

## Cemetery Memorials Policy

<b>Reference Number:</b>	Section 8 No. 09
<b>Responsible Department:</b>	Infrastructure & Environment
<b>Related Policy/Procedure:</b>	8.10 Cemetery Interment Right Policy 8.13 Cemeteries Management Policy
<b>Date of Adoption:</b>	24 June 2014
<b>Current Review Date:</b>	23 August 2022
<b>Resolution Number:</b>	OCM-2022/165
<b>Version Number:</b>	Amendment No. 4
<b>Applicable Legislation:</b>	Australian Standard AS 4204 – 1994 Headstones and Cemetery Monuments Burial & Cremation Act 2013 Burial & Cremation Regulations 2014 Local Government Act, 1999
<b>Next Review Date:</b>	January 2025
<b>Review Frequency:</b>	4 yearly

### 1. POLICY AIM

The aim of this policy is to set out the requirements and process required by Council, in its capacity as cemetery authority, in relation to the supply and management of memorials within its cemeteries.

### 2. SCOPE & APPLICATION

The scope of this Policy applies to:

- All Council managed cemeteries;
- All contractors authorised to carry out works within a Council managed cemetery; and
- All interment right holders, applicants or responsible persons that have Interment sites, or interests within a Council managed cemetery.

### 3. DEFINITIONS

<b>Act</b>	the Burial and Cremation Act 2013
<b>Applicant</b>	is a person submitting an application for a memorial bench
<b>Authorised</b>	a written authority has been issued by the Authority
<b>Authority</b>	the Light Regional Council
<b>Bare Site</b>	a site with no memorial but may or may not contain human remains (predominantly within a historic location)
<b>Bodily Remains</b>	means the whole or any part of a human body (whatever its physical state may be) but does not include the whole or any part of a human body that has been cremated
<b>Cemetery Authority</b>	the person or body for the time being responsible for the administration of the cemetery.
<b>CCASA</b>	Cemeteries & Crematoria Association of South Australia
<b>Cemetery</b>	any and all cemeteries under the control of the Authority

<b>Chief Executive Officer or CEO</b>	the Chief Executive Officer of the Light Regional Council
<b>Expiry Date</b>	the date of expiry of the Initial or Renewed Term of the Interment Right
<b>Historic sites</b>	<p>refers to sites;</p> <ul style="list-style-type: none"> <li>• Over 100 years old; or</li> <li>• With significant architecture; or</li> <li>• Where a person with historical significance or prominence to the region has been interred; or</li> <li>• Where sites relate to a Significant Event; or</li> <li>• As identified within the Cemetery Management Plan; or</li> <li>• As defined within the Light Regional Council Development Plan.</li> </ul>
<b>Human Remains</b>	the body or part of the body of a deceased person and includes cremated remains
<b>Initial Term</b>	the initial duration of an Interment Right for a period of 50 years
<b>Interment</b>	<p>of Human Remains includes:</p> <ul style="list-style-type: none"> <li>• burial in the earth, a vault or mausoleum</li> <li>• placement of cremated remains</li> <li>• burial in the earth of cremated remains</li> </ul>
<b>Interment Right</b>	Formerly known as a Lease or Grant. An Interment Right is a document written in plain english, forming a binding agreement between the Authority and Interment Right Holder over a site within a cemetery and is issued under the Act.
<b>Interment Right Holder</b>	is the person issued the Interment Right by Council in accordance with its specified terms and conditions
<b>Lapsed</b>	means within a two year period after the Interment Right expiry date
<b>Legitimate Business</b>	attendance in a cemetery to undertake an activity relating to the interment of Human Remains, installation of a memorial or plaque, or visiting the grave or memorial site in order to pay respects to a deceased person
<b>Memorial</b>	<p>means:</p> <ul style="list-style-type: none"> <li>• An approved gravestone or other monument; or</li> <li>• A plaque; or</li> <li>• Any other approved structure or physical object used to memorialise a deceased person.</li> </ul>
<b>Memorial Bench</b>	An approved form of seating with a plaque to memorialise a deceased person that may be located within a Cemetery or on other Council owned land.

<b>Monument</b>	means a monument, tombstone, tablet, gravestone, kerbing, railing or other erection to be constructed in a Cemetery, used for the commemorative purposes for burial sites
<b>Regulations</b>	the Burial and Cremation Regulations 2014
<b>Right</b>	an Interment Right
<b>Renewed Term</b>	a term of 50 years commencing from a date determine by the Authority in accordance with this policy
<b>Significant Event</b>	events of cultural, regional or local importance, scale or magnitude that had an impact on the region, (eg wars, pandemics, natural disasters)

#### 4. APPLICATION FOR MEMORIAL

- 4.1.** The Interment Right holder, or any person duly authorised in writing by the Interment Right holder, may request a Memorial approval by submitting an application to the Authority. Applications:
- 4.1.1.** shall be signed by the Interment Right Holder or person acting on their behalf.;
  - 4.1.2.** shall include a sketch of the memorial showing all dimensions, where the memorial will be placed, type of memorial, colour of lettering, name(s) inscribed and any epitaphs or other inscriptions on the memorial (see clause 8 – Design of Memorial);
  - 4.1.3.** shall be submitted to Council for approval prior to any memorial being removed by an authorised contractor or Interment Right Holder;
  - 4.1.4.** will be processed within five business days from the time of receipt unless otherwise agreed by the applicant and the Authority.
- 4.2.** All applications must be accompanied with the details of the Monumental Mason, Stonemason or Approved Persons, as outlined in clause 7, that will be undertaking the work.
- 4.3.** A Memorial Permit invoice (if applicable) will be forwarded to the applicant.
- 4.4.** A Memorial shall not be installed on any site unless the relevant Interment Right for the site has been paid in full.
- 4.5.** Where these conditions are not met it may result in applications for permits being refused, delayed or new applications needing to be lodged.
- 4.6.** The Authority may in accordance with relevant professional advice refuse to issue a permit for work in which case a reason for such refusal will be provided to the applicant.

#### 5. APPLICATION FOR PLAQUES FOR NICHE WALL OR MEMORIAL GARDEN

- 5.1.** In addition to the conditions set out in Clause 4: Application for Memorial, the following conditions apply to all applications made by the Interment Right Holder for the order and placement of a bronze plaque on a niche wall or in the memorial garden.

- 5.1.1. A Light Regional Council *Application for Plaque* form shall be submitted by the Interment Right Holder for all bronze plaques to be placed on Council's Niche Wall or in the Memorial Gardens;
- 5.1.2. applications shall be accompanied by a copy of the cremation certificate together with the wording required for inscription on the plaque;
- 5.1.3. all plaques shall be bronze;
- 5.1.4. Council's plaque supplier arranges the production of the plaque, on behalf of the Interment Right Holder, costs will be advised.
- 5.1.5. All wording on plaques shall comply with Council's specifications for Niche Wall and/or Memorial Gardens;
- 5.1.6. Where these conditions are not met it may result in the applications for plaques being refused or delayed.
- 5.1.7. The Authority will arrange for the installation of the plaque. The cost to undertake this work is shown in Council's Fees and Charges Schedule, which can be found on the Council website "www.light.sa.gov.au".
- 5.1.8. The purchase and installation of the plaque will be at the Interment Holders cost.
- 5.1.9. Council will take a digital photograph of the plaque once fixed to the site and record the relevant information in accordance with the Act and Regulations.

## 6. APPLICATION FOR A MEMORIAL BENCH

- 6.1. An applicant may request a memorial bench to be placed on Council land by submitting a Light Regional Council *Application for a Memorial Bench* to the Authority.
- 6.2. The location of memorial benches is to be at the discretion of the Council and must:
  - be an appropriate setting;
  - not interfere with the underlying purpose of the area; and
  - not obstruct or hinder existing and proposed circulation and use patterns.
- 6.3. Wording for the plaque shall be submitted with the application for a memorial bench. All wording on plaques shall comply with Council's specifications for memorial benches as shown in Appendix A.
- 6.4. Council's plaque supplier arranges the production of the plaque for the memorial bench, on behalf of the applicant.
- 6.5. Council will arrange for the installation of the memorial bench.
- 6.6. Where these conditions are not met it may result in the application for a memorial bench being refused or delayed.

- 6.7.** The purchase and installation of the memorial bench, including the plaque, will be at the applicant's cost. The cost to undertake this work is shown in Council's Fees and Charges Schedule, which can be found on the Council website [www.light.sa.gov.au](http://www.light.sa.gov.au)
- 6.8.** The applicant may need to contribute to the cost for replacement of a plaque or memorial bench due to damage during the permit term where insurance claims are not viable.
- 6.9.** Maintenance service levels in respect to bench memorials will be the same as other assets of a similar nature across the Council area.
- 6.10.** All memorial benches placed on Council owned and managed land are Council assets and are therefore owned and under the care, control and management of the Council.
- 6.11.** After the memorial bench permit expires Council has the right to remove the plaque and/or memorial bench to use for other purposes. At this time, Council will make reasonable endeavours to contact the applicant to discuss the right of renewal.

## **7. HISTORIC SITES**

- 7.1.** In addition to the conditions set out in clauses 4 and/or 5, applications for any new memorials or restoration work on any site deemed to be a historic site, by the Authority, will be considered by the Authority and may be subject to the following conditions:
- 7.1.1.** development application and approval from Council for the memorial or restoration works, at the cost of the Interment Right Holder
- 7.1.2.** advice to be sought from the Authority's Heritage Advisor (whilst the Authority continues to employ an external heritage advisor)
- 7.1.3.** designs of headstones, memorials, plaques and tablets (including style and colour) must be of similar appearance to the memorials surrounding the site.
- 7.1.4.** new memorials are not to be placed directly on to existing headstones, plaques or tablets, where a pre-existing memorial is located on the grave site.
- 7.2.** Headstone, memorial, plaque and tablet specifications and their placement on historic sites, must comply with the specifications in Appendix A and Appendix B.
- 7.3.** Where these conditions are not met it may result in applications for permits being refused, delayed or new applications needing to be lodged.
- 7.4.** The Authority may refuse an application for any memorial or restoration work on a site deemed to be a historic site in accordance with the definition above stated.

## 8. MONUMENTAL MASONS, STONEMASONS OR APPROVED PERSON

- 8.1. All Memorials for a burial interment site must be constructed, altered and installed by a Monumental Mason, Stonemason or other person who is authorised by the Authority to undertake such work ("Mason").
- 8.2. All Memorials for a burial position must be constructed and installed by a Mason in accordance with applicable Australian Standards
- 8.3. Masons working within a Cemetery must comply with all Workplace Health and Safety Requirements.
- 8.4. Monumental Masons, Stonemasons or Approved Persons are to provide to the Authority the following documentation:
  - 8.4.1. Details of company name and key personnel
  - 8.4.2. The names of the Officers as defined by the WHS Act 2012
  - 8.4.3. Copies of public liability insurance for \$20M
  - 8.4.4. Copies of Workcover currency
  - 8.4.5. Full name of each employee in need of a licence
  - 8.4.6. Copies of construction white cards for all employees who may work in cemeteries
  - 8.4.7. Copies of certification of load shifting equipment i.e. truck mounted cranes
  - 8.4.8. Copies of WHS policies (**every three years or as updated**)
  - 8.4.9. Copies of job safety analysis (JSA) for key tasks (**every 3 years or as updated**)

## 9. DESIGN OF MEMORIAL

- 9.1. The Authority must approve the design, workmanship and proposed inscription of all Memorials before any work is carried out.
- 9.2. All bronze plaques for interment sites for cremated remains shall be supplied by and installed by the Authority at the Interment Right holder's cost.
- 9.3. The plans and specifications for a Memorial for an interment site must be submitted to the Authority and comply with the specifications that the Authority has specified in Appendix A
- 9.4. The Authority may refuse any design for a Memorial as it may determine.
- 9.5. A permit must be obtained from the Authority for all Memorials for a burial interment site and inscriptions on a Memorial before any work is carried out by submitting an application to the Authority in the form and manner required by the Authority, and payment of a permit fee paid in the amount set by the Authority.
- 9.6. The Authority may permit ornamental fixtures and fittings provided they are of non-ferrous durable material. The Authority accepts no responsibility for any ornamental fixtures or fittings.

- 9.7. Unless otherwise approved by the Authority, the name affixed on the Memorial must accord with the name shown on valid proof of the deceased's identity produced to the satisfaction of the Authority.

## 10. DUTY TO MAINTAIN MEMORIALS

- 10.1. In accordance with Part 3, Division 4 of the Act, a Memorial is the personal property of the person who holds the Interment Right in respect to the interment site where the memorial is situated and that person is responsible for the maintenance of the memorial at the site.
- 10.2. No monument, plaque or memorial shall be removed by any person without the consent in writing of the Authority.
- 10.3. Any restoration work on a memorial must be done by a Monumental Mason, Stonemason or Approved Person to the relevant Australian Standards.
- 10.4. Any Memorial deemed unsightly or unsafe, must be repaired or replaced by the Interment Right holder within eight (8) weeks of notification by the Authority or other such time as agreed between the parties.
- 10.4.1. All notified Memorials not claimed for repair or replacement by the Interment Right holder within three (3) months of notification may be removed by the Authority.
- 10.4.2. A removed Memorial will be held for a period of six (6) months after notification prior to disposal.
- 10.5. The Authority does not accept any responsibility for damage to Memorials through acts of vandalism, ageing or deterioration. Repair of damaged Memorials is the responsibility of the Interment Right holder.

## 11. TEMPORARY BURIAL INTERMENT SITE MARKERS

- 11.1. Temporary burial interment site markers, including wooden crosses, may only be used for a maximum period of six months following which they must be removed and replaced with a Memorial in terms of these policies or the burial site left unmarked.
- 11.2. Temporary burial interment site markers, including wooden crosses, removed by the Authority after twelve months have elapsed will be destroyed

## 12. REMOVAL OF MEMORIALS

- 12.1. Subject to the Act and Regulations, if an Interment Right expires, the Authority may remove any Memorial to a deceased person erected on or at the site under which the interment right was issued and dispose of it as it sees fit.
- 12.2. In accordance with the Act, Regulations and this policy an Interment Right holder may reclaim a Memorial at any time before disposal. The removal of a Memorial installed by a Mason must be undertaken by a Mason with the relevant approval and at the expense of the Interment Right Holder.

- 12.3.** The Authority must consent in writing to the removal of a Memorial before any work is done.
- 12.4.** The Authority may remove or alter any Memorial or erase any inscription that breaches these operating policies and recover, as a debt, the expense of removal or alterations of a Memorial from the Interment Right holder.
- 12.5.** Where an Interment Right holder fails to remove a Memorial within two years of an Interment Right lapsing and the procedure outlined in the Act and Regulations has been followed, the Memorial becomes the property of the Authority and may be removed and disposed of in accordance with the Act and Regulations.
- 12.6.** An Interment Right holder may reclaim a Memorial at any time before disposal.

### **13. UNDERTAKING WORK AT THE AUTHORITY'S SITES**

- 13.1.** A permit to work on the Authority's sites will be granted subject to the authorised contractor or their sub-contractor complying with the following conditions whilst on site:
- 13.1.1.** Work shall only be carried out between 8.30am – 5.00pm Monday to Friday, work is not permitted in cemeteries on weekends or public holidays. Work outside these times or on weekends and public holidays requires prior arrangement with the Authority.
- 13.1.2.** Any work should give consideration to those attending the cemetery and work shall cease where there may be an impact on those people;
- 13.1.3.** The area around grave sites shall be left in a clean and tidy condition at the completion of the work;
- 13.1.4.** Any waste or surplus material shall be removed and not stockpiled at the cemetery;
- 13.1.5.** Care shall be taken to avoid any damage to memorial(s) when accessing or undertaking works. Any damage shall be reported to the Authority immediately;
- 13.1.6.** No memorial is to be removed from the cemetery grounds without authorisation from the Authority;
- 13.1.7.** A copy of the permit issued by the Authority to undertake the works shall be carried by the contractor while carrying out the works; and
- 13.1.8.** 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.*,

### **14. ON SITE GILDING OR REPAINTING**

- 14.1.** The re-gilding or repainting of inscriptions and artwork on lawn tablets or slopers is the only process allowed to be carried out on a memorial at the grave site.
- 14.2.** All work shall be carried out in accordance with Clause 12.



## 15. SITES WITH SPECIFIC MEMORIAL REQUIREMENTS

All foundations for memorials erected at the Council cemeteries shall be constructed in accordance with Australian Standard AS4204–1994 *Headstones and Cemetery Monuments*.

Refer Appendix A for details of memorial dimensions for areas within each cemetery with particular memorial styles.

Refer Appendix B for the direction of headstone placement with each cemetery.

## 16. MEMORIAL REGISTER

**16.1.** In accordance with the Act and Regulations, the Authority will keep a register of each Memorial erected in its cemeteries that contains the following information:

- 16.1.1.** The size of the memorial
- 16.1.2.** The type of memorial
- 16.1.3.** The name or names inscribed on the memorial
- 16.1.4.** Any epitaphs and other inscriptions on the memorial
- 16.1.5.** The location of the memorial in the cemetery
- 16.1.6.** Inscriptions on commemorative plaques

## 17. COMPLAINTS

All complaints received by Council concerning the operation of this Cemetery Memorials Policy shall be managed in accordance with Council Policy 6.12 Complaints Handling Policy or its successor policy or procedural document.

## 18. HISTORY

**18.1.** Policy adopted by Council at its 24 June 2014 Ordinary Meeting. Refer page 2014/130

**18.2.** Policy amendment No. 1 reviewed by Council at its 22 March 2016 Ordinary Meeting. Refer page 2016/76

**18.3.** Policy amendment No 2 adopted at the Ordinary Council meeting held 24 November 2020, refer item GAP9.2.2/2020, page reference 2020/208.

**18.4.** Policy amendment No 3 adopted at the Ordinary Council meeting held 26 October 2021, Minute Reference GAP11.1/2021, Page Reference 2021/221

**18.5.** Policy amendment No 4 adopted at the Ordinary Council meeting held 23 August 2022, Resolution Number OCM-2022/165.

## Appendix A

### Plot sizes within Cemeteries

Kapunda Old Section	2743mm x 914mm	(9' x 3')
Kapunda New Traditional Section	3048mm x 1219mm	(10' x 4')
Kapunda Grassed Beam Section	3048mm x 1219mm	(10' x 4')
Freeling Cemetery	3048mm x 1524mm	(10' x 5')
Greenock Cemetery	3048mm x 1524mm	(10' x 5')

### Memorial sizes for Greenock & Freeling Cemetery plots (3048mm x 1524mm)

Note: Single memorial - maximum memorial dimensions - 2743mm x 1402mm (9' x 4'6")  
(allow 150mm (6") gap between adjoining memorial)

Double burial memorials – maximum dimensions - 2743mm x 2743mm (9' x 9')  
(allow 229mm (9") gap between adjoining memorial)

- The width of the headstones will be determined by the size of the individual site.
- All full monument sites must allow a 150mm (6") gap between the adjoining memorials.
- The headstone shall have a 50mm gap each side of the boundary of the site with a height of no greater than 1.0m.
- Sites may have ledger covers or kerbs with gravel infill, with individual headstones for each site.
- Any memorial greater than 1.0m in height requires development approval from Council.

### Memorial sizes for Kapunda Old Section Cemetery plots (2743mm x 914mm)

Note: Single memorial - maximum memorial dimensions - 2743mm x 914mm (9' x 3')

Double burial memorials – maximum dimensions - 2743mm x 1828mm (9' x 6')

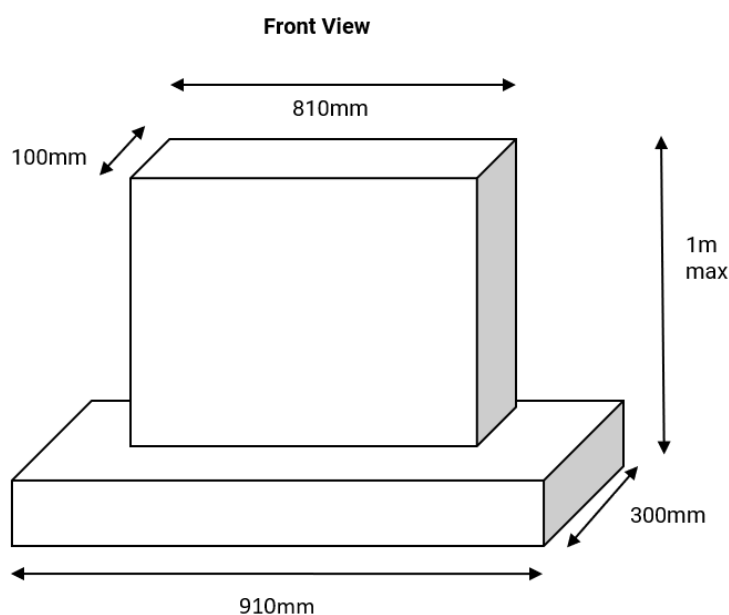
- Due to the narrow width of these sites, concrete surrounds will need to allow enough room so as not to interfere with any neighbouring memorials.
- The width of the headstones will be determined by the size of the individual site.
- The headstone shall have a 50mm gap each side of the boundary of the site with a height no greater than 1.0m.
- Sites may have ledger covers or kerbs with gravel infill, with individual headstones for each site.
- One headstone may be centred over a double plot.
- Any memorial greater than 1.0m in height requires development approval from Council.

### Memorial size for Kapunda Grassed Beam Section plots

Refer diagram – Base= 910mm wide base x 300mm deep (Headstone = 810mm wide x 100mm deep).  
All monuments in this section shall be no higher than 1.0m from the top of the concrete beam. **No** Headstones, Memorials, Plaques/Slopers or Tablets are to be placed directly on the lawn (grassed) area.

Vase holders should be included within the base at either side of the headstone as vases or trinkets placed on the lawn will be removed by Council.

Example of Standard Memorial. Applications for variants to these dimensions may be considered.

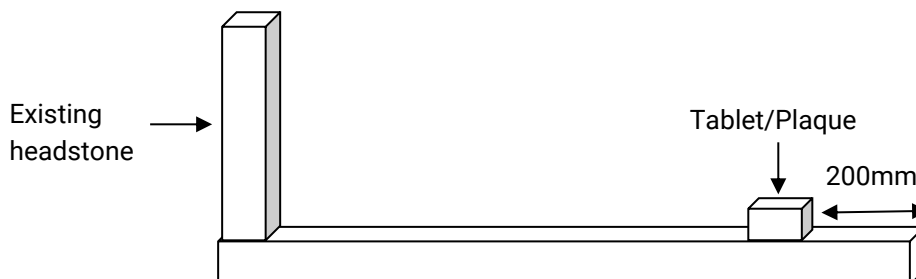


### Memorial size for Historic Sites

Headstones specifications for historic sites that do not have a memorial already on the site are detailed in Appendix B.

On a historic site that already has a headstone or memorial on the site:

- Plaques must be on a sloper/flat base and of a size not more than 230mm wide x 150mm deep x 100mm high
- Tablets must be of a size not more than 230mm wide x 150mm deep x 100mm high
- Placement for plaques on sloper/flat base and tablets must be placed at the foot end of the site 200mm in from the bottom (refer below diagram).



### Memorial size for Memorial Benches

Memorial Benches generally take the form of polished hardwood slats with a cast iron base such as 'Vaucluse seat' (or similar) – 1800mm length x 701mm width x 805mm height

Further bench options for sites particularly outside of cemeteries may take into consideration the environment, similar seating within the locality and availability of product and maintenance requirements.

### Plaques for Niche Walls

#### Kapunda Niche Walls

Bronze Plaque size 152mm x 152mm – Bracket Fixing No. 119

Border No. 1 to 25 (Flat Relief)

Characters and spacing = 25 per line

Maximum of Lines = 12

If using an emblem a line allowance is required – Check with supplier.

#### Freeling Niche Wall

Bronze Plaque size 190mm x 190mm

Screw holes in each corner for fixing to wall

Characters and spacing = 25 per line

Maximum of Lines = 12

#### Kapunda Memorial Garden

Bronze Plaque size 178mm x 102mm

Border No. 1 to 25 (Flat Relief)

Characters and spacing = 35 per line

Maximum of Lines = 11

#### Granite Sloper

Measurements 230mm wide by 150mm deep x 100mm high

Include two stainless steel rods drilled into base.

Must suit plaque size 178mm x 102mm

**Memorial Bench**

Bronze detachable plate size 135mm x 40mm

Screw holes for fixing to bench

Characters and spacing = 20 per line

Maximum of Lines = 5

Plaques shall be bronze unless otherwise approved by the Council

## Appendix B

### Headstone Placement Direction within Cemeteries

#### Kapunda Old Section

All headstones (including those on Historic Sites) are to be placed into the centre of the row i.e. headstones to line up back to back.

#### Kapunda Grassed Beam Section

All headstones are to be placed onto the concrete beam i.e. headstones to line up back to back.

### Freeling Cemetery

#### **Row P**

All headstones (including those on Historic Sites) are to be placed on the western side of the gravesite (i.e. headstone to face East towards the Thiele Highway)

Each bare site along Row P has been pegged. There is a 1.0 metre wide walkway along the centre of the two sides of this Row to enable safe access.

#### ***All other Rows with sites numbered 1-26 (Excluding Row P)***

All headstones (including those on Historic Sites) within sites numbered 1-26 will require the headstone to be placed at the centre of the row, with the headstone facing west (i.e. facing the Freeling township).

Within the Freeling Cemetery there are sites numbered 1-26 which have either been pre-leased or where there have been interments but no memorial has been constructed. Prior to the Memorial Permit being approved, Council will contact the Interment Right Holder to explain Council's requirement in regard to the future placement of memorial headstones.

### Greenock Cemetery

#### **All Rows**

All headstones (including those on Historic Sites) will continue to be placed on the western side of the gravesite (i.e. headstone to be located at the vineyard (Western) end facing East towards the Church).

#### **Row 14a**

All headstones (including those on Historic Sites) are to be placed on the western side of the gravesite (i.e. headstone to be located at the vineyard (Western) end facing East towards the Church).

Each bare site along Row 14a has been pegged. There is a 1.0 metre wide walkway along the centre of the two sides of this Row to enable safe access.