

CEMETERY MANAGEMENT POLICY

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1. INTRODUCTION/BACKGROUND

Under the Local Government Act 1993, the Public Health (Disposal of Bodies) Regulation 2012E, and the Local Government: Control of Cemeteries Amendments Act 1966, cemetery authorities (Councils), are required to set up policies and procedures in regards to the control, management and operation of council's cemeteries.

Cemeteries have cultural, historical, social, and religious values to the community. Mhlontlo Local Municipality manages and maintains its cemeteries guided by sound conservation and non-discriminatory principles so that the significances for all members of the community are retained.

2. PURPOSE/OBJECTIVES

This policy was developed to provide principles that underpin Mhlontlo Local Municipality management of cemeteries, in order to comply with legislative requirements and offer a beatified and considerate memorial services to all members of the community and its visitors.

Mhlontlo Local Municipality policy is intended to:

- Provide effective, efficient and appropriate operation of Mhlontlo Local Municipality cemeteries.
- Provide an expedient service for the interment of deceased residents.
- Management cemeteries according to what is required by legislation and relevant standards.

3. POLICY STATEMENT

Mhlontlo Local Municipality is bound to operate under the provisions of Health Regulation 2012, Public Health Act 2010, and Public Health (Disposal of Bodies) Regulations 2002 and Public Health (Disposal of Bodies) Regulations 2011 (Public Consultation Draft).

4. POLICY PROCEDURES

4.1. GENERAL

- 4.1.1. The present policy applies to all cemeteries under care, control and management of Mhlontlo Local Municipality.
- 4.1.2. Council does not permit any person to undertake any activity within a cemetery unless the activity has been approved by Manager.
- 4.1.3. Graves shall be prepared (dug) by Municipal cemetery staff and shall be in accordance with the Public Health Act 1991 and the Public Health (Disposal of Bodies) Regulations 2012, work, health, and safety regulations.
- 4.1.4. All activities, which take place within any cemetery grounds, shall comply with relevant Work cover and work, Health & Safety requirements.
- 4.1.5. Cemetery areas are subject to maintenance or construction or cemetery clean-up programs. If required, council shall inform the public prior to the execution of any major maintenance or construction or cemetery clean-up programs.
- 4.1.6. Any items that are considered to be a hazard or disruptive to the public will be removed by Municipal staff.
- 4.1.7. Municipality will maintain a register of all burials in accordance with the public Health Act.

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4.2. BURIAL APPLICATION

- 4.2.1. Burials are not to take place unless Mhlontlo Municipality has received a Burial Application in respect of a burial in a cemetery. An Application for a Burial must be submitted on the official form accompanied by the appropriate fee.
- 4.2.2. Application must be received by Mhlontlo Municipality not less than two full working days prior to burial time.
- 4.2.3. Notification of oversize graves are to be received at least two working day prior to burial. Two or more people may be named as joint holders of a Burial permit
- 4.2.4. Burials are not to take place unless the municipality has issued a Burial Permit.
- 4.2.5. Burials shall be conducted in accordance with the regulations of the Public Health Act 2010, the Public Health (Disposal of Bodies) Regulation 2002 and Public Health (Disposal of Bodies) Regulation 2011 and all other relevant legislation.
- 4.2.6. Burials shall take place during the hours approved by council. Burials outside these times may be arranged however will incur additional charges.

4.3. LAWN CEMETERY BURIALS

- 4.3.1. All graves in Mhlontlo Local Municipality are to be dug to double depth (2250mm). Plots in Mhlontlo Local Municipality cannot be reserved.
- 4.3.2. New interments (other than second interment), must take the next available plot in the sequence.
- 4.3.3. All monumental works carried out in cemeteries are subject to prior approval by Mhlontlo Municipality to any person it considers adequately qualified to carry out the work. This will include all documentation as required by Mhlontlo Local Municipality.
- 4.3.4. All monuments and monumental work must comply with AS 4204-1994 Headstones and Cemetery Monuments.
- 4.3.5. Mhlontlo Local Municipality will only grant a monumental permit if it deemed appropriate.
- 4.3.6. Ownership including upkeep maintenance and repair of monuments or other structures in the General Cemetery is deemed to be with the person or persons arranging the monument or structure.
- 4.3.7. Cleaning and painting of monuments by next-of-kin (or a person as require a work permit) may be allowed.
- 4.3.8. Any structure that after being assessed is considered to be a hazard and represents a risk for staff and Cemetery visitors will be removed by Municipal officials.

4.4. CEMETERY PLAQUE

Where plaques are missing after a period of three months, the cemeteries administrative officer shall write to the family informing them that the plaque has already been missing, requesting a wording and indicating that if a reply is not received within one month Municipality will affix a plaque with standard wording

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No offensive wording shall be placed on any plaque. Municipality has the right to word or reword a plaque order form.

4.5. EXHUMATION

An exhumation may only take place when an order by a Court, permitting is issued or an applicant has obtained an order, prior to commencing exhumation.

Other requirements:

Approval for exhumation shall consider the provision of Public Health (Disposal of Bodies) Regulation, 2012;

Approval from Council with the full payment of all associated fees paid by the applicant.

4.6. GRAVE SITE ORNAMENTS

Floral tributes should be placed in the integral vase containers located on the cemetery (Lawn Cemetery) plaque beams.

Items placed other than floral tributes may be collected by Council.

Council will remove all loose objects from the grave sites and remove dangerous or inappropriate fixed objects, with the objects being disposed of, if not collected by the owners.

Council does not accept any responsibility for items left at Cemeteries.

4.7. GRAVE SITE RE-OPENINGS

Monumental Sections

If damage inadvertently occurs during removing monument slabs and headstones Councils and its staff will not be held liable nor responsible for any damages and repairs.

Testing of grave sites for the purpose of reopening shall be at full cost to applicant including accidental damage to slabs and/or monuments.

4.8. SPECIAL BURIAL REQUIREMENTS

Mhlontlo Local Municipality is aware of the diverse range of faiths within our community and strives to develop a deep understanding of burials for specific cultural, religious and spiritual beliefs. The following outlines the basic requirements for burials other than those outlined in this policy.

Application must be made to Mhlontlo Local Municipality to give consideration to burials that do not meet the requirements of this policy however are able to meet obligations specified under by current legislation.

Council recommendations, observations and authorisations for burials requests will be made in accordance with the Bylaws mentioned above, the Public Health Act 1991 and the Public Health (Disposal of Bodies) Regulations 2011 and Work, Health and Safety regulations as well as other guidelines if needed.

If permission is granted the grantee must meet all requirements under all relevant legislation including but not limited to the Public Health Act and the Work, Health Safety Act.

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Council shall be indemnified absolutely, by the grantee, in the event of any action suit or claim brought by any other person for damages or loss to extent that such damage or loss may be suffered as result of customs exercised by persons attending the burial.

5. FEES AND CHARGES

All payments are set out in Council's Annual Fees and Charge at cost plus any overheads incurred by Council.

6. RESPONSIBILITY

Mhlontlo Community Services is responsible for the elaboration and implementation of this policy. This policy shall be reviewed every three years, or as a result of any relevant legislative changes.

7. RELEVANT LEGISLATION

- Anti-Discrimination Act 1977.
- Births, Deaths, and Marriages Registration Act 1995.
- Conservation of Cemeteries Act 1974.
- Coroners Act 1980.
- Crown Lands Act 1989.
- Crown Lands (General Reserves) Amendment Act. (sustenance Burials) By-law 2011.
- Heritage Act 1977.
- Local Government Act 1993
- Local Government (Control of Cemeteries) Amendment Act. (Act No.52,1966)
- National Trust of Australia, NSW.
- Privacy and Personal Information Protection Act 1998.
- Public Health (Disposal of Bodies) Regulation Act 1998.
- Public Health (Disposal of Bodies) Regulation 2002.
- Public Health Act 1991.
- Public Health Regulation 2012.
- State Records Act 1998.
- Work Health and Safety Act 2011.
- Work Health and Safety Regulation 2011.

8. REVIEWAL

This policy shall be reviewed on an annual basis depending on the change in legislation and / or business dynamics of the environment within which Mhlontlo municipality operates.

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9. APPROVAL

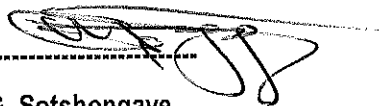
This policy is approved by council of Mhlontlo local municipality with a council resolution and signature as follows:

Signed on behalf Council by



N. Dywili

Mayor



S.G. Sotshongaye

Municipal Manager