for Headstones and Monuments are referred to in Council's <i>Cemeteries Management Code of Practice</i>.</p>	Council Officers Funeral Directors
4	<p>Register of Burial Places</p> <p>Council will maintain a register of all burials.</p>	Council Officers
5	<p>Hours of Burial</p> <p>Burials and exhumations shall take place as per <i>Council's Cemeteries Code of Practice</i>.</p>	Council Officers
6	<p>Burial Places</p> <p>Burials shall be in accordance with the <i>Public Health Act 2010 (NSW)</i>.</p>	Council Officers
7	<p>Above Ground Entombment</p> <p>Above ground entombments shall not be permitted.</p>	Council Officers
8	<p>Exhumation</p> <p>Written approval to be obtained from the Director General of the Department of Health.</p>	Council Officers
9	<p>Monuments and Inscriptions</p> <p>A person shall not carry out work within a cemetery without the written consent of Council. From 1 July 2013 any monumental works carried out in cemeteries under Council control will require a permit. Permit</p>	Council Officers Stone Masons

	conditions for Headstones and Monuments are referred to in Council's Cemeteries Management Code of Practice.	
10	Adornments and Embellishments The placing of vases, statuettes, flowers and other embellishments on or near burial places shall be at the discretion of Council staff. No breakable items such as glass or ceramics are to be used. Flowers must be securely fixed in a vase.	Council Officers
11	Related Licence and Permit fees Are applied according to Council's current Fees and Charges.	Council Officers
12	Staff Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council Officers
13	Concerns Concerns received regarding the management of cemeteries will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service Policy. They will be used to analyse the history of complaints and requests and to help determine follow up actions.	Council Officers
14	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	Public Officer
15	Consultation Public submissions regarding this policy are considered during the policy exhibition period. Any other consultation deemed necessary may occur with key stakeholders and the community when and if required.	As required

Review

The policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council revokes it sooner. **Note:** *Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2016.* This policy may also be reviewed and updated as necessary if legislation requires it; or when Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages its cemeteries.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Concerns or complaints from the public.	Council records
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Code of Practice	www.esc.nsw.gov.au/inside-council/council/council-policies
Local Government Act 1993	Local Government Act 1993 No 30 NSW Legislation
Public Health Act 2010 (NSW)	Public Health Legislation - NSW Health - NSW Government
Crown Lands Act 1989	Crown Lands Act 1989 No 6 - NSW Legislation
Crown Lands Act (General Reserves) By-law 2006	Crown Lands (General Reserves) By-Law 2006
Work Health and Safety Act and Regulation 2011	Work Health and Safety (WHS) Act 2011 - NSW Legislation
Local Environmental Plan	Local Environmental Plans - NSW Legislation
Eurobodalla Heritage Strategy 2011 - 2014	www.esc.nsw.gov.au/living-in/about/culture-and-heritage/heritage

Related external references

Name	Link
Office of Local Government	www.dlg.nsw.gov.au
Office of Environment & Heritage	www.environment.nsw.gov.au/cultureandheritage.htm

Supporting documents

Form Name	Link
Application for Monumental Work Permit	All forms are available from Council Depots (Batemans Bay, Moruya, Narooma), or on Council's website: www.esc.nsw.gov.au/inside-council/council/forms
Burial Licence (Reservation)	
Exercise of Burial Licence (Order for Burial)	
Exercise of Burial Licence for Inurnments Wall & Plaque	
Request to place Ashes into Grave	
Transfer of Burial Licence (Reservation)	

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	19 Oct 2011	Council	11/259	E09.3418	Policy Reviewed (Report O11/213)
2	27 Aug 2013	Council	13/246	E13.7095	Updated format, review date, references, links. (Report O13/131)

Internal use

Responsible officer	Director Infrastructure Services	Approved by	Council
File No	E13.7095	Report no	O13/131
Min no	13/246	Review date	Sep 2016
		Pages	4