

CEMETERY MANAGEMENT GUIDELINES

Responsible Division	Community
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Applicable Legislation	<i>Burial and Cremation Act 2013 (the Act)</i> <i>Burial & Cremation Regulations 2014 (the Regulations)</i> <i>Local Government Act 1999</i> <i>Coroners Act 2003</i> <i>Planning Development Infrastructure Act 2016</i> <i>The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance 2013</i> <i>Heritage Places Act 1993</i> <i>Unclaimed Goods Act (SA) 1987</i> <i>Freedom of Information Act 1991</i>

PURPOSE

To provide guidelines for the management and operation of the cemeteries managed by the Alexandrina Council.

OBJECTIVES

- To ensure that the interment of human bodily remains occurs in accordance with relevant legislation.
- To ensure that the guidelines for the management and operations of the cemeteries are available to staff and members of the public.
- To ensure that Council keeps appropriate registers, records and plans and that these are available to the public.

SCOPE

The Cemetery Management Guidelines and associated Cemetery Policy applies to the following cemetery facilities:

- Currency Creek Cemetery, Peel Road, Currency Creek
- Hindmarsh Island Cemetery, Randell Road, Hindmarsh Island
- Langhorne Creek Cemetery, Lee Road, Langhorne Creek
- Milang Cemetery, Landseer Road, Milang
- Mount Compass Cemetery, Arthur Road, Mount Compass
- Port Elliot / Middleton Cemetery, Lines Road, Port Elliot
- Strathalbyn Cemetery, Parker Avenue, Strathalbyn
- Woodchester Cemetery, Dalveen Road, Woodchester.

DEFINITIONS

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

Act means the *Burials and Cremations Act 2013*

Authorised means a written authority has been issued by the Council

The Authority means the Alexandrina Council

Council means the Alexandrina Council

Bodily Remains means the whole or any part of a human body (whatever its physical state may be) but does not include the whole or part of the a body that has been cremated

Cemetery means any and all cemeteries owned or under the and control of Alexandrina Council

Cremated Remains means bodily remains that have been cremated

Human Remains means the body or part of the body of a deceased person (including a still born child) and includes Cremated Remains

Interment of human remains includes:

- Burial in the earth, vault or mausoleum
- Placement of cremated remains in a columbarium niche wall or other structure designed as a repository for human remains
- Burial in the earth of cremated remains (with or without a container)

But does not include the scattering of cremated remains

Internment Right means a right for the interment of human remains, previously known as cemetery lease

Memorial means:

- An approved Monument; or
- A plaque; or
- Any other approved structure or physical object used to memorialise a deceased person; and
- Includes fixtures such as flower holders, photographs, emblems, vigil lights and other items permanently fixed to an interment site

Monument means a monument, headstone, tablet, gravestone, kerbing, railing or any other erection to be constructed in a cemetery, used for commemorative purposes for a burial site.

Plaque means a flat tablet of metal, stone or other material which includes text or images used for commemorative purposes

GUIDELINES

GENERAL INFORMATION

Cemetery Sites and Facilities

Alexandrina Council owns and manages eight operating cemeteries within the council area. Interment options and facilities vary at each cemetery as detailed below:

Currency Creek Cemetery

- Burial Allotments
- Memorial Gardens
- RSL Section
- Toilet facilities
- Onsite parking
- Shelter

Langhorne Creek Cemetery

- Burial Allotments
- Niche Wall
- Onsite parking

Port Elliot-Middleton Cemetery

- Burial Allotments
- Lawn Section
- Niche Wall
- On-street parking

Strathalbyn Cemetery

- Burial Allotments
- Catholic Section
- RSL Section
- Memorial Rose Gardens
- Niche Wall
- Onsite parking
- Shelter

Hindmarsh Island Cemetery

- Burial Allotments
- Onsite parking

Milang Cemetery

- Burial Allotments
- Memorial Rose Gardens
- Catholic Section
- RSL Section
- Onsite parking
- Shelter

Mount Compass Cemetery

- Burial Allotments
- Memorial Gardens
- Niche Wall
- On-street parking
- Shelter

Woodchester Cemetery

- Burial Allotments
- Niche Wall
- On-street parking

GENERAL CONDITIONS

Opening Hours

Cemeteries owned or managed by the Alexandrina Council are open daylight hours every day, or as the Council may otherwise determine.

A person must not, without the approval of Council, be in the cemetery at any other time.

Service Fees and Charges

Each financial year, the Council will review costs for services provided at the cemeteries as part of the budget process. These costs are documented in the Alexandrina Council *Fees and Charges Schedule* and is available on Councils website

www.alexandrina.sa.gov.au

Conduct within Cemeteries

A person must, whilst within the cemetery grounds conduct themselves in a manner that respects the rights and safety of others.

A person must not:

- Cause any nuisance, disturb any funeral service or breach the peace at any grave whether by working in the area, visiting the cemetery or otherwise;
- Discharge a firearm (except at a military services funeral);
- Damage, deface or interfere with any building, memorial, other fixture or structure within the cemetery; and
- Take or injure any of the plants, flowers, shrubs or other vegetation within the cemetery.

Tributes

Flowers, wreaths, ornaments, trinkets or tributes may be placed on sites. Items must not be offensive or discriminatory in nature, nor obstruct neighbouring sites.

The placement of ornaments, trinkets or tributes may be placed and affixed on the gravesite only, in unbreakable containers or as the Council may determine.

Tributes that encroach on neighbouring sites and/or detract from the surrounding environment within which they are placed may cause considerable distress to other visitors. It is important for families to keep all tributes within the confines of their burial or memorial site and to refrain from fixing items to surrounding trees, plants or shrubs.

The Council has the right to remove any unattached ornament, trinket or tribute, broken masonry, decayed or broken wreath or dead flowers, cut down or remove any plant on any site within the cemetery grounds that is, in the opinion of Council's Cemetery Curator or authorised Council employee, unsightly, offensive or overgrown.

Where a removed item may, in the opinion of the Council, be of some value to the Interment Right Holder, it will be recorded within the cemetery register and placed in storage for a period of three (3) months from the date of removal. Council will (so far as the Interment Right Holder can be located by reasonable endeavours) notify the Interment Right Holder of the items removed from the cemetery. If contact is unable to be made between Council and the Interment Right Holder, after the period of three (3) months from the date of removal, items will be disposed of at Council's discretion.

Candles

Due to the risk of fire, all naked flames including the use of real candles is strictly prohibited. The use of battery lit candles is allowed.

Incense sticks may only be used when the site is attended and must not be left burning unattended.

Lighting

Solar powered lights on individual sites are allowed, provided they are securely installed within the gravesite and do not pose a hazard to other members of the public visiting the cemetery.

Plants / Landscaping

No plantings or landscaping within a cemetery shall take place, without the prior consent of Council.

Filming and Photography

Filming and photography for private and personal use is permitted.

Filming and photography for commercial use, requires the permission of Council. In the interest of safety, dignity and respect for the deceased and their families, written approval is required from Council for filming and photography of a commercial or educational nature.

Alcohol Containers

Alcohol beverages and/or containers (full or empty) are not permitted to be placed on sites within the cemetery grounds.

Scattering of Cremated Remains (Ashes)

The scattering of cremated remains within any Alexandrina Council owned or managed cemetery is not permitted. All cremated remains within a cemetery must be interred into a designated memorial garden, memorial wall or burial plot.

Council approval is not required for scattering of cremated remains on private or public land outside of a cemetery; however Council requests that sensitivity and consideration be shown to the community, residents and visitors in the immediate area when undertaking this process.

Specific Faiths / Religions

Alexandrina Council cemeteries will not be segregated into areas based on religion or ethnicity, with the exception of the existing Catholic sections already established within the Milang and Strathalbyn cemeteries.

Council will have regard to the customs and practices of a particular religion and any specific needs of all those who apply for an interment permit.

Public Right of Way

A cemetery is not a public right of way. Entry to a cemetery is restricted to employees or agents of the Council and to people having legitimate business.

Fencing of Cemeteries

The council will ensure that cemeteries are securely fenced at all times, in a manner that is deemed suitable, taking into account the location and topography of individual cemeteries.

Traffic Regulations

A person must, whilst in charge of a motor vehicle within a cemetery, comply with any lawful directions of the Council as to the driving and parking of the vehicle.

A person must not drive a motor vehicle within a cemetery in a dangerous or careless manner or without reasonable consideration for others.

A person may park a motor vehicle within a cemetery with reasonable consideration for others, and in accordance with general road rules.

Control of Animals

All dogs in the cemetery must be kept under effective control. All dog faeces must be removed by the person in control of the dog and disposed of within the waste bins provided.

No person shall ride, drive or exercise animals within the cemetery.

Neglected Cemeteries

In accordance with the *Burial and Cremation Act 2013, section 43*; if the Council is of the opinion that any non-council owned or operated cemetery within the council area is in a neglected condition or fails to comply with the requirements of the Act, the Council may, by notice in writing, require the cemetery governing body to remedy the conditions of neglect or non-compliance.

COMPLIANCE WITH CEMETERY POLICY AND MANAGEMENT GUIDELINES

A person must comply with the Burial and Cremation Act 2013, Burial and Cremation Regulations 2014 and the councils Cemetery Policy and Cemetery Management Guidelines where:

- They wish to inter human remains in an Alexandrina Council owned or managed cemetery;
- They wish to re-open an interred grave;
- They wish to remove/ exhume human remains from the cemetery; or
- Undertake any monumental work within a cemetery.

Every grave within an Alexandrina Council owned or managed cemetery must be dug by an authorised contractor of Council or an authorised employee of Council.

INTERMENT RIGHTS

Council to Grant Interment Rights

Interment rights (*previously known as a Cemetery Lease*) may be granted by Council for one or more sites within a cemetery on completion of an application form and the payment of the required fee. All fees and charges will be in accordance with the published and adopted Alexandrina Council Fees and Charges Schedule.

The interment right may be issued in the names of up to two (2) persons.

The interment right gives the holder(s) exclusive right to bury or inter human remains in the allotted site. The holder(s) of the interment right may use the site only for interment of human remains, consistent with Councils Cemetery Policy and the *Burial and Cremation Act 2013* and the *Burial and Cremation Regulations 2014*.

In considering applications/and or renewal of interment rights, Council will have regard to:

- The Cemetery's local historical significance as a burial place for many of the pioneers of the area;
- The need for each cemetery site to be managed and maintained at a standard consistent with its significance and as an important family memorial place; and
- Remaining interment sites available, recognising relatives of people already interred in the cemetery, people with a long association to the local area, and

those who have made contributions to the well-being social fabric of the community.

Issue of Interment Right

Interment rights will be issued for a period of 50 years for any burial and cremation sites. The interment right will commence from the date the application form is received by Council, or from the date of the first interment (which-ever comes first).

All existing interment reservations previously issued by Council will be honoured and renewal of interment rights will have regard to the basis on which the original burial sites have been allocated.

Notification of Impending Expiry of Interment Right

In accordance with *section 38(2)(b)* of the *Act* and *section 33(2)(c)* of the *Regulations*, Council will take reasonable steps in writing to advise the holder of the interment right, of the impending expiration of that interment right, at least 24 months prior to its expiration. If the interment right holder does not renew the interment within 24 months from the date of which the notice is given, Council has the right to reclaim the site.

Expired Interment Rights

Un-occupied Sites:

In the event that an interment right has not been renewed for an un-occupied site, Council has the right to reclaim the site.

Occupied Sites:

In the event that an interment right has not been renewed for an occupied site, the site will remain 'as is' until such time as the interment right holder or another authorised representative on behalf of the interment right holder, requests additional interments of human remains into the site, or seeks to undertake memorial work on the site. At this point in time, Council administration will advise the interment right holder that the interment right for the site has expired and request the interment right be renewed, prior to granting approval for the interment of human remains or for memorial work to be undertaken on the site.

Re-Sale of Sites

The Council respects the sanctity of all burial sites and does not endorse the re-use or re-sale of occupied cemetery sites on the expiration of the interment right period.

By resolution of the Council at its meeting held on 19 June 2001, Alexandrina Council will not re-use any occupied sites within its cemeteries.

Transfer of Interment Right

An interment right may be transferred to another person/family subject to the payment of the required fee as detailed within Councils Fees and Charges Schedule.

In accordance with the *Burial and Cremation Act 2013* and the *Burial and Cremation Regulations 2014*, if the holder of an interment right has died, the interment right may be exercised or enforced under *section 35(1)(b)* of the *Act*:

- a) By the spouse or domestic partner of the deceased interment right holder; or

- b) If there is no surviving spouse or domestic partner – by the eldest living relative of the deceased interment right holder in the following descending order of priority:
- i. a child;
 - ii. a grandchild or great-grandchild;
 - iii. a brother or sister;
 - iv. a parent;
 - v. a grandparent;
 - vi. an aunt or uncle;
 - vii. a niece or nephew;
 - viii. a cousin;
 - ix. any other blood relative.

Surrender (Cancellation) of Interment Right

The holder of an interment right may surrender the interment right to the Council. The holder may surrender (cancel) the interment right at any time, except where the interment site contains human remains.

The removal of human remains requires the approval of the Attorney-General. Any monument may be reclaimed by the interment right holder upon surrender, or it will be disposed of at the Council's discretion.

In accordance with the *Burial and Cremation Act 2013* and the *Burial and Cremation Regulations 2014*, on the surrender of an unexercised interment right, where the site has not been used and remains un-occupied, the Council must give the former holder of the interment right a refund equal to the current fee payable for an interment right of the same kind, less a reasonable fee for administration and maintenance costs, and for costs involved in the establishment of the cemetery ground, which is determined in accordance with the *Burial and Cremation Regulations 2014*.

Lost Documentation

Council may issue a copy/replacement of an interment right certificate upon receipt of a Statutory Declaration by the interment right holder, or an authorised person, which sets out the circumstances in which the formal documentation was lost.

BURIALS

Burial Requirements

No burial will take place in an Alexandrina Council owned or operated cemetery unless:

- an Interment Notice Burial Application for the burial is fully completed and submitted to Council;
- an interment right has been issued for the use of the site;
- copies of documentation which meet the requirements of section 12.2 of the *Burial and Cremation Act 2013* and *Burial and Cremation Regulations 2014*, regulation 9 are provided to Council;
 - a certificate of identification for the body; and
 - a partial certificate of cause of death; or
 - a disposal authorisation; or
 - an authorisation to dispose of human remains granted by the Minister or the Registrar under section 12 of the *Burial and Cremation Act 2013*.
- the Council receives reasonable notice of a request for burial (a minimum of 2 working days' notice prior to burial taking place); and

- payment of all the relevant fees and charges is arranged with Council.

Burial Hours

Burial hours are:

- between 8:30am to 5:00pm Monday to Friday
- Weekend or public holiday burials are by arrangement with the Council; or
- as a delegated officer of Council may determine.

Depth of Burial

Grave sites within Council cemeteries can cater for up to three (3) burials per site; with the exception of the Mount Compass cemetery which can only cater for single depth burials due to the sandy soil conditions.

Coffins must be interred at least:

- 1 metre from the surface of the ground in accordance with the *Burial and Cremation Regulations 2014, Part 2 Disposal of Human Remains, section 15(1)*.

Grave Digging

To process of excavating a burial site must only be undertaken by an authorised contractor of Council or by an authorised Council employee.

Returned Services Personnel / RSL Sections

Dedicated returned services personnel / RSL sections are available within the Currency Creek, Milang and Strathalbyn cemeteries.

Eligibility must be checked prior to an interment right being issued for a burial or cremation site within a dedicated returned services area.

Council does not charge any fee for an interment right within an RSL section, however the relevant local RSL sub-branch may charge a fee.

Natural Burials

Whilst no dedicated natural burial site is available within the Alexandrina Council area at this point in time, natural burials can still be accommodated within all council cemeteries. The erection of a headstone is at the discretion of the interment right holder(s). The planting of a tree will not be permitted on a burial site.

Re-opening of Graves (multiple interments)

The Council will allow the re-opening of graves at all cemeteries to allow for additional interments to be placed in the grave site.

It is the responsibility of the interment right holder or their representative (Monumental Mason or Funeral Director) to arrange for the removal of any monumental slab and/or headstone to allow access for Councils grave digging contractor to prepare the site for interment.

Due to the risks associated with this activity, Council staff will not remove monuments, top stones or any other memorial work on burial sites to cater for additional interments. The removal of any monument work and costs associated is the responsibility of the interment right holder to arrange with their nominated Funeral Director or Monumental Mason.

Lift and Deepen Procedure

In accordance with the *Burial and Cremation Act 2013* (section 13(2)(b)(ii) and the *Burial and Cremation Regulations 2014, Part 2 – Disposal of human remains, section 11 'Lift and deepen procedure*), a holder of an interment right can arrange with the Council for an extra space to be made available in an existing occupied site through a process called 'lift and deepen' where:

- No more than two (2) burials already occupy the site; and/or
- Earlier interments in the burial site were at insufficient depth for further burials; and
 - the remains are those of a child who at the time of death was not more than five (5) years of age and three (3) years or more have elapsed since the remains were interred; or
 - the remains are those of a child who at the time of death was more than five (5) years but not more than 10 years of age and four (4) years or more have elapsed since the remains were interred; or
 - at least six (6) years have elapsed since the most recent burial.

Exhumation, Removal and Re-Interment

Without the consent in writing of the Attorney-General in accordance with the *Burial and Cremation Regulations 2014* and *Burial and Cremation Act 2013*, a person must not cause, suffer or permit non-cremated human remains to be:

- Exhumed or removed from an interment site in the cemetery;
- Re-interred in the cemetery

Except where the coroner has issued a warrant for the exhumation of human remains pursuant to *section 22(1)(h) of the Coroners Act 2003*.

Consent may be subject to such conditions as the Attorney-General may determine.

A person must not contravene or fail to comply with a condition of consent.

Burials on Private Land

The burial of human remains on private property is regulated and permitted only under certain circumstances.

Burials on private property is subject to the approval of Council and the permission of the landowner, pursuant to section 8(2)(a)(i) of the *Burial and Cremation Act 2013* and subject to the requirements of the *Burial and Cremation Regulations 2014*.

Council will receive written applications and may grant permission for a burial on private land outside the boundary of a township.

Applications must be made in writing addressed to the Environmental Health department and must include:

- a) the full address of the property, including Certificate of Title reference;
- b) exact location of the proposed grave site, including GPS coordinates;
- c) evidence of approval from the landowner; and
- d) details of any known water course within the property.

It is important to note that a burial site on private land is not classed as a cemetery and therefore has no preservation rights.

Subsequent landowners are not required to preserve the burial site and may choose to build over the burial site or make any other alterations to the land. Landowners may, if approval is provided by the Attorney-General, exhume the human remains or request that this is done as a condition of the sale of the property.

INTERMENTS OF CREMATED REMAINS

Interment of Cremated Remains (Ashes)

Council staff will work within the family and/or funeral director to arrange the interment of cremated remains within the Council cemeteries.

No interment of cremated remains will take place in an Alexandrina Council owned or operated cemetery unless:

- an Application for Interment of Cremated Remains is fully completed and submitted to Council;
- an interment right has been issued for the use of the site;
- copies of documentation which meet the requirements of section 12.2 of the *Burial and Cremation Act 2013* and *Burial and Cremation Regulations 2014*, regulation 9 are provided to Council;
- the Council receives reasonable notice of a request for burial (a minimum of 2 working days' notice prior to burial taking place); and
- payment of all the relevant fees and charges is arranged with Council.

Operating Hours for Interment of Cremated Remains:

Interment of cremated remains will be undertaken:

- between 9:00 to 4:00pm Monday to Friday
- Weekend or public holiday interments are by arrangement with the Council, subject to staff availability and payment of the relevant fee.

Interment of Cremated Remains into Designated Memorial Gardens and Niche Walls

Council staff will prepare the site and affix any memorial plaques to the memorial garden plots or Niche Wall sites.

For families who wish to be present at the time of interment, Council staff will work with the family to determine a suitable date and time for the interment of cremated remains to be undertaken.

Should a family not wish to be present at the time of interment, Council staff can undertake the interment and provide confirmation to the family once the remains have been placed.

Interment of Cremated Remains into existing Burial Allotment

Cremated remains are able to be interred into existing burial sites; subject to onsite memorials.

Each request will be on a case-by-case basis, and depending on the type of memorial / monument established on the site, Council staff maybe able to prepare the site ready for interment of cremated remains; or we may need to refer the family to a monumental mason to assist with removing the memorial work to allow access into the site.

Scattering of Cremated Remains

The scattering of cremated remains within any Alexandrina Council owned or managed cemetery is not permitted. All cremated remains within a cemetery must be interred into a designated memorial garden, memorial wall or burial plot.

Council approval is not required for scattering of cremated remains on private or public land outside of a cemetery; however Council requests that sensitivity and consideration be shown to the community, residents and visitors in the immediate area when undertaking this process.

Removal or Transfer of Cremated Remains

Upon official request from the interment right holder, cremated remains can be removed from the cemetery and no refund in interment right shall be given.

Cremated remains can be transferred within a cemetery site at no cost to the interment right holder.

MONUMENTS, MEMORIALS, PLAQUES

Application for Memorial

No person shall erect, or cause to be erected a memorial headstone or any other structure on any allotment within Councils cemeteries, unless a Monumental Memorial Licence has first been issued and the site has been pegged by a Council employee.

New memorials should reflect the existing character of the area in which they will be located and be in a similar form and dimension to those adjacent or close by.

All monuments for a burial position must be constructed, altered and installed by a Monumental Mason.

An application for a Monumental Memorial Licence, including relevant plans, specifications and evidence of current public liability insurance policy must be submitted to Council for approval prior to any work being undertaken onsite.

The fee for memorial work is as stated in Councils Fees and Charges Schedule.

Specific Monument/Memorial Requirements

All foundations for monuments/memorials erected within Alexandrina Council cemeteries must have piers in accordance with Australian Standard AS4204 – 1994 Headstones and Cemetery Monuments.

Monuments must be placed entirely within the confines of the allocated interment site. The size of burial plots may vary subject to the cemetery location and the type of burial plot in use.

Generally gravesites are predominately 1350mm W x 2900mm L, however this may vary if the site is a family plot or has neighbouring monuments already established either side of the burial plot.

If you are unsure of the size of the gravesite / burial plot, please contact Council and we can provide you with the relevant measurements to work within.

Headstone Heights

The typical maximum headstone height allowed for headstones is 1 metre. Nevertheless, in acknowledgement of the current visual appeal and scenic perspectives within council cemeteries, especially considering the diverse shapes and sizes of existing historical monuments, applications for headstones surpassing 1 metre in height will be evaluated on a case-by-case basis.

Lawn Section

Memorials erected on lawn cemetery allotments shall consist of headstones only, which shall not exceed a height of 0.84 metres and a depth of 0.3 metres. Each headstone shall have a maximum width of 1.2 metres.

Undertaking Work at Cemeteries

Once a Monumental Memorial Licence has been issued by the Council, the monumental mason and their sub-contractor must comply with the following conditions whilst on site:

- Must have a current and valid monumental memorial licence issued by Council, and must be able to present this licence when requested by Council employees;
- Work must be carried out between 7:00am and 4:30pm Monday to Friday, unless prior arrangement has been sought and granted by the Council. No work is permitted on weekends or Public Holidays;
- Ensure no work is carried out in close proximity to any funeral service;
- Ensure the area around the grave site is clean and tidy at the completion of the work and that all waste and surplus materials are removed from the cemetery;
- Ensure all vehicles are registered and overhead cranes or other lifting devices have current inspection certification; and
- Comply with the *Work Health and Safety Act 2012 (SA)*, *Work Health and Safety Regulations 2012 (SA)* and *Work Health and Safety Codes of Practice*, including the wearing of high-visibility clothing, steel cap footwear and wide brimmed hats;

Onsite gilding / repainting

The re-gilding or repainting of inscriptions and artwork on existing monuments/ memorials within the cemeteries is the only process allowed to be carried out on a monument at the grave site.

This work must be carried out by hand, by a licensed monumental mason with a permit approved by the Council.

Memorial Plaques for Memorial Gardens and Niche Walls

To ensure bronze or granite plaques meet the relevant requirements for the location in which they are to be placed, orders for all plaques for placement in the memorial gardens and niche walls shall be placed by Council with Councils preferred supplier.

Council administration will work with the interment right holder to arrange a proof of plaque(s) for review and approval by the interment right holder prior to any order being placed.

Council will be responsible for the installation of the plaque(s) within designated memorial gardens and/or niche walls within the cemetery.

Temporary Grave Markers

Temporary grave markers, including wooden crosses are permitted. If Council forms the opinion that a marker has deteriorated to the extent that they are unreadable, Council has the right to remove the temporary grave marker.

Memorial Plantings

No plantings on any site shall take place without the prior consent of the Council. Council may remove any un-approved plantings from the cemetery grounds as required.

Duty to Maintain Memorials

Council will not be held responsible for damage to memorials through acts of vandalism, ageing or deterioration.

An interment right holder must maintain any memorial erected on a site, in a safe and aesthetically pleasing condition. The interment right holder is responsible for the maintenance, repair or removal of damaged or deteriorated memorial work.

If, on being notified of the need for a memorial to be maintained, repaired or removed, and the interment right holder fails to effect such work within 30 days, the Council shall do so in default and recover the cost from the Interment Right Holder.

Council will undertake risk assessment audits of monuments within its cemeteries. Any monument posing an immediate risk will be 'made-safe' by Council, either by way of laying the monument flat on the gravesite, removing hazardous material, or bunting the area off to restrict access until work can be undertaken to make the monument safe.

Council also reserves the right to remove dangerous structures.

DOCUMENTATION

Registers, Records and Plans

In accordance with section 53 of the *Burial and Cremation Act 2013* and part 3 – section 36 of the *Burial and Cremation Regulations 2014*, the Council must maintain registers, records and plans of its cemeteries.

Copies of registers and plans of the cemeteries are available for inspection by members of the public during Council office hours.

To assist in demonstrating the above processes are fair, transparent and accountable, cost effective and meet community needs, all decisions made, procurement undertaken and other related correspondence in relation to the management of Council cemeteries and memorials will be documented and recorded into Council's information management system.

PRIVACY

The Council will abide by the freedom of information legislation and the spirit of privacy legislation in addition to the requirements of the Act and Regulations to protect the details of all living persons.

AVAILABILITY OF CEMETERY MANAGEMENT GUIDELINES AND CEMETERY POLICY

The Cemetery Management Guidelines and the Cemetery Policy are available at the Council offices during normal business hours and are also made available on Councils website www.alexandrina.sa.gov.au

Copies can also be provided to interested members of the community upon request.