

## Details of advertisement



### **DRAFT CEMETERY MANAGEMENT PLAN 2019**

The Draft Cemetery Management Plan 2019 is currently on Public Exhibition.

The Draft Cemetery Management Plan 2019 may be viewed at the Council Chambers, 1 Benerembah Street Griffith, the Griffith City Library and on Council's website at [griffith.nsw.gov.au](http://griffith.nsw.gov.au)

Anyone wishing to make comment on the above policy can do so in writing addressed to the General Manager, Griffith City Council. Comments or submissions will be received up to 4 pm, Friday 25 October 2019.

# GRIFFITH CITY COUNCIL



## CEMETERY MANAGEMENT PLAN

### 2019

Ph: (02) 6962 8100  
P O Box 485  
GRIFFITH NSW 2680  
Email: [admin@griffith.nsw.gov.au](mailto:admin@griffith.nsw.gov.au)

Cemetery Office  
(02) 6964 3642

## TABLE OF CONTENTS

1.	WHY DO WE NEED A MANAGEMENT PLAN? .....	4
2.	WHAT MATTERS ARE CONSIDERED IN THE MANAGEMENT PLAN? .....	4
3.	THE STRUCTURE OF THIS MANAGEMENT PLAN .....	5
4.	WHERE AND WHEN DOES THE PLAN APPLY? .....	5
<b>PART A - PLANNING AND MANAGEMENT STRATEGY ISSUES.....</b>		<b>7</b>
1.	The Goal .....	7
2.	The Strategies.....	7
3.	How are these strategies to be achieved? .....	7
3.1)	Business and Operational Planning .....	7
3.2)	Management tasks set by the Council .....	9
3.3)	Defined Work Practices .....	9
3.4)	Have Community Input .....	9
3.5)	Delegate Responsibilities .....	10
3.6)	Capacity (Griffith and Yenda).....	10
3.7)	Cemetery Fees and Charges (Griffith and Yenda) .....	10
3.8)	Current Operations .....	11
3.9)	Burial Rights, Plot Title and Tenure .....	11
3.10)	New Facilities .....	12
3.11)	Other Council Considerations .....	13
<b>PART B – CEMETERY OPERATIONAL MATTERS.....</b>		<b>14</b>
1.	Introduction.....	14
2.	Identification .....	14
3.	Bookings and Preliminary Procedures .....	14
3.1)	Work Hours Restrictions .....	14
3.2)	Bookings.....	14
3.3)	Reservations .....	15
3.4)	Application for Burial Permit.....	15
3.5)	Fees .....	15
3.6)	Issue of Permit to Bury .....	15
3.7)	The Interment of Ashes .....	16
3.8)	Cemetery Operators Register .....	16
4.	Burials .....	16
4.1)	Access to Burial Plots .....	16
4.2)	Burial Responsibilities.....	16
5.	Provision of Plaques/Embellishments <del>Ornaments</del> , Vases etc. ....	16
6.	Exhumations .....	17
7.	Cemetery Maintenance.....	18
8.	Miscellaneous Provisions .....	18

<b>PART C - PRIVATE WORK IN CEMETERIES.....</b>	<b>20</b>
1. Introduction.....	20
2. The Application - Permission to Carry Out Monumental Works.....	21
3. The Permit.....	22
4. Work Subject to the Heritage Act .....	23
5. Inspections of Work in Progress .....	24
6. Above Ground Entombment .....	24
7. Shallow Graves.....	24
8. Unauthorised or Unsatisfactory Work.....	24
8. Removal of Structures.....	25
9. Removal and replacement of structures on request.....	25
10. Maintenance of Structures .....	25
11. Unsafe Monuments and Rectification .....	26
12. Conservation, Maintenance and Preservation Works.....	26

## **1. Why Do We Need A Management Plan?**

The current and proposed cemetery sites are either Crown land to which the Crown Land Management Act 2016 applies or is operational land. It is proposed that this plan will be reviewed periodically, at least once every term of Council.

This Cemetery Management Plan is the operational document empowered by the Cemetery Management Policy (

This management plan sets out the goals, strategies and means of providing cemetery facilities for the community. It examines the needs of the community and the expectations for arrangements to be conducted with dignity and accuracy within settings that are aesthetic and affordable.

The management plan is:

- A concise and succinct statement of the strategic direction of the Council, which identifies the means of achieving goals and objectives.
- It is intended to be understood by all stakeholders including clients, the general community, the funeral industry and government authorities.
- It is also flexible so as to enable it to be used as a contemporary management tool reflecting community trends.
- This plan has been prepared in consultation with the General Facilities Committee, which includes nominated councillors, local funeral directors, monumental masons, community representatives and applicable council staff. As well as being placed on public exhibition for community comment and feedback.

## **2. What Matters are considered in the Management Plan?**

- The existing and future space requirements for burials to meet ongoing community needs.
- The development of cemetery facilities that provide a range of burial options and an acceptable quality of development.
- The tenure and reservation arrangements for securing burial entitlements.
- The conduct of persons involved with burial arrangements.
- The application of standards that achieve aesthetic qualities, durability of monuments, and limit maintenance costs to the community.
- Maintenance requirements.
- Community input and consultation.
- Compliance with standards for above ground vaults (Capellas).
- Compliance with burial and other general work practices.

### **3. The Structure of this Management Plan**

The structure of the management plan is divided into three (3) parts.

- Part A - Planning and Management Strategy
- Part B - Operational Matters
- Part C - Private Works and Structures

### **4. Where and When does the Plan apply?**

- a) The management plan will apply after its adoption by Council.
- b) The management plan will be reviewed every 4 years to coincide with each new term of Council.
- c) The management plan will be adopted after exhibition for comment for 56 days.
- d) The management plan applies rules and regulatory controls to activities, permissions, conduct, presentation and works within the Council controlled cemeteries.
  - a. Provision for opening of burial plots, recording of each event and refilling of plots.
  - b. The maintenance of the facility, and
  - c. The resources necessary to achieve this end.
- e) The management plan applies to cemetery facilities that are operated and maintained by the Council including the following locations:

#### **1) The Griffith Cemetery located at 83-111 Wakaden Street, Griffith.**

Details are:

- 1. Lot 7027, DP1024272
- 2. Parish - Jondaryan
- 3. County - Cooper
- 4. Area: - 9.88Ha
- 5. Reserve No: - 559030
- 6. Particulars: - Dedicated under s24 Crown Lands Consolidation Act, 1913 for a General Cemetery - gazetted 17 September 1920. Land portions set apart for religious denominations, with Council as Trustee - gazetted 14 January 1944.

**2) The Yenda Cemetery located on Cemetery Road, Yenda.**

Details are:

1. Lot 777, DP751728
2. Parish - Stanbridge
3. County - Cooper
4. Area: - 12.14Ha
5. Reserve No: - 559031
6. Particulars: - Dedicated General Cemetery - gazetted 19 October 1923. Council as Trustee - gazetted 22 March 1963.

**3) The future Cemetery Site located on Rifle Range Road, Griffith**

Details are:

1. Lot 2, DP1141418
2. Parish - Wyangan
3. County - Cooper
4. Area: - 62.90Ha
5. Council owned land dedicated as Operational Land.
6. Particulars: - Compulsory acquired from the crown in 2009, specifically for the purpose of locating a future cemetery site.

**4) Existing cemeteries under Council's control which are no longer operational:**

The Bagtown Cemetery, Pedley Road, Hanwood.

# **PART A - PLANNING AND MANAGEMENT STRATEGY**

## **1. The Goal**

The goal that is being addressed within this management plan is:

*“To provide dignified, functional and attractive facilities which are compatible with surrounding developments and which meets the needs of the community.”*

## **2. The Strategies**

The strategies to achieve this goal involve:

- Review needs and trends
- Planning and developing new facilities
- Developing management and business plans
- Setting standards for observance
- Administrative arrangements that are, efficient, effective and accurate
- Facilities are operated and maintained effectively within user pay cost recovery ideals
- Identifying community concerns including religious, cultural and emotional expectations
- Engendering community pride with having quality facilities.

## **3. How are these strategies to be achieved?**

A number of approaches and initiatives are required, including:

### **3.1) Business and Operational Planning**

<b><u>Planned</u></b>	<b><u>Statement of Means</u></b>	<b><u>Performance Assessment</u></b>
1. Ensure sustained and appropriate funding is allocated to or generated by the business unit.	Prepare operational and capital expenditure annual budgets to reflect both current and future needs.	Degree of adverse public comment via submissions received.
2. Aim for sustainable financial independence.	Use of annual budget and schedule of fees and charges to ensure minimal or zero council subsidy of cemetery facilities.	Cemeteries aim to be financially independent each year.
3. Landscape remaining areas as development and needs determine.	Plan each season to landscape and develop a section, to keep ahead of demand for plots.	Entire site sustainably landscaped.



4. Prepare existing Griffith cemetery for downscale of operational activities.	Periodically plot number of sites available Vs uptake, to arrive at years of use remaining.	Information provided to General Facilities Committee.
5. Maintain construction standards for capellas.	Comply with standards available.	Standards adopted.
6. Design and Construct new Cemetery and Crematorium at Rifle Range Road site	Prepare Masterplan for Cemetery and Crematorium to be constructed in staged development	Comprehensive consultation undertaken with multiple stateholders prior to commencement. Operation of new site has been budgeted for

### 3.2) Management tasks set by the Council

STATEMENT OF MEANS	PERFORMANCE ASSESSMENT	REVIEW PROCESS
<p>1. Prepare and implement management plans for the development and maintenance of:</p> <p>a) Griffith &amp; Yenda cemeteries</p> <p>b) Proposed new Griffith cemetery</p> <p>2. Monitor the maintenance and condition of the Bagtown Cemetery to see it is in keeping with its heritage significance.</p> <p>3. Receive and respond to public complaints</p> <p>4. Cemeteries to become financially independent.</p>	<p>1. Management plans have been developed as follows;</p> <p>a) Prepared September 1996,</p> <p>b) In development to be included in Revised cemetery management plan</p> <p>2. Report any adverse findings to the General Facilities Committee as required.</p> <p>3. a) Maintain action register as required</p> <p>b) Response to non-urgent complaints within 3 days</p> <p>c) Response to urgent complaints within 24 hours</p> <p>4. Quarterly budget review to establish progress of ongoing full net cost recovery</p>	<p>1. Status of Management plans is as follows;</p> <p>a) Reviewed and prepared for adoption February 2019</p> <p>b) Not completed yet</p> <p>2. N/A</p> <p>3. Registers maintained where appropriate</p> <p>4. Being achieved with exception of annual capital works program.</p>

### 3.3) Defined Work Practices

Ensure work practices are defined for Council activities. This includes SWMS (Safe Work Method Statements), Safety Meters and other procedures or policies adopted by Council.

*(Note: The work practices, work health and safety codes, and other legislative provisions are specified for information only. These administrative requirements are to define or limit Council's liabilities. They are not subject to community consultation).*

### 3.4) Have Community Input

Monitor community representations and complaints by reporting to the General Facilities Committee.

### **3.5) Delegate Responsibilities**

The functions of the General Facilities Committee are to:

- (i) Generally overview the operation of the cemeteries and make recommendations to the General Manager or Council for improving the Cemeteries operations.
- (ii) Provide a feedback forum on the community's satisfaction level with cemetery services and suggestions for improvements.
- (iii) Provide advice on the planning and developments required to ensure there is sufficient cemetery resources and capacity to meet the anticipated needs of the community.

### **3.6) Capacity (Griffith and Yenda)**

The numbers of plots available and projected space requirements in the three (3) categories of Lawn, RC Vault and Other combined is required to be reported to the General Facilities Committee quarterly at each meeting.

It is predicted that the current cemetery site at Wakaden Street will cease to be operational for new burials (ie other than for re-opens) by approximately 2025.

Remaining unused areas may be adjusted and allocated for future vault interments if the need arises.

The Griffith Cemetery comprises:

- Lawn sections
- Denomination Traditional sections
- Vault traditional
- Niche wall/columbarium (ashes)
- Memorial garden (ashes)
- Capellas (above ground vaults)
- Pre term Garden

The current Capella area is adjacent to the eastern boundary and extremely close to a residential area. This normally does not occur in planned cemetery developments, where there is a buffer zone. Additional construction standards have been applied in the past by the Council to Capella burials than normally found elsewhere, to address potential problems or concerns that could arise. Approaches have been made for changes to these standards to permit more economic and practical alternatives. In the light of these submissions, Council is accepting caskets that are not metal if certain performance issues are met. This includes the use of body bags in compliance with NSW Public Health Regulation 2012

Future Capella area development has to consider the aesthetic impacts of scale and appearance as viewed from the perimeter of the Cemetery.

### **3.7) Cemetery Fees and Charges (Griffith and Yenda)**

These are set within the guidelines of Council's annual Revenue Policy as adopted each year and endorsed by the General Facilities Committee.

These charges cover 3 elements;

- Administrative costs
- Burial works costs
- Ongoing maintenance and infrastructure costs (excluding monumental maintenance).

Incentive charges are applied to encourage double depth burials.

### **3.8) Current Operations**

The operating budget including resources required to operate and maintain the facilities is allocated annually by the Council. Weekend and after hours work and bookings incur financial penalty rates.

After hours activities are industry conveniences that have a cost in providing the service. The primary intention of these arrangements are to reduce the burial delay and distress of the bereaved.

Burial arrangements will vary according to religious beliefs and where appropriate, Council will cater for those arrangements.

Arrangements for burials in Griffith City Council Cemeteries are usually conducted by the Funeral Director who provides the funeral service, acquires the grave site and negotiates plaque/monuments as a total client service.

Council will only allow recognised and practising Funeral Directors to operate and conduct funeral services at its facilities.

Local practice does allow for the Funeral Director to arrange the service and the client to be directed to the Council for plot acquisition and if required, plaques. This is an optional arrangement determined by the Funeral Director. This practice provides for accountability of costs/debts, which does not disadvantage the Funeral Director.

Council employees must participate in exhumations and the arrangement of an exhumation is entirely the responsibility of the Funeral Director. However, Council does supervise the management plan as required by the Department of Health for the exhumation.

Monumental masons require permits for all work. In the case of a Capella, separate development consent, building approval, construction agreement, maintenance agreement and burial rights are required for each structure.

### **3.9) 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 are explained in more detail below and include:

- (i) Denominational religious allocations*
- (ii) Right of burial transfers*
- (iii) Reservations tenure*

**(i) Denominational Religious Allocation**

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 have an excessive allocated area unable to be used by another.

The Cemetery will strive to maintain denominational religious allocations to cater for the community's needs.

**(ii) Right of Burials Transfer (linked to (iii))**

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 vaults.

**(iii) Reservation Tenure**

Reservations can be accepted in the lawn section for single, double and triple depth graves. The cost of each reservation can vary and is included in the revenue policy each year as applicable. 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. Burial Rights are issued by Council in perpetuity or until used.

No specific plots can be reserved however reservations can be taken within specific lawn areas while capacity remains available as determined by Council. There shall be no concessions due to operational ramifications associated with access for excavation.

Reservations will not be permitted in the traditional areas where they pose access and damage complications to surrounding graves.

Restrictions apply on the number of reservations that can be made, with multiple reservations not allowed due to capacity, availability and equity.

The granting of a burial licence (permit) is limited at no more than two burial plots per cemetery reserve per person.

The reservation of a grave at the Griffith Cemetery can only be obtained as follows:

- Reservation of Double Below Ground vaults will only be available if the number of available Double Below Ground vaults is in excess of 20. (i.e. 20 vaults must be available for general interment)
- Reservation of Single Below Ground vaults will only be available if the number of available Single Below Ground vaults is in excess of 10 (i.e. 10 vaults must be available for general interment)
- Reservation of Lawn Section Plots will be available until such time that the available number reduces to 450 remaining plots.

**3.10) New Facilities**

Council has proposed to establish a new Cemetery and Crematorium facility at a green field site on Rifle Range Road, Griffith. The proposal will be required to be

assessed under the provisions of the Environmental Planning and Assessment Act at the appropriate time.

The site has been secured and the next step will be to develop adequate cemetery infrastructure and landscaping to enable operations to commence prior to reaching full capacity at the existing facilities.

### **3.11) Other Council Considerations**

These involve determining the needs and seeking better or more cost-effective ways of operating and maintaining its cemeteries and are highlighted as follows:

- The denominational sections to have flexible boundary adjustment availability.
- Appropriate cemetery locations be allocated for future Capella construction.
- Future cemetery charges reflect the cost relativity to the development and maintenance factors of all cemetery facilities.
- A permanent maintenance bond in accordance with Councils Revenue Policy is payable. Requirement for a legally binding agreement on Capella maintenance and liability risks.
- Compliance with Australian Industry standards for Capellas, vaults and monument work as they may apply.

# **PART B – CEMETERY OPERATIONAL MATTERS**

## **1. Introduction**

The purpose of this section of the Management Plan is to enhance the provision of safe, consistent and socially acceptable standards/practices in all aspects of cemetery operation, in compliance with the requirements of the NSW Public Health Act, 2010, associated regulations and Council's policies and procedures.

It is also to:

- Deliver burial services in an exemplary manner, which will provide dignity of the deceased.
  - Provide the opportunity for all people in Griffith to have access to a range of interment services to ensure that practices and beliefs of all religions and cultural groups are respected so that no one is disadvantaged and adequate and proper provision is made for all.
  - Be aware of the diverse religious, ethnic and cultural background of our community, and considerate of requests to cater for special needs.
  - Operate our cemeteries in a manner that will reflect credit upon the Council.
- Promote and encourage the safe progress of work.

## **2. Identification**

The Council may vary the denominational sections according to the Council need.

## **3. Bookings and Preliminary Procedures**

### **3.1) Work Hours Restrictions**

Excavation works and monumental works will not be permitted during night time hours or on a Sunday.

Funerals must be arranged to arrive at the Cemetery no later than 2.00pm each weekday except Friday when 1.30pm arrival time should be observed.

### **3.2) Bookings**

One clear working day's notice is required for a burial to be provided in any of Council's cemeteries.

**Example:** A burial scheduled for Monday 10.00am is to be booked with the cemetery office by 3.30pm Thursday. Friday is the one clear working day.

Bookings outside Council working hours are to be made using the after hours contact that is provided and will attract the after hours fee as stipulated in the Revenue Policy.

Where an overnight booking is made with the after hours arrangements and an email confirmation is received prior to the commencement of the working day, the preceding notification shall have been accepted.

Where the booking pertains to an above ground vault opening, the discretion of the Cemetery Team Leader may be exercised according to concurrent work commitments in accepting any lesser booking period.

Where a booking is negotiated by a funeral director for a reserved site, the director shall advise in person the cemetery office and confirm in writing by email to ensure the one day notice is given for the preparatory work.

When ordering vaults it will be necessary to give forty-eight (48) hours notice to the Cemetery Team Leader.

### **3.3) Reservations**

Reservations will only be accepted at the Griffith and Yenda Cemeteries for:-

- Inground vaults
- Columbarium walls
- Memorial trees and gardens
- Lawn

Reservations will be accepted in the lawn sections, if the "Right of Burial" fees have been paid in full.

No specific plots can be reserved however, reservations can be taken within specified lawn areas while capacity remains available.

Reservations for "in ground" burial plots are allocated to accommodate double depth burials, unless there is no next of kin requirement. Reservations without the full "Right of Burial" fee being paid, will not be accepted in the lawn sections.

On receipt of the reservation payment, entitlements and restrictions will be notified to the applicant.

*Reservation trigger points are same as PART A Section 3.9) (iii)*

- Reservation of Double Below Ground vaults will only be available if the number of available Double Below Ground vaults is in excess of 20. (i.e. 20 vaults must be available for general interment)
- Reservation of Single Below Ground vaults will only be available if the number of available Single Below Ground vaults is in excess of 10 (i.e. 10 vaults must be available for general interment)
- Reservation of Lawn Section Plots will be available until such time that the available number reduces to 450 remaining plots.

### **3.4) Application for Burial Permit**

On receipt of payment, a "Right of Burial" is issued to the applicant.

In the event of an old reservation or re-opening the application must be accompanied by proof of ownership of the exclusive burial right.

### **3.5) Fees**

Current fees are set out in Council's Revenue Policy as provided from year to year. Payment of fees by Funeral Directors is required in accordance with Council's debtor's policy.

### **3.6) Issue of Permit to Bury**



To enable a burial to proceed, a permit is required to be issued. The permit is subject to the Death Certificate or other approved documentation being sighted by the Cemetery management on or before the day of burial.

### **3.7) The Interment of Ashes**

Instructions for the disposition of the cremated remains will only be accepted in writing from the applicant for the cremation or the executor of the deceased's estate.

In accordance with the Regulations of The Public Health Act (NSW) 2010, if no instructions for disposition have been received within nine months of the cremation date, Council will direct the remains to be interred in the General Plot.

### **3.8) Cemetery Operators Register**

A Cemetery Operators register, must be kept as required by the Cemeteries and Crematoria Act 2013

## **4. Burials**

### **4.1) Access to Burial Plots**

The Funeral Director and any staff shall at all times observe the direction of the Cemetery management where instruction has been given on matters of vehicle access, measures to prevent damage to adjacent/existing monuments/plots and to any safety precautions.

### **4.2) Burial Responsibilities**

The Funeral Director shall ensure sufficient staff are available for the conduct of the burial and placement of the casket or coffin.

### **4.3) Backfilling**

To ensure no failing, cracking, or caving in of the coffin occurs, the first 200 to 3000mm of cover shall be placed manually. The remaining fill shall first be drizzled carefully, before tipping the balance of the fill into the grave to complete the backfilling process.

The backfilling process must not be carried out while in the presence of mourners

The Funeral Director will be required to present to the Cemetery management, evidence of adequate insurance coverage that is current for Public Liability (\$20m cover), Workers Compensation, accident and professional indemnity for activities conducted at the Cemetery.

## **5. Provision of Plaques/Embellishments, Vases etc.**

The cost of placing plaques is included in the interment fee and the right of burial holder should lodge an application with Council within six (6) months of the date of burial. If no order be received within that time Council will send a reminder to the right of burial holder. If no order is received within twelve (12) months of the date of burial then Council will order and install a basic plaque with the name of the

deceased and the date of death. This will complete Council's obligation in acquitting the plaque fee

Details of plaques are as follows:

- All plaques in the lawn section of the cemetery shall only be made of brass.
- Correct wording and layout is the responsibility of the applicant.
- The plaque is ordered, received, checked for accuracy against the applicant's details and affixed by Council.

Embellishments may be placed on graves, although these are not the responsibility of Council and must conform with the guidelines below:

- The embellishments are not to exceed 150mm (millimetres) in height and are to be placed at the top of the relevant plaque.).
- Flowers placed in embellishments above the plaque must not exceed a total height of 150mm (i.e. The combined height of the flowers and the embellishment)
- The embellishment must not encroach onto the adjoining grave areas.
- Embellishments are not to be glued or permanently fixed to the concrete beams
- Flowers both real and artificial can be placed at graves in the approved vases provided by Council. Flowers may be cable tied into position.
- Balloons are permitted to be placed at graves, although these will be removed after two weeks of display or when they have naturally deflated, whichever occurs first.
- Flags are not permitted to be placed at graves, with the exception of small national flags placed on national days (for example: Australia Day), and removed within one week of placement.
- Solar lights are permitted to be placed at graves. A restriction applies, that only one light per grave and maybe placed in the garden adjacent to the grave site or in the flower holder.
- The use of any glass/ceramic object or vessel is specifically forbidden in both the lawn and monumental section of the cemetery.
- The planting of flora at or near the gravesite (except by Council) is not permitted.
- Council is prepared to discuss the planting of commemorative flora elsewhere in the cemetery provided such planting falls within the existing landscaping plan for that particular area.
- Council accepts no responsibility for the care or maintenance of any item placed at a grave site, private works, or private planting carried out at the Council cemeteries.

## **6. Exhumations**

Exhumations, as defined in the Public Health Regulation 2012, are NOT to take place unless:

- Prior written consent has been obtained from the Director-General of The Department of Health (NSW); and
- Authority for exhumation has been issued by Council upon receipt of the exhumation management plan specified by the Department of Health.
- A Court or Coroner has directed an exhumation.

## **7. Cemetery Maintenance**

The Council will ensure that:

- Lawns are maintained.
- Landscaping is extended progressively to all parts of the cemetery.
- Weed control is affected.
- All plant, equipment and machinery used in the running of the operation is maintained.
- Any damage discovered to any monumental works whatsoever is to be communicated to the person on the burial permit as soon as practical by post or telephone.
- Irrigation and watering systems and devices are maintained in operation.
- Cemetery buildings and fences are maintained.
- Council is not responsible for the maintenance upkeep, repair or replacement of any monument or part thereof.
- The maintenance of the cemeteries will be to an appropriate community standard as determined by the General Facilities Committee from time-to-time.

## **8. Miscellaneous Provisions**

A person must not do any of the following within the cemetery:

- Damage, deface, interfere with or alter burial places.
- Damage, deface, interfere with or alter monuments.
- Bury, inter or exhume any human remains, whether cremated or not without the appropriate approvals, rights or permission.
- Bury or inter any animal remains, whether cremated or not.
- Engage in any trade or commercial activity (other than monumental works) without a works permit.
- Leave any works in a dangerous state.
- Leave vehicles, plant and equipment in an operating state unattended.
- Distribute any circular, advertisement, paper, drawn or photographic matter.
- Drive a vehicle through a cemetery for the purpose of travelling between places outside of the cemetery.
- Exceed posted speed limits while driving a vehicle within the cemetery.

- Park a vehicle on any known burial place, verge or plantation, or in a manner that is likely to impede traffic.
- Camp or reside on any cemetery land.
- Bring into or leave any rubbish, refuse, scrap metal (including remains of vehicles), rock, soil, sand or any other such substances (excluding monumental materials).
- Place or leave materials, items or embellishments which may be considered offensive by the Cemetery management or in breach of section 5 above and where a direction has given to remove the offending item.
- Walk a dog without a lead in or through the cemetery.

# **PART C - PRIVATE WORK IN CEMETERIES**

## **1. Introduction**

The procedures described in this part will apply to all the cemeteries operating under the control of Council.

The purpose of this part of the Plan is to ensure the consistency and suitability of private work carried out in Council's cemeteries. The key objectives are to:

- Ensure that the instructions for the work originate from the person who holds the exclusive and legitimate right to the allotment, ie, the GRANTEE.
- Ensure that the work is carried out on the correct allotment or site.
- Accurately record a detailed description of the work and, where applicable, the inscription for heritage purposes and site identification.
- Achieve the minimum standard as set out in Australian Standards Association's 'AS4204 - Monuments and Cemetery Headstones'.
- Ensure that the quality and scope of the work is appropriate for the site and, most important, the cemetery.

A "Monument" is any commemorative, decorative or protective item erected over a grave or place of interment. The definition includes, but is not limited to, headstones, foot-stones, footings, foundations, kerbings, slabs, plaques, statues, ornaments, images, icons etc.

"Work" is any construction, restoration, reconstruction, adaptation or other improvements that are carried out at a specific site or allotment described in an exclusive right of burial.

"Construction" includes, but is not limited to, building a monument, erecting a headstone, constructing kerbing around a grave etc.

Restoration is returning all or part of the monument to a known earlier state.

Reconstruction means returning all or part of the monument as nearly as possible to a known earlier state by the introduction of new materials.

Adaptation means modifying all or part of the monument or headstone by adding something new to the existing structure.

“Work” does not include the conservation, maintenance or preservation of the site or any monument.

“Conservation” means all the processes of looking after the monument so as to retain its significance.

“Maintenance” means the continuous protective care of the grave, place of interment or monument, its contents and all or any of the items belonging to that place. Maintenance does not mean or include repair.

“Preservation” means maintaining the grave or place of interment, monument, its contents and all or any of the items belonging to that place in its existing state and retarding further deterioration.

## **2. The Application - Permission to Carry Out Monumental Works**

Any work carried out by private persons or their agents or contractors requires the permission of Council (The Application for Monumental Permit can be obtained from council’s web site):

- A permit to carry out work in any cemetery is subject to a formal written application being lodged with Council.
- The application for the permit must be made by the grantee of the exclusive right of burial or interment or by a person with competent legal jurisdiction where the proposed work is to occur.
- No application will be considered unless fees and charges scheduled by Council for this purpose have been paid to Council.
- Applications can be made on the form available from the Cemetery Office and the following minimum information is required:
  - The full name and address of the grantee
  - The location of the allotment as recorded in the Cemetery Register
  - The name of the deceased (if applicable) buried in the allotment
  - The full name and address of the contractor or agent (if any) who will carry out the work
  - The nature of the work being proposed, including dimensions
  - The dimensions and design of any footings or foundations that are being proposed
  - The type of materials to be used in the proposed work or construction
  - Any wording or inscriptions that will be included in the proposed work
  - The date of expected completion of the proposed work
- The application and payment of Council’s scheduled fee can be lodged at the Griffith City Council Office during normal Council business hours prior to the works being effected.
- The payment of the fee does not imply a permit has been issued. The Fee is for the consideration and assessment of the respective application.
- Fees are not refundable if the application is rejected.
- Where the person has not previously conducted works within the Cemetery, examples of the standard of workmanship, competency and references will be required by the Council.
- Any person shall hold the competency certificates to operate any plant, equipment or carry out works for activities in the Cemetery.

- Any person conducting work or activities in the Cemetery shall produce to the Cemetery Team Leader evidence of adequate and current insurance coverage for Public Liability (\$20m cover), accident and worker's compensation (if required) .
- Persons or firms seeking to obtain burial rights and/or approval for a Capella/above ground entombment structure are required to complete and endorse the Council contractual agreement and lodge the necessary application for approval.
- Persons or firms seeking to erect and administer a Capella or above ground entombment structure, including crypt allocations and sales, are required to enter into perpetual maintenance and liability obligation with the Council and make payment as published in Council's Revenue Policy per crypt (CPI reviewed annually) and as advised in the Development Application (DA).
- The application will be processed in the following manner:
  - The site and grantee's details will be verified against the cemetery register.
  - A physical inspection and verification of the site will be carried out.
  - An assessment will be made of the suitability of the proposed work within the nominated cemetery.
  - Subject to the above being consistent with the register and acceptable to Council, the extreme corners of the site will be marked with SURVEY PEGS. If no name marker is found, Council will place one at the head of the grave or site.
  - Where the application is inconsistent, incorrect, anomalous or unacceptable, the grantee will be advised and, if possible, invited to re-submit an amended application. (No further fee will apply).

### **3. The Permit**

- No work shall commence unless Council has approved the application for the purpose. All work must be limited to the area marked as above and must comply with the minimum standard defined below:
- The work shall conform to Australian Standards Association's "AS4205 - 1994, Headstones and cemetery monuments".
- The work shall be limited to the exclusive right defined in the permit.
- The work shall be carried out in a tradesman-like manner.
- All materials shall be of a permanent nature - timber, bricks and mortar, ferrous metals etc are not considered permanent or appropriate for monuments in cemeteries.
- The work shall not interfere with the rights of visitors to the cemetery or gardens.
- The work shall not encroach onto adjoining sites - that is, it shall be limited and contained within the site or allotment described in the PERMIT.
- The work site shall be kept neat, tidy and safe at all times.
- The contractor or worker shall not allow access-ways to be obstructed by materials, tools, plant etc.
- All debris, rubbish, materials, tools etc shall be removed from the site AND the cemetery or memorial gardens at the end of each working shift.

- Each monument erected shall bear the name of the Monumental Mason responsible for the work by means of a plate or by engraving.
- No monumental work shall be carried on within cemeteries outside the normal working hours of 7.00 am to 5.00 pm, Monday to Friday except when written approval is granted by the Cemetery management.
- All work must be completed within fourteen (14) working days of commencement date.
- All stone work shall be aligned with the grave and shall be in accordance with the surrounding grave dimensions.
- On completion of the work, all surplus materials (including soil from excavation, materials from demolition, excess concrete and formwork, etc.) must be immediately removed from the cemetery grounds.
- Failure to observe any of these specifications may result in Council:
  - (i) Requiring rectification work to be undertaken on a particular monument.
  - (ii) Refusal to issue monumental permits for new works.
- The permit is issued subject to the following conditions:
  - The permit authorises the grantee to carry out work at a designated site in the designated Council Controlled cemetery.
  - The grantee is responsible for the immediate and effective repair of any damage including the agents work may cause to other monuments of Council property while carrying out work in the cemetery.
  - The permit does not guarantee quality of workmanship.
  - Council will not arbitrate disputes between the contractor and grantee.
  - All work must be completed within the period nominated by the permit.
  - Council may direct the grantee to remove unauthorised work or work non-consistent with the Permit:
    - The cost of the removal will be paid by the grantee.
    - Council reserves the right to remove offending, unauthorised or non-conforming following due process.
    - Where Council, or its agent, carries out such work, the costs shall be claimed against the performance bond or guarantee.
  - Council denies any responsibility for the future care, maintenance, preservation, conservation or restoration of the monument (as defined) constructed, erected or placed over the grave.
  - Dislocated slabs must be replaced within fourteen (14) days. This is the responsibility of the grantee. Council will notify the grantee of problems with monuments and offer assistance in replacing slabs etc subject to full recovery of costs incurred.

#### **4. Work Subject to the Heritage Act**

Graves and monuments older than FIFTY (50) years are subject to the Heritage Act. It is the responsibility of the applicant and grantee to ensure that the proposed work is consistent with the requirements of that Act, in addition to meaning Council's Approvals and permits.



## **5. Inspections of Work in Progress**

Council reserves the right to inspect the progress of work at any time to ensure its conformance to the minimum standards and conditions set out in this Plan of Management.

The Council may cancel or suspend the permit by giving notice in writing.

## **6. Above Ground Entombment**

All entombments above ground shall be in accordance with Council's "Rules for Above Ground Vault or Capella Construction".

The actual interments are to be nominally in compliance with the requirements of the NSW Public Health Act, 2010. Where specific requirements have been stated in the Council Rules, these requirements shall take precedence over the Dept of Health legislation, Australian Standards or Industry Codes of Practice.

Above ground Entombment" Form 1 is to be completed and submitted to Council by the Funeral Director. (This form declares that the correct coffin liner has been used).

Aboveground Entombment" Form 2 is also to be similarly completed and submitted to Council. (This form declares that the preparation and embalming of the body has been done in accordance with the regulations).

The construction of any above ground tomb for the interment of more than one casket above ground is subject to a Building Approval by Council.

In addition, the applicant is also required to complete all contractual agreements with the Council involving access, construction and maintenance undertakings.

## **7. Shallow Graves**

Council does not endorse the implementation of shallow graves in any of the Griffith City Council cemeteries. There is currently enough available plots both in the current and future proposed cemeteries to avoid this style of burial. NSW Health has issued a Shallow Burial Policy Directive that provides procedures to the Public Health Unit as well as mandatory requirements to be complied with before a shallow burial is undertaken.

## **8. Unauthorised or Unsatisfactory Work**

Work not conforming to the conditions set out in this Management Plan shall be subject to the following actions:

- Where no application has been received, the grantee will be advised in writing to submit an application within seven (7) days.
- Where work already completed does NOT meet the minimum standards set out in the Management Plan, the grantee will be instructed, in writing to:
  - Remove the work from the site within SEVEN DAYS or
  - Repair or re-construct the work to a standard acceptable to Council, subject to a permit being obtained.

## **8. Removal of Structures**

The Council may:

- Remove, demolish, alter or require the removal, demolition or alteration of any structure or any adornment following due process or,
- Erase, correct, or require the erasure or correction of wording of any inscription that has been constructed, installed, made or carried out:
  - Without the written consent of the Council; or
  - Otherwise not in accordance with an approval given by Council.
- Where any work that has been approved is not completed within a reasonable time, the Council may remove or demolish such partially finished work, as it deems necessary to preserve the fabric, the cemetery or public safety.

## **9. Removal and replacement of structures on request**

Where notice to open a grave or vault for a lawful purpose is given in accordance with this management plan or cemetery rules the Council requires both:

- the lodgement of proof of ownership, and
- The payment of the scheduled fees and related costs.

Prior to the removal of any part of the structure to enable the safe opening of the grave or vault. These works may be undertaken by a contractor at no cost to Council. The grantee or applicant are required to make good the repair of the structure affected within fourteen (14) days of the interment or service date.

## **10. Maintenance of Structures**

The ownership of monuments or other structures is deemed to be with the person or persons (or their heirs and successors) who caused the monument or structure to be constructed.

- The Council shall not be responsible for the upkeep, maintenance, repair etc of any monument or structure.
- The owner is responsible for the upkeep, maintenance and repair of the monument.
- The Council may act to remove any structure that has become dilapidated unsafe or unsightly after first notifying family to take action.
- The Council may remove any trees, shrubs or other vegetation from any cemetery where, in its opinion, it is in the interest of the cemetery to do so.

## **11. Unsafe Monuments and Rectification**

### ***(i) Identification and Reporting***

Any identification of unsafe monuments and consequent actions under this clause will be managed through Councils risk assessment policies which includes thorough documentation and photographs. All actions will be recorded against the respective cemetery register entry.

### ***(ii) Subsidence***

Where subsidence is evident, Council will fill and compact the ground in the normal manner.

### ***(iii) Repair of Monument***

Council WILL NOT repair monuments. Council will only act to ensure public and employee safety.

## **12. Conservation, Maintenance and Preservation Works**

Applications or permits are required from the Council for any conservation, maintenance or preservation works.

Monumental masons who intend to engage in conservation, maintenance and preservation works at the cemeteries shall be required to demonstrate their competencies or credentials to the satisfaction of the Director of Community Services, before commencing any works.

The conservation, maintenance and preservation works shall be restricted to the essential tasks including repairs but shall not extend to modifications, embellishment, alterations or enlargement, unless the mason has obtained the required permit for monumental works.