

Policy

Cemeteries and Burials

Version 3.0

Adopted by Council at its meeting on 15 September 2022

Division:
Section:
File Reference:
Historical Reference:

Sustainable Communities and Environment
Parks and Active Communities
Council Policies/Protocols/Procedures
See Version Control

Cemeteries and Burials

1. Policy objective

To provide for the effective, efficient and appropriate operation of the public cemeteries that Council manages on the community's behalf.

1.1. Definitions

Internment site: An allotment of land allocated for the burial of a deceased person or for the burial of cremated remains of a person or for the memorialization of a deceased person.

Reserved site: The rights to an internment site can be reserved for internment at a future time.

Memorialisation: Refers to the placement of a headstone, plaque or similar to commemorate the life of a deceased person.

Trust fund: A financial depository that holds funds in Trust for specific uses.

1.2. Policy background

2. Policy

2.1 Legislative Requirements

The operations of the cemeteries are regulated in accordance with applicable sections of the current Public Health Act and associated Public Health Regulation and the requirements of the Local Government Act as applicable in NSW.

2.2 Cemetery Locations

This policy covers the following cemetery sites.

Council Created Lawn Cemeteries:

1. Tweed Valley Cemetery - 813 to 871 Eviron Road, Eviron, NSW
2. Tweed Heads Lawn Cemetery - Kirkwood Road, Tweed Heads South, NSW
3. Murwillumbah Lawn Cemetery - Tree Street, Murwillumbah, NSW

General and Historical Cemeteries (Transferred to Council)

4. Tyalgum General Cemetery - Swifts Road, Tyalgum, NSW
5. Tweed Heads General Cemetery - Kirkwood Road, Tweed Heads South, NSW
6. Tweed Heads Central Cemetery - Florence Street, Tweed Heads, NSW
7. Murwillumbah General Cemetery - Byangum Road, Murwillumbah, NSW
8. Murwillumbah Catholic Cemetery - Kyogle Road, Bray Park, NSW
9. Chinderah Cemetery, Chinderah Road - Chinderah, NSW (South Sea Islander Cemetery and a General Cemetery)
10. Tumbulgum Cemetery - Dulguigan Road - North Tumbulgum, NSW
11. Original Murwillumbah Cemetery - Banner Street, Murwillumbah, NSW

2.3 Managing Information

Document management shall be in accordance with the applicable legislation controlling Cemetery and Cremator operations and otherwise in compliance with Council requirements.

2.4 Cemetery Services

Cemetery Services shall be provided in a manner that supports the sustainable operational objectives of this policy and may change with circumstances.

Cemetery services shall incorporate where possible a range of services to meet community needs across all cultures and beliefs.

Services shall include:

- Burial interments
- Ash interment
- Memorialisation
- Chapel
- Cremator
- Other cemetery related services

2.5 Levels of Service

Active cemeteries shall be maintained with a high degree of aesthetic appeal with appropriate maintenance levels.

Inactive cemeteries shall be maintained to minimise safety risks.

Cemeteries with designated children burial areas shall be retained in perpetuity as children burial areas and managed with a heightened level of empathy including with regard to the allowance of ornaments.

2.6 Financial Mechanisms

The cemetery shall utilise a financial management system that meets the requirements of the Local Government Act and the directives of the Council's Executive team for its day to day operations.

To ensure that the cemeteries can achieve and maintain sustainable status long after the last interment on site, three Trust Funds have been established and shall be maintained.

1. Maintenance in Perpetuity (MIP)

This fund isolates a portion of the total interment charge into a Trust Fund referred to as Maintenance in Perpetuity. The fund is invested and earns a return which compounds and increases in value with the intent of matching or exceeding inflation rises. The fund shall be drawn upon at the end of a cemetery's active life to fund ongoing maintenance, in perpetuity and in accordance with Levels of Service that are sustainable. The fund can also provide a capital resource for the purchase of land for a subsequent cemetery site on a loan basis.

2. Burial Trust

The Burial Trust isolates a portion of the total interment charge that applies to the actual burial work costs for interment and memorial sites bought in advance and reserved. These Trust funds are invested and earn a return which compounds and increases in value with the intent of matching or exceeding inflation rises. The fund is drawn on at the time of interment at the then current burial charge rates to cover the cost of the work being undertaken.

3. Cremator Trust

The cremator Trust isolates a portion of the cremation charge. Trust funds are invested and earn a return which compounds and increases in value with the intent of matching or exceeding inflation rises. The fund is drawn on at the time of major maintenance works such as refractory relines and major component replacements.

3. Related legislation

All site works shall be in compliance with current NSW Work Health and Safety Act and associated Regulations.

4. Compliance

Operations shall comply with applicable legislation as described under "Applicable Legislation" and "Related Legislation" above.

5. Forms

Forms applicable under this policy shall be identified in operational procedures and shall be modified, deleted or merged as operational circumstances determine.

6. Review period

This policy shall be reviewed within 12 months of the election of a new Council or more frequently in the event of any legislative changes or changes in circumstances.

7. Useful links

[Tweed Shire Council website](#)

8. Version control

Version #	Summary of changes made	Date changes made
1.1	Incorporated into new policy template	20/06/2013
2.0	Reviewed and amended to remove large sections of operational detail not required in a policy	12/10/2017
2.0	Adopted by Council - Minute Number 44	15/02/2018
3.0	<ul style="list-style-type: none">Renaming of Policy to 'Cemeteries and Burials'Update to the definition of 'reserved site'Removal of Policy Objective #2 of the previous policy - Part II "Burials on Private Property". New Policy has been formulated by the Environmental Health Unit to reflect this previous section of the policy. <p>Minor updates to Divisional and Unit names as per current TSC structure</p>	04/08/2022
3.0	Adopted by Council – Minute Number 19.1	15/09/2022