



Name	CEM03 Memorials
Policy Type	Council
Responsible Officer	Thorak Cemetery Manager
Approval Date	20/05/2020
Review Date	19/05/2024

1. Purpose

This policy outlines the Board's expectations for the design and construction of memorials at Thorak Regional Cemetery.

2. Scope

This policy applies to all memorials erected within Thorak Regional Cemetery.

3. Definitions

For the purposes of this Policy, the following definitions apply:

Memorial	A memorial for the purposes of this policy is any structure such as a mausoleum, monument, plaque, tombstone, headstone, tablet, gravestone, vault, kerbing, or other form of construction placed over in or around an interment site to memorialise a deceased person with the approval of the Thorak Regional Cemetery Board.
Offence	Offence in this context refers to a memorial's design, wording or marks that are capable of wounding feelings or arousing anger, resentment, disgust or outrage in the mind of a reasonable person (where that reasonable person visits a cemetery).
Interment Rights Holder	The person registered as having Interment Rights for an interment site.

4. Policy Statement

4.1. Memorials - General

- 4.1.1 An interment rights holder may arrange for a memorial to be installed immediately after an interment in all areas other than monument sections, following consent granted by the Board in the form of a memorial permit.

4.1.2 Following an in-ground interment in any monument section, an interment rights holder may arrange for a permanent memorial to be installed twelve months after the interment, following consent granted by the Board in the form of a memorial permit.

4.1.3 Only memorials specified for each distinct Thorak Regional Cemetery area may be installed in that area as per the TRC-FOR-009 Monuments & Memorial Specification Form..

4.2 Temporary Markers

Temporary grave markers with the name of the deceased and plot number may be used, with prior permission from the Board, in the form of a permit, for a maximum period of twelve months after which the Board may remove the marker.

4.3 Memorial Specifications

4.3.1 All memorials shall be of a design, dimension and quality approved by the Board in its specifications. All work is to be consistent with Australian Standard, AS4204-1994 (Headstones and Cemetery Monuments) as a minimum and the requirements set out in the Monument & Memorial Specifications Form.

4.3.2 Any memorial that takes the form of an above-ground burial structure such as a mausoleum must be consistent with Australian Standard AS 4425-1996 (Above-Ground Burial Structures) as a minimum.

4.4 Qualified Tradesperson with Permit to Work in the Cemetery

4.4.1 A memorial must be installed by a registered stonemason or suitably qualified tradesperson with evidence of current public liability insurance and a current permit to work at Thorak Cemetery. The exception is where a plaque is to be installed in an area where cemetery staff are responsible for installation.

4.4.2 Stonemasons or other tradespeople working within the cemetery must comply with all Work Health & Safety requirements of the Board.

4.5 Memorial Permit Application

4.5.1 A memorial permit is required to install a memorial, including temporary memorials. Detailed drawings, including dimensions, type of memorial, name(s) inscribed and any epitaphs or other inscriptions on the memorial are to accompany the application for a permit. If not in English, an English translation must be provided.

4.5.2 Memorials higher than 1500mm also require evidence of structural engineering approval. Where an above-ground burial structure such as a mausoleum exceeds 2000mm in height, a building permit will also be required from a registered private building certifier as part of the application.

- 4.5.3 The Board will only grant approval for a memorial following consideration of the application and payment of the appropriate fee as set by Board resolution. This application must contain the consent of the holder of the exclusive rights. Issuing a memorial permit does not constitute an admission of liability from the Board for any defects in design, construction, workmanship or materials.
- 4.5.4 Should the exclusive rights holder be deceased, then the exclusive rights can be administered by the Executor. If there is no Executor, then the Next of Kin as per the Hierarchy in Section 30 C of the Cemeteries Act becomes the holder of the exclusive rights. The Application must be accompanied by a Statutory Declaration stating that the Applicant is the next of kin of the deceased exclusive rights holder or has the consent of all available direct descendants with whom contact has been possible.
- 4.5.5 Once the memorial permit has been granted, any alteration to the original design needs further approval from the Board. Failure to notify the Board may result in the structure being removed at the owners' expense.
- 4.5.6 Where a memorial permit has been granted for an above-ground burial structure such as a mausoleum, all building works must be completed within 6 months of commencement. The occupancy permit issued by the Building Certifier as evidence of satisfactory completion must be forwarded to the Board within 3 months of completion. If no occupancy permit is obtained and submitted, the Board reserves the right to seek the removal of the structure.

4.6 Memorial Epitaphs

- 4.6.1 The name to be inscribed on the memorial must accord with the name shown on valid proof of the deceased person's identity produced to the satisfaction of the Board, unless, with prior permission from the Board, a nickname is used.
- 4.6.2 Any epitaph must not cause offence. If a memorial does cause offence, The Board reserves the right to refuse the permit application, or if constructed, remove the memorial and seek recompense from the interment rights holder for all costs incurred.

4.7 Memorial Maintenance Responsibilities

- 4.7.1 The registered holder of the rights of interment for an allotment shall keep any associated memorial in good repair and proper condition.
- 4.7.2 The Board will not be liable for the future care, maintenance, preservation, conservation or restoration of any memorial. The Board will not accept responsibility for damage to memorials through acts of vandalism, riot, war or terrorism, cyclones or severe storms.
- 4.7.3 If a memorial is assessed by the Board as being dangerous, in disrepair or unsightly, the Board will in the first instance seek action from the interment rights holder to address this.

4.7.4 However, if no action, within 28 days of notification, has been taken by the interment rights holder to address the Board's concerns, the Board will remove the memorial and seek compensation from the interment rights holder to cover the costs incurred. Removed memorials will be held by the Board for a period of up to twelve months prior to disposal.

4.8 Memorials and Subsequent Interments

Where a grave is to be re-opened for a second interment, the removal of any memorial to enable that interment is to be arranged in a timely manner by the interment rights holder on behalf of the family or person arranging the funeral. The Board is not responsible for the removal of memorials.

4.9 Memorials Register

The Board will maintain a Memorials Register of each memorial erected in the cemetery, containing the following information:

- The type of memorial
- The dimensions of the memorial
- Details of any epitaphs and other inscriptions on the memorial.
- Details of the location of the memorial within the cemetery.
- Who installed the memorial.

5. Associated Documents

TRC-FOR-009 Monument & Memorial Specifications Form

Memorial Permit Application Form & Memorial Permit

Permit to Work in a Cemetery Application Form & Permit to Work in a Cemetery

Memorials Register

Building Permit & Occupancy Permit (Building Certifier)

6. References and Legislation

Northern Territory Local Government Act

Work, Health and Safety Act

Cemeteries Act

AS 4020-1994 Headstone & Cemetery Monuments

AS 4425-1996 Above Ground Burial Structures

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
20/05/2020	Incorporation of all monument sections, inclusion of temp memorial permits, requirement for English translations for inscriptions
21/03/2018	Initial Approval of Policy