



Centennial Park

1.0 OPERATING POLICY STATEMENT

Chief Executive Officer
Centennial Park Cemetery Authority

Date

August 2011

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Centennial Park Cemetery Authority


	<p>1.0 Operating Policy Statement</p>	Version No:	10
		Issued:	August 2011
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Table of Contents

GENERAL4

 Definitions4

 Opening Hours5

 Office Hours of Authority5

 Fees 5

 Landscaping5

 Traffic Regulations6

 Public Right of Way6

 Control of Animals6

 General Conduct in the Cemetery6

 Restriction on Entry7

 Baha’i Faith Burials7

 Unitarian Druse Community Burials7

 Jewish Burials7

 Muslim Burials7

 Tributes7

LICENCES.....8

 Authority to Grant and Renew Licences8

 Duty to Maintain Memorials9

 Licence Register9

BURIALS.....10

 Rights under a Burial Licence10

 Burial Hours10

 Burial Requirements10

 Depths of Coffins10

 Exhumation, Removal and Re-interment10

 Opening of Interment Sites11

 Removal of Monuments12

 Rights Under a Memorial Licence12

 Disposition of Cremated Remains12

GENERAL CONDITIONS OF LICENCES12

 Licence in two (2) or more names12

 Claimants to Licences13

 Devolvement of Licensees Rights13

 Transfers of Licences14

 Cancellation of a Licence14

 Proof of Ownership of a Licence14

 Power of the Authority to Direct or Give Notice15

 Compliance with Operating Policies15

 Interment Register15

 Plan of the Cemetery16

MEMORIALS16

 Design of Monuments Requires Authority Approval16

 Monumental Masons16

 Power to Remove a Memorial17

 Temporary Grave Markers17

CREMATION17

 Authorisation of Cremations17

 Cremation Register17

Centennial Park Cemetery Authority

	<p><i>1.0 Operating Policy Statement</i></p>	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

Powers under the Cremation Act and Regulations18

SUNDRY POWERS.....18

 Board may delegate Authority18

 Directions of the Chief Executive Officer18

 Chief Executive Officer may Delegate Authority.....18

SCHEDULES (Attached)

Schedule A Licence for Interment19

Schedule B Form 1B.....21

Schedule C Transfer of Licence Declaration23

Schedule D Monument (Headstone) Specifications.....25

	<p>1.0 Operating Policy Statement</p>	Version No.:	10
		Issued:	August 2011
		Next Review:	August 2014

1.0 OPERATING POLICY STATEMENT

GENERAL

Definitions

1. The following definitions apply in this Operating Policy:

“Authority” means the Centennial Park Cemetery Authority that is responsible for the administration of the Centennial Park Cemetery.

“Board” means the Board of Management of the Centennial Park Cemetery Authority or a person authorised by the Board.

“Burial” means the interment of non-cremated human remains.

“Burial Licence” means a licence for interment of non cremated human remains.

“Cemetery” means the grounds of the Centennial Park Cemetery Authority.

“Cemetery Regulations” means the Local Government (Cemetery) Regulations 2010.

“Chief Executive Officer” means the person appointed by the Board to undertake the daily conduct of its affairs.

“Cremation Regulations” means the Cremation Regulations 2001.

“Extended Term” means each extended duration of the Initial Term of a Licence.

“Exhumation Regulations” means the Local Government (Exhumation of Human Remains) Regulations 2005.

“Initial Term” means the initial duration of a Licence.

“Licence” means a Burial Licence or a Memorial Licence.

“Interment” of human remains includes:

- The placement of cremated remains in a columbarium or other structure designed as a repository for human remains;
- The burial in the earth of cremated remains (with or without a container); but does not include the scattering of cremated remains.
- “Licensee” means a person, their executor or administrator, their heir or successor, who is the registered holder of a Licence and is registered in the register of Licences.
- “Human Remains” means the body or part of the body of a deceased person and includes cremated remains.

“Memorial” means:

- An approved gravestone or other monument; or
- A plaque; or
- Any other approved structure or physical object used to memorialise a deceased person.

	<p>1.0 Operating Policy Statement</p>	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

“Memorial gardens” means an area of the cemetery that is established for the memorialisation of cremated remains.

“Memorial Licence” means a licence for interment of cremated human remains or a licence for memorialisation without human remains.

“Monument” means a monument, tombstone, tablet, gravestone, kerbing, railing or other erection to be constructed in the cemetery, used for commemorative purposes for burial sites.

“Regulations” means the Local Government (Cemetery) Regulations and/or the Cremation Regulations.

“Term” includes the Initial Term and any Extended Terms.

Words in the singular include the plural and words in the plural include the singular, according to the text.

Words importing a gender include every gender.

Opening Hours

2. The cemetery is open to vehicles daily from 7:00am to 7:00pm and until 9:00pm during daylight saving time, or as the Board may determine.
3. No person, except a person authorised by the Board, may be in the cemetery at any other time.

Office Hours of Authority

4. The office of the Authority is open weekdays except public holidays from 9:00am to 5:00pm or as the Board may determine.
5. The office of the Authority is open on Saturdays for appointments
 - 5.1 Until 31st December 2011 from 9:00am to 5.00pm.
 - 5.2 From 1st January 2012 the office of the Authority will be closed on Saturdays


Fees

6. The Board must establish a Scale of Fees for granting rights of interment and all other services and may change the Scale of Fees as it may determine.
7. The Scale of Fees will be reviewed, at a minimum, on an annual basis. An up-to-date copy of the Scale of Fees must be made available to any person and displayed in the office of the Authority.

Landscaping

8. No person, except a person authorised by the Authority, may landscape or change the landscaping of any portion of the cemetery.
9. Any unauthorised landscaping may be removed by the Authority without notice.
10. The Authority is not responsible for any damage or loss caused by unauthorised activity in the grounds.
11. All plants and trees in the cemetery remain the property of the Authority.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

12. If the surface of any interment site in the cemetery sinks below the level of the natural surface of the ground, the Authority may cause the site to be filled up to that level.
13. The Authority may plant and maintain lawn on grave sites.
14. The Authority may alter or transfer any landscaping, memorial or memorial garden bed as it may determine.

Traffic Regulations

15. A speed limit of 25 km per hour applies in the cemetery. All other general road rules apply within the cemetery.
16. A person must not drive a motor vehicle within the cemetery in a dangerous or careless manner or without reasonable consideration for others.
17. A person may park a motor vehicle within the cemetery with reasonable consideration for others unless it is clearly marked to the contrary.

Public Right of Way

18. The cemetery is not a public right of way.
19. Entry to the cemetery is restricted to employees or agents of the Authority and people having legitimate business or as the Authority may determine.
20. The Authority must ensure that the cemetery is securely fenced at all times.


Control of Animals

21. A person may ride, drive or exercise animals in the cemetery when they have the approval of the Authority.
22. All dogs in the cemetery must be kept under control and on a leash. All dog faeces must be removed by the person in control of the dog. Bags are located at various points around the Park.

General Conduct in the Cemetery

23. A person must not cause any nuisance or breach the peace.
24. A person must at all times conduct themselves in a manner that respects the rights and safety of others.
25. All children entering the cemetery must be under the supervision of an adult.
26. A person must seek the approval of the Authority before they:
 - 26.1 Sell or buy anything;
 - 26.2 Erect a temporary shelter or canopy;
 - 26.3 Carry on a business or advertise the same;
 - 26.4 Distribute or display any advertisement;
 - 26.5 Organise or take part in a meeting;
 - 26.6 Disturb a funeral service;
 - 26.7 Discharge a firearm (except at a military funeral);

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

26.8 Cut, break, deface or write or fix a bill on any fixture or landscaping in the cemetery; or

26.9 Take, injure or interfere with trees, shrubs, flowers, vases, labels, fish, birds, animals or other property.

Restriction on Entry

27. No female person above the age of ten (10) years may enter any enclosure set apart for the exclusive use of males, except as the Authority may determine.

28. No male person above the age of ten (10) years may enter any enclosure set apart for the exclusive use of females, except as the Authority may determine.

Baha'i Faith Burials

29. No burial may take place in any area reserved for Bahá'í faith burials within the cemetery unless it is authorised in writing by the Secretary of the South Australian Bahá'í Council.

Unitarian Druse Community Burials

30. No burial may take place in any area reserved for Druse burials within the cemetery unless it is authorised in writing by a Unitarian Druse faith Minister or their nominees.

31. The Unitarian Druse Community shall be notified of any Licences due for renewal in Unitarian Druse Community sections.

Jewish Burials

32. No burial may take place in any area reserved for Jewish burials within the cemetery unless it is conducted by:

32.1 A Rabbi acting with the written authority of either the Adelaide Hebrew Congregation Inc, or the Adelaide Progressive Jewish Community; or

32.2 Another person authorised in writing by either the Adelaide Hebrew Congregation Inc, or the Adelaide Progressive Jewish Community to conduct the burial.

33. The Adelaide Hebrew Congregation Inc. shall be notified of any Licences due for renewal in the Jewish section of the cemetery.

34. The Adelaide Progressive Jewish Community shall be notified of any Licences due for renewal in the Liberal Jewish section of the cemetery.

Muslim Burials


35. No burial may take place in any area reserved for Muslim burials within the cemetery unless the interment is approved by an Islamic Society in South Australia.

Tributes

36. Tributes may be placed only in unbreakable containers or as the Authority may determine.

37. The Authority may remove and dispose of any tribute when it is deemed unsightly, offensive, and breakable or that is a risk to public safety.

Centennial Park Cemetery Authority


	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

LICENCES

Authority to Grant and Renew Licences

38. The Authority may grant a Licence in relation to one or more sites in the cemetery where:
- 38.1 A Licence is in the form contained at Schedule "A" or in a form that the Authority may determine having regard to the Cemetery Regulations;
 - 38.2 The applicant pays the appropriate fee;
 - 38.3 The Initial Term of the Licence together with any Extended Term(s) do not exceed ninety-nine (99) years starting from the date of issue of the Initial Term.
39. The Authority may extend a Term of a Licence for an additional period or periods in accordance with clause 38.3, where:
- 39.1 The Licence provides for a right of extension;
 - 39.2 An application is made by the Licensee or any other person no later than the expiry of the relevant Term; and
 - 39.3 The appropriate fee is paid.
40. If no application is received within the time frame set out in clause 39.2 to extend the Licence, then the Licence is deemed to have lapsed on the date of expiry of the relevant Term.
41. However the Authority may renew a lapsed Licence from the date of expiry of the relevant Term for a further Term(s) provided:
- 41.1 Any such renewals, together with any previous Terms, do not exceed ninety-nine (99) years;
 - 41.2 The Licensee applies in writing to the Authority within two (2) years of the Licence lapsing; and
 - 41.3 The appropriate fee is paid by any interested person.
42. If the lapsed Licence is not renewed in accordance with clause 41, then the Licence is deemed to have terminated and the Authority is entitled to grant a new Licence for the site under clause 82.
43. Where a Licence has lapsed but is subsequently renewed in accordance with clause 41, the Licence will be deemed to have been extended under the same grant of Licence with any previous Terms of that Licence, as if the Licence has not lapsed.
44. The Authority may, without giving any reason:
- 44.1 Limit the number of Licences to a person;
 - 44.2 Refuse an application for a Licence or extension or renewal of a Licence for Interment; and
 - 44.3 Refuse to extend or renew a Licence that is more than ninety nine (99) years old.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No.:	10
		Issued:	August 2011
		Next Review:	August 2014

45. The Authority will not make a site available for re-sale until at least two (2) years have passed since the lapsing of a Licence pursuant to clause 40.
46. A Licensee has for the term of the Licence:
- 46.1 Where the Licence relates to any interment an exclusive right to bury or inter human remains in the site allotted; and
 - 46.2 An exclusive use of foundations provided by the Authority to erect an approved monument.
47. A Licensee may only use the ground allotted for the purposes set out in clause 46 and not for any other purpose.

Duty to Maintain Memorials

48. A Licensee must maintain any memorial erected on a site in a safe and aesthetically pleasing condition.
49. Any restoration work on a memorial must be done by an experienced tradesperson using the Burra Charter and working to the relevant Australian/New Zealand Standards.

Licence Register

50. The Authority must keep a Licence Register that contains the following information:
- 50.1 The number of a Licence;
 - 50.2 The locality and number of the site subject to a Licence;
 - 50.3 Whether the Licence is for the interment of human remains (non cremated and/or cremated) or memorialisation without human remains;
 - 50.4 The name of a Licensee;
 - 50.5 The date that a Licence was issued or transferred to a Licensee;
 - 50.6 The date of each extension of a Licence and the expiry date of each extension;
 - 50.7 The renewal date of a Licence and the expiry date of the renewal;
 - 50.8 The date and number of interments that has taken place in a site under a Licence; and
 - 50.9 The date of erection and description of a monument that has been erected on a site under a Licence.
51. The Chief Executive Officer or the delegated employee must mark the name of the deceased date of each interment and the position within the site of the interment on a Licence immediately after an interment has taken place.

	<p><i>1.0 Operating Policy Statement</i></p>	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

BURIALS

Rights under a Burial Licence

- 52. No person will be buried in a grave if the remaining term of a Licence is less than ten (10) years.
- 53. A Licensee can arrange with the Chief Executive Officer for extra space to be made in a grave through a process called “lift & deepen” where:
 - 53.1 There have been three (3) interments in a grave; or
 - 53.2 Earlier interments were at insufficient depth for further burials; and
 - 53.3 At least six (6) years have elapsed since the most recent burial.

Burial Hours

- 54. Burial hours are:
 - 54.1 Between 8:30 am and 5:00 pm Monday to Saturday;
 - 54.2 By arrangement with the Authority on Sundays and Public Holidays except Good Friday, Anzac Day and Christmas Day; or
 - 54.3 As the Authority may determine.

Burial Requirements

- 55. No Burial will take place in the cemetery unless:
 - 55.1 An application for the Burial is made at the office of the Authority;
 - 55.2 A Licence or duplicate Licence is produced to the Authority upon request;
 - 55.3 The Authority receives reasonable notice of a request for Burial; and
 - 55.4 All fees are paid to the Authority.

Depths of Coffins

- 56. Coffins must be interred at least:
 - 56.1 1.5 metres below the surface of the ground or the minimum depth required by the Cemetery Regulations; or
 - 56.2 A minimum depth greater than the Cemetery Regulations as the Board may determine.
- 57. The Authority may determine the maximum depth of a grave in which a body may be interred in the Cemetery.
- 58. A grave must be covered as soon as practicable on the same day as the interment.

Exhumation, Removal and Re-interment

- 59. Subject to clause 60, a person must not cause, suffer or permit non-cremated human remains to be:
 - 59.1 Exhumed or removed from an interment site in the cemetery; or

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No.:	10
		Issued:	August 2011
		Next Review:	August 2014

59.2 Re-interred in the cemetery,


without the consent in writing of the Attorney General in accordance with the Exhumation Regulations.

- 60. Clause 59 does not apply where a Coroner has issued a warrant for the exhumation of human remains pursuant to section 13 of the Coroners Act 1975.
- 61. The Attorney General must, before giving consent under clause 59, consult with the Authority.
- 62. Consent under clause 59 may be made subject to such conditions as the Attorney General may determine.
- 63. A person must not contravene or fail to comply with a condition of consent under clause 59.

Opening of Interment Sites

- 64. Subject to clause 65, a person must not, without the consent of the Attorney General, open, or cause, suffer or permit the opening of an interment site in the cemetery for the purpose of interring additional human remains.
- 65. The consent of the Attorney General under clause 64 is not required if:
 - 65.1 Only cremated remains are interred at the site; or
 - 65.2 In the case of a site at which non-cremated remains are interred (whether or not cremated remains are also interred there):
 - 65.2.1 Additional human remains can be interred without disturbing non-cremated remains.
 - 65.2.2 The non-cremated remains last interred were interred otherwise than in a vault that is air tight and water tight and;
 - 65.2.3 The remains were those of a child who at the time of death was not more than five (5) years of age and eighteen (18) months or more have elapsed since the remains were interred; or
 - 65.2.4 The remains were those of a child who at the time of death was more than five (5) but not more than ten (10) years of age and two (2) years have elapsed since the remains were interred; or
 - 65.2.5 Three (3) years or more have elapsed since the remains were interred.
 - 65.3 If, when an interment site is opened, human remains are found, the remains must be re-interred at a greater depth.
 - 65.4 The Attorney General must, before giving consent under clause 64, consult with the Authority.
 - 65.5 A consent under clause 64 may be made subject to such conditions as the Attorney General may determine.
 - 65.6 A person must not contravene or fail to comply with a condition of a consent under clause 64.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

Removal of Monuments

66. The Authority at its discretion will remove and dispose of a monument where a Licence has not been renewed within two (2) years of lapsing pursuant to clause 40 and in accordance with the Cemetery Regulations.
67. The Authority will have a policy that will include a clearly stated procedure for re-selling sites.
68. A Licensee may reclaim a monument at any time before disposal. The removal of a monument installed by a recognised Monumental Mason must be undertaken by a recognised Monumental Mason with the relevant approval and at the expense of the Licensee.

Rights Under a Memorial Licence

69. A Licensee has for the term of the Memorial Licence the exclusive right to inter human cremated remains and to erect an approved monument or to erect an approved monument without human remains in the site allotted.
70. A Licensee may only use the site allotted for the purposes set out in clause 69 and not for any other purpose.

Disposition of Cremated Remains

71. If a Licensee advises the Authority that an extension or renewal of a Memorial Licence will not be sought, the Licensee may instruct the Authority on a preferred method of final disposition of the cremated remains by:
 - 71.1 Interment in an unmarked location; or
 - 71.2 Collection for private dispersal.
72. Where no instructions were given by the Licensee upon termination of a Memorial Licence as to the final disposal of the cremated remains, then such remains will be dealt with in accordance with the Authority's policy on re-selling sites, referred to in clause 67.


GENERAL CONDITIONS OF LICENCES

Licence in two (2) or more names

73. Instructions to the Authority in respect of Licences issued in the names of two (2) or more persons must be confirmed in writing by all named persons listed on the Licence.

Where a certificate for a Licence is registered in the names of two (2) or more persons, it will be delivered to the person first named in the respective register.
74. All licensees have the responsibility to keep the Authority informed of their current contact details. Failures to do so the Authority will, after reasonable notice, accept instructions from the other licensees without their input.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

75. Notice will be deemed given if the licensee is sent a letter, facsimile or email to the person's last known contact details. Failure by the licensee to respond within 90 days will constitute abandonment of his or her right to give instructions and the Authority may act in accordance with the instructions of the other licensees who are contactable.

Claimants to Licences

76. The Authority will not recognise or register an express, implied or constructive notice of Authority.
77. The Authority will recognise the claim on an executor or administrator of a deceased Licensee (not being one of several joint Licensees) as having title to a Licence registered in the name of a deceased Licensee.


Devolvement of Licensee's Rights

78. Where there is one (1) or more joint holders of a Licence the Authority will recognise the survivor or survivors as the only person or persons having title to a Licence.
79. The rights granted to the Licensee may be exercised upon the death or legal incapacity of the Licensee by any one of the following people in descending order of entitlement:
- 79.1 In the case of the legal incapacity of the Licensee, by a person acting under the authority of an enduring power of attorney granted by the Licensee or by a duly appointed manager or guardian of the Licensee
 - 79.2 the sole executor or administrator of the Licensee
 - 79.3 a joint executor or administrator (with permission from all others) of the Licensee
 - 79.4 a person who becomes entitled to a licence on the death of the Licensee where the person produces such evidence of that person's entitlement as the Authority determines
 - 79.5 the legally married spouse of the Licensee
 - 79.6 the domestic partner of the Licensee
 - 79.7 the eldest living and legally capable child of the Licensee
 - 79.8 the eldest living and legally capable grandchild of the Licensee
 - 79.9 the eldest living and legally capable sibling of the Licensee
 - 79.10 the eldest living and legally capable blood relative of the Licensee.

For the purposes of this clause:

- "domestic partner" has the meaning ascribed to it under the Family Relationships Act 1975 (SA);
- a "legally capable" person is a person of sound mind who is 18 years of age or over.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No.:	10
		Issued:	August 2011
		Next Review:	August 2014

80. The substituted right envisaged in clause 79 may be devolved to one (1) or more persons in succession in the event of the subsequent death or legal incapacity of such person.
81. The Authority may determine the criteria necessary to demonstrate the relationship and entitlement of a person claiming a substituted right under clause 79 and the Authority retains unfettered discretion to determine which person will be entitled to exercise the substituted rights under clause 79 in the event of a dispute between one (1) or more persons.
82. Upon termination of a Licence pursuant to clause 42 the Authority may grant a new Licence for the site to any person upon such terms and conditions as the Authority may then determine, and the Licensee acknowledges that upon such event the Authority may do whatever is necessary to prepare the site for the new Licensee.

Transfers of Licences

83. The Authority may permit a transfer of a Licence where:
 - 83.1 The transfer is in the form contained in Schedule "C" or in a form that the Authority may determine having regard to the Regulations.
 - 83.2 The transfer is executed by or on behalf of the transferor and the transferee.
 - 83.3 The transfer is left for registration at the office of the Authority.
 - 83.4 A transfer provides other evidence to the Authority that it may require to show that the transferor can effect the transfer.
 - 83.5 The Authority may decline to register a transfer without giving reasons.
 - 83.6 A transferor remains the holder of the Licence until the transfer is registered and the name of the transferee is entered in the register of Licences.
 - 83.7 Where the Authority approves a transfer, the name of the transferee must be entered in the register of Licences as the owner of the Licence.
 - 83.8 The Authority may suspend the registration of transfers for up to thirty (30) days in a year as it may determine.


Cancellation of a Licence

84. The Licensee, and only the Licensee, has the right to surrender a Licence. The Licensee may cancel the right of a Licence at any time except where the interment site contains buried remains. Removal of buried remains requires the consent in writing of the Attorney General. Any monument may be reclaimed by the Licensee upon surrender, or will be disposed of at the Authority's discretion.

Proof of Ownership of a Licence

85. A person claiming ownership of a Licence must, if necessary, prove their ownership to the Authority.
86. All licensees have the responsibility to keep the Authority informed of their current contact details. Failure to do so will result in the Authority, after reasonable notice, accepting instructions from the other licensees without their input.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No.:	10
		Issued:	August 2011
		Next Review:	August 2014

87. The Authority may choose not to comply with a request or direction by a Licensee where a Burial Licence for a multiple depth grave is not presented for a second or subsequent burial.

Power of the Authority to Direct or Give Notice

88. If a Licensee fails to comply with a direction or notice of the Board within fourteen (14) days of receiving a direction, the Authority may:
- 88.1 Carry out the direction or notice; and
 - 88.2 Recover the cost of the direction or notice from the Licensee as a debt.
89. A Licensee will be deemed to receive a direction or notice where it is in writing and sent by prepaid envelope to the address of the Licensee appearing in the register.


Compliance with Operating Policies

90. A person must comply with the Regulations and these operating policies where:
- 90.1 They wish to inter a body in the cemetery;
 - 90.2 They wish to re-open an interred grave; or
 - 90.3 They wish to remove a body from the cemetery.
91. Every grave within the cemetery must be dug by an employee of the Authority.

Interment Register

92. The Authority must keep a register of interments (and re-interments) that must record the following information immediately after a burial:
- 92.1 The deceased's name, sex, age at death, date of birth and last place of residence;
 - 92.2 The number of the burial;
 - 92.3 The date of interment;
 - 92.4 Whether the remains of the deceased were cremated;
 - 92.5 Whether the remains were interred in a coffin or other receptacle;
 - 92.6 The number of the interment site;
 - 92.7 The location of the interment site;
 - 92.8 The depth to which the remains were interred;
 - 92.9 In the case of exhumation of remains interred in the cemetery:
 - 92.9.1 The name of the deceased whose remains were exhumed;
 - 92.9.2 The date on which the exhumation occurred; and
 - 92.9.3 The reasons for the exhumation.
93. The Authority may determine the form of the interment register.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No.:	10
		Issued:	August 2011
		Next Review:	August 2014

Plan of the Cemetery

94. The Authority must maintain a plan of the cemetery in the office of the Authority that shows:
- 94.1 Each site at which human remains are interred; and
 - 94.2 The divisions and sections of the cemetery and the numbers of interment.

MEMORIALS


Design of Monuments Requires Authority Approval

95. The Authority must approve the design, workmanship and proposed inscription of all memorials before any work is carried out.
96. The plans and specifications for a monument for a burial position must be submitted to the Chief Executive Officer or delegated officer and comply with the specifications at Schedule "D".
97. The Authority may refuse any design for a monument as it may determine.
98. A permit must be obtained from the Authority for all monuments for a burial position and inscriptions on a monument before any work is carried out by submitting an application form 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 from time to time.
99. 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.
100. Unless otherwise approved by the Authority, the name affixed on the monument must accord with the name shown on valid proof of the deceased's identity produced to the satisfaction of the Authority. All monuments for a burial position must be constructed, altered and installed by a Monumental Mason who is registered by the Authority to undertake such work, and a permit must be obtained from the Authority to undertake such work.

Monumental Masons

101. All monuments for a burial position must be constructed, altered and installed by a Monumental Mason who is registered by the Authority to undertake such work.
102. All monuments for a burial position must be constructed and installed by a Monumental Mason in accordance with applicable Australian Standards.
103. A Monumental Mason must provide proof annually that they have current public liability insurance.
104. Monumental Masons or tradespeople must repair all damage done to the satisfaction of the Authority.
105. Monumental Masons working within the cemetery must comply with all Occupational Health, Safety and Welfare regulations.

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

Power to Remove a Memorial

106. The Authority must consent in writing to the removal of a memorial before any work is done.
107. The Authority may remove or alter any monument or erase any inscription that breaches these operating procedures.
108. The Authority may recover as a debt the expense of removal or alteration of a memorial from the person who erected the memorial.
109. The Authority may remove a memorial that is unsightly or may become dangerous and dispose of the memorial as it may determine.
110. Where a Licensee fails to remove a memorial within two (2) years of a Licence lapsing and the procedure outlined in the Cemetery Regulations has been followed, the memorial becomes the property of the Authority.
111. Only licensed Monumental Masons may remove monuments for a burial position from Centennial Park Cemetery pending formal application by the Licensee and subsequent approval by the Authority.

Temporary Grave Markers

112. Temporary grave markers, including wooden crosses, may only be used for a maximum period of twelve (12) months following which they must be removed and replaced with a monument in terms of these regulations or the grave left unmarked.
113. Temporary grave markers, including wooden crosses, removed by the Authority after twelve (12) months have elapsed will be destroyed.

CREMATION

Authorisation of Cremations

114. The Authority will permit a cremation where a written application in the form contained at Schedule "B", or in a form that the Authority may determine having regard to the Regulations, is lodged at the offices of the Authority that includes:
 - 114.1 The name and last address of the deceased;
 - 114.2 The name, date of birth and address of the applicant for a cremation;
 - 114.3A cremation permit furnished by the Registrar of Births, Deaths and Marriages;
 - 114.4 Any form of identification of the deceased required under the Cremation Act.

Cremation Register

115. The Authority must keep a cremation register, in which the following information must be entered immediately after cremation:
 - 115.1 The name, sex, age and last address of the deceased;
 - 115.2 The date of birth;

Centennial Park Cemetery Authority

	1.0 Operating Policy Statement	Version No:	10
		Issued:	August 2011
		Next Review:	August 2014

115.3 The date of death;

115.4 The date of cremation;

115.5 The number of the cremation permit; and

115.6 The name and address of the applicant for a cremation.

Powers under the Cremation Act and Regulations

116. The Authority must comply with the powers and duties granted to it under the Cremation Act and Cremation Regulations.

SUNDRY POWERS

Board may delegate Authority

117. The Board may delegate, vary, add or rescind any of its powers and responsibilities to the Chief Executive Officer as it may determine, subject to the Charter of the Centennial Park Cemetery Authority.

Directions of the Chief Executive Officer

118. All directions given by the Chief Executive Officer will be deemed to have been given by the Board.

Chief Executive Officer may Delegate Authority

119. The Chief Executive Officer with the approval of the Board may delegate, vary, add or rescind any of his or her powers and responsibilities to an employee of the Authority as the Chief Executive Officer may determine, subject to the Charter of the Centennial Park Cemetery Authority.

SIGNED:

Chief Executive Officer

Date: ____/____/____



Centennial Park

Number:

LICENCE

Centennial Park Cemetery Authority ("the Authority") hereby grants a Licence to

.....
(the Licensee)
of

for the exclusive right of interment of human remains /interment of cremated human remains/memorialisation without human remains at Centennial Park Cemetery in the site designated below for an Initial Term of years. The Licensee may extend this Licence for further terms provided such further terms do not, together with the Initial Term, exceed ninety-nine (99) years in total duration.

This Licence is granted subject to the Operating Policy Statement and any Rules of the Authority which are in force during the term of this Licence, and subject to the conditions noted overleaf. The Operating Policy Statement (including the Licence Conditions, the current version of which is printed overleaf) and Rules are subject to change without prior notice.

AS FROMday of

EXPIRING ONday of

Type of Licence

Section

Number

Signed

Date

Site Record

Name Date Position

Table with 3 columns: Name, Date, Position. Three rows of dotted lines for data entry.

Licence Conditions

- The rights granted to the Licensee may be exercised upon the death or legal incapacity of the Licensee by any one of the following people in descending order of entitlement:
 - Where there is one (1) or more joint holders the surviving holder or holders
 - the sole executor or administrator of the Licensee
 - a joint executor or administrator (with permission from all others) of the Licensee
 - a person who becomes entitled to a licence on the death of the Licensee where the person produces such evidence of that person's entitlement as the Authority determines
 - the legally married spouse of the Licensee
 - the domestic partner of the Licensee
 - the eldest living and legally capable child of the Licensee
 - the eldest living and legally capable grandchild of the Licensee
 - the eldest living and legally capable sibling of the Licensee
 - the eldest living and legally capable blood relative of the Licensee

- The substituted right may be devolved to one or more persons in succession in the event of the subsequent death or legal incapacity of such person.

- The Authority may determine the criteria necessary to demonstrate the relationship and entitlement of a person claiming a substituted right and the Authority retains unfettered discretion to determine which person will be entitled to exercise the substituted rights in the event of a dispute between one or more persons.

- The Authority may extend, renew, cancel or transfer this Licence upon application.

- Upon termination of this Licence at the expiry of the term or any extended term the Authority may grant a new Licence for the site to any person upon such terms and conditions as the Authority may then determine, and the Licensee acknowledges that upon such event the Authority may do whatever is necessary to prepare the site for the new Licensee.

- A Licence may be extended by anyone anytime in accordance with the Authority's Operating Policy and any rules of the Authority in force from time to time.

- The right to extend Licences may be exercised for a minimum of five years. Fees are based on charges prevailing at the time of extension.

- Licensees are responsible for advising Centennial Park of change of address.

- Only the Licensee has the right to relinquish the Licence.

- The Licensee may cancel the Licence for a grave and/or cremation memorial anytime except where a grave contains a burial. Removal of buried remains requires the consent in writing of the Attorney-General.

- The monument or plaque may be reclaimed by the Licensee upon relinquishment, or will be disposed of at Centennial Park's discretion.

- This Licence cannot be cancelled and any fees paid on this Licence will not be refunded.

- The right and responsibility of a Licence transfer resides with the Licensee.

- A transfer can be effected at any time while the Licence is current.

- To effect a transfer, it is necessary to complete a Transfer of Licence Declaration and provide the required documentation.

FORM 1B

(effective October 2008)



Centennial Park

CR No:.....

ORIGINAL FORM ONLY, NO PHOTOCOPIES.

CENTENNIAL PARK CEMETERY AUTHORITY

760 Goodwood Road, Pasadena, South Australia 5042

Telephone: (08) 8276 6011 Facsimile: (08) 8275 2266 www.centennialpark.org

CREMATION DECLARATION & AUTHORITY FOR PLACEMENT OF CREMATED REMAINS

This form must be presented before cremation will take place. To be signed by the person who signed the APPLICATION FOR CREMATION PERMIT under the Cremation Regulations & Local Government (Cemetery) Regulations, in accordance with particulars included in the Application for Cremation Permit (Form 1). Final instructions must be received within 6 months in accordance with the Cremation Regulation 12 (1), (2) or the Board will inter remains into an unmarked location. I agree to be bound by the general instructions and policies of the crematorium.

Full Name of Deceased (Mr/Ms/Mrs/Miss).....

Age:..... Date of Birth:..... Date of Death:.....

Name of Applicant (Dr/Mr/Ms/Mrs/Miss).....

Applicant's Address:.....

Post Code:..... Applicant's Date of Birth:.....

Telephone: (h)..... (wk)..... (mob).....

Relationship to deceased:..... Email:.....

Does the body of the deceased contain (Please circle applicable option):

- A cardiac pacemaker? Yes / No / Removed
A cardiovascular defibrillator? Yes / No / Removed
A pain control pump? Yes / No / Removed
Recently administered radio-active particles (eg. Strontium)? If so, when was the treatment last given?.....

Name of Funeral Company:..... Signature:.....

Please select ONE ONLY of the following A, B, C, D, E or F

A. [] EXISTING MEMORIAL [] EXISTING GRAVE Licence No.:.....

Location Details:.....

Name of Licensee:.....

1. The family wishes to be present at placement (please tick): [] Yes [] No

2. Account to be sent to Funeral Director (please tick): [] Yes [] No

B. [] HOLD-CONTEMPLATION COURT

CONTEMPLATION COURT

C. [] SELECT NEW MEMORIAL

D. [] INTER IN AN UNMARKED LOCATION

WITHIN CEMETERY GROUNDS

E. [] SPECIAL INSTRUCTIONS.....

A temporary resting place for the cremated remains at no charge for up to six months. This allows families time to visit and reflect whilst deciding on a final resting place.



F. [] RELEASE TO: APPLICANT / FUNERAL DIRECTOR / NOMINATED PERSON (please circle)

Centennial Park Cemetery Authority will not release remains to the nominated person unless the following authority is completed and identification must be sighted upon collection.

Full Name of NOMINATED PERSON / FUNERAL DIRECTOR:.....

SIGNATURE OF NOMINATED PERSON:.....

RELEASED TO:..... DATE:.....

I have read and understand my rights and responsibilities on the reverse of this page.

APPLICANT'S SIGNATURE:..... DATE:..... C10014

YOUR RIGHTS AND RESPONSIBILITIES

- Use of Contemplation Court is free and exclusive to those cremated at Centennial Park. Visits may be made within two days of cremation.
- Cremated remains are able to be held in Contemplation Court for a maximum period of six months to allow family members time to consider options for final placement. At the end of this six month period, it is necessary for the Applicant (person who signed the front of this form) to advise Centennial Park of the family's decision.
- If arrangements for a position within Centennial Park's memorial gardens or walls have commenced prior to the end of the above-mentioned six months period, the cremated remains may continue to be held in Contemplation Court until the placement in the memorial position has been completed.
- Section 12(1) of the Cremation Regulations 2001 stipulates that "*a crematorium authority must ensure that the ashes of the remains of a deceased cremated at the crematorium are not released except to the person who applied for the permit or a person authorised in writing by that person.*"
- If the decision is to remove the cremated remains from Centennial Park for private reasons, the Applicant must collect the remains personally. If the Applicant wishes to delegate the collection to another person, Centennial Park's Administration Office must be advised and a letter of authority must be received at its office prior to release of the remains. Please allow a minimum of 24 hours notice for removal of remains from Contemplation Court. Collection may be made from the Administration Office.
- Section 12(2) of the Cremation Regulations 2001 stipulates that "*If the ashes of the remains of a deceased cremated at a crematorium are not claimed within six months after the cremation, the crematorium authority may dispose of the ashes.*"
- If no further advice is received from the Applicant within six months of the cremation date, the Applicant will be contacted by Centennial Park by mail. If there is no response to such mail, the Centennial Park Cemetery Authority reserves the right to place the cremated remains in an unmarked location within the grounds of the park.

Please Note:

- Please be aware that placement into an unmarked location means no record is kept of where the remains have been placed; therefore, the remains are unable to be retrieved in the future.



Centennial Park

TRANSFER OF LICENCE DECLARATION

I DO SOLEMNLY AND SINCERELY DECLARE THAT:

I(full names)

of(address)

being

the registered Licensee

(a)

or

(b)

a person entitled to exercise the rights granted to the Licensee upon the Licensee's death or legal incapacity, and being the highest ranking person in the following descending order of entitlement;

Indicate (one only) as applicable (✓)

- () the sole executor or administrator of the Licensee
() a joint executor or administrator (with permission from all others) of the Licensee
() the legally married spouse of the Licensee
() the domestic partner of the Licensee
() the eldest living and legally capable child of the Licensee
() the eldest living and legally capable grandchild of the Licensee
() the eldest living and legally capable sibling of the Licensee
() the eldest living and legally capable blood relative of the Licensee

for

Licence No:Section/Garden:

Path/Bed/Tree/WallGrave/Position No:

currently in the name of.....

and having provided proof of my identity,

(The Authority has the right to determine the criteria to determine the relationship and entitlement of any person claiming a substituted right as above.)

DO HEREBY TRANSFER to

.....(full names)

of

.....(address)

the rights, title and interest in the said Licence. The said Licence is unencumbered and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1936.

Signed

(Licensee or Authorised Person)

Declared and subscribed at

this day of

Before me (name)

A Justice of the Peace 1 or Commissioner for Affidavits

Signed J.P./Commissioner

I/we

(Transferee (s))

hereby accept the transfer of the above Licence to my/our name(s).

Signature..... Date

Devolvement Table Explained:

- (a) the registered Licensee = the name which appears on the Licence.
- (b) a person entitled to exercise the rights granted to the Licensee upon the Licensee's death or legal incapacity, and being the highest ranking person in the following descending order of entitlement;

Where (a) above is deceased, or ceases to be able to conduct his/her own affairs, including signing legal documents, and where the right to conduct those affairs on behalf of the person named on the Licence is given to another person or persons, options are listed on the front of this document in descending order, ie:

- the sole executor or administrator of the Licensee = one person solely responsible for conducting the affairs of the deceased or legally incapacitated registered Licensee, eg, Power of Attorney;
- a joint executor or administrator (with permission from all others) of the Licensee = one person acting on behalf of those persons responsible for conducting the affairs of the deceased or legally incapacitated registered Licensee;
- the legally married spouse of the Licensee = the legally married husband or wife of the deceased or legally incapacitated registered Licensee, and excludes a person who is divorced from the deceased or legally incapacitated registered Licensee;
- the domestic partner of the Licensee = a person who, on the date of the death or legal incapacity of the registered Licensee, is living with the Licensee in a close personal relationship and that person has either so lived with the Licensee continuously for the period of 3 years immediately preceding that date; or that person has during the period of 4 years immediately preceding that date so lived with the Licensee for periods aggregating not less than 3 years; or a child, of whom that person and the Licensee are the parents, has been born (whether or not that child is still living at that date). A "close personal relationship" means the relationship between 2 adult persons (whether or not related by family and irrespective of gender) who live together as a couple on a genuine domestic basis but does not include (a) the relationship between a legally married couple; or (b) a relationship where 1 of the persons provides the other with domestic support or personal care (or both) for fee or reward, or on behalf of some other person or an organisation of whatever kind.
- the eldest living and legally capable child of the Licensee = refers to the children of the Licensee, who may or may not be blood-related to the deceased, where the spouse is no longer living or legally capable;
- the eldest living and legally capable grandchild of the Licensee = refers to the grandchildren of the Licensee, who may or may not be blood-related to the deceased, where there is no living or legally capable spouse and no living and/or legally capable children of the Licensee;
- the eldest living and legally capable sibling of the Licensee = refers to the eldest of any brothers or sisters of the Licensee, who may or may not be blood-related to the deceased, where there is no living and/or legally capable spouse, or living and/or legally capable children or grandchildren of the Licensee; and
- the eldest living and legally capable blood relative of the Licensee = refers to the eldest relative of the Licensee (eg, niece/nephew/cousin), who may or may not be blood-related to the deceased, where there is no living and/or legally capable spouse, or living and/or legally capable children, grandchildren or siblings of the Licensee.

Instructions for Completion of the Transfer of Licence Declaration:

The section of the form commencing "I DO SOLEMNLY AND SINCERELY DECLARE THAT:" is to be completed by the registered Licensee or the highest ranking person in the devolvement table (see above).

The section of the form commencing "DO HEREBY TRANSFER to (Mr/Mrs/Ms)" is to show the full name and mailing address of the person accepting the transfer. The registered Licensee or highest ranking person in the devolvement table (see above) may transfer the licence to any other person, eg, family member, trustee, friend, who has an interest in and is willing to accept all rights and responsibilities for the burial/memorial position noted on the reverse of this document.

As this is a legal document, the signature of the currently registered licence holder or the highest ranking person in the devolvement table is to be witnessed by a Justice of the Peace.

The bottom section of the page is to contain the full name and signature of the person accepting the responsibilities associated with being the new registered Licensee of the burial/memorial position as noted on the reverse of this document.

Standard Graves

1. A Licensee must construct burial monuments on standard graves of first grade durable natural stone and non-ferrous material where:
 - 1.1 The height is 840mm from base plinth to apex subject to a tolerance of (+ or -) 12mm.
 - 1.2 Single monuments are not more than 900mm wide or less than 70mm thick for any free standing component/headstone (50mm if supported) and have a base plinth not more than 900mm wide, 280mm thick and 180mm high.
 - 1.3 A canopy will have a maximum total thickness of 230mm being set back from the front of the base plinth by 50mm.
 - 1.4 Free standing pillars to act as supports for a canopy are not permitted.
 - 1.5 Canopy supports are to be integrated into the headstone.
 - 1.6 Single monuments shall weigh not more than 356 kg.
 - 1.7 Double units are a maximum of 1850mm wide, triple units are a maximum of 2800mm wide and in all other respects shall be constructed consistent with the measurements for single units, the weight shall be in accordance with the advice of the Authority's Consultant Engineer, but the weight of a double unit shall not exceed 720 kg and a triple unit shall not in any case exceed 1100 kg.
 - 1.8 Headstones spanning more than three graves shall be subject to approval of the Authority's Engineer and will usually comprise combinations of double/single/triple units to keep individual components to manageable sizes.
 - 1.9 Monuments shall be fixed to their base plinths with not less than two (2) dowels and where flower vase receptacles are incorporated, drainage outlets are to be provided between base plinth and concrete beam.
 - 1.10 Grave identification number is to be included on the bottom centre of each monument in numbers not less than 20mm high.

Vault Section – Large Graves

2. Burial monuments on large size graves (Catholic J/Vault Sections) shall be constructed of first grade durable natural stone and non-ferrous material where:
 - 2.1 The height is 840mm from base plinth to apex subject to a tolerance of (+ or -) 12mm.
 - 2.2 Single monuments are not more than 1150mm wide or less than 70mm thick for any free standing component/headstone (50mm if supported) and have a base plinth not more than 1150mm wide, 280mm thick and 180mm high.
 - 2.3 A canopy must have a maximum total thickness of 230mm being set back from the front of the base plinth by 50mm.
 - 2.4 Free standing pillars to act as supports for a canopy are not permitted.
 - 2.5 Canopy supports are to be integral with the headstone.
 - 2.6 Single monuments must not weight more than 450 kg.

- 2.7 Double monument units must be a maximum of 2350mm wide and in all other respects be constructed consistent with the measurements for single units, the weight shall be in accordance with the advice of the Authority's Consultant Engineer, but the weight of a double unit shall not in any case exceed 900 kg.
- 2.8 Headstones spanning more than two (2) large graves are subject to approval of the Authority's Engineer and will usually comprise combinations of double/single units to keep individual components to manageable sizes.
- 2.9 Monuments must be fixed to their base plinths with not less than two dowels and where flower vase receptacles are incorporated, drainage outlets are to be provided between base plinth and concrete beam.
- 2.10 A grave identification number is to be included on the bottom centre of each monument in numbers not less than 20mm high.

Children's Graves

- 3. Burial monuments on graves in the Children's Sections must be constructed of first grade durable natural stone or non-ferrous materials where:
 - 3.1 The height is 440mm from base plinth to apex subject to a tolerance of (+ or -) 20mm.
 - 3.2 Single monuments are 530mm wide (+ or - 30mm), be not less than 70mm thick (50mm if supported) and have a base plinth of 530mm (+ or - 30mm) wide, not more than 260mm thick and 180mm high.
 - 3.3 A canopy must have a maximum total thickness of 230mm being set back from the front of the base plinth by 50mm.
 - 3.4 Free standing pillars to act as supports for a canopy are not permitted.
 - 3.5 Canopy supports must be integral with the headstone.
 - 3.6 Single monuments must not weigh more than 120 kg.
 - 3.7 Double units must be a maximum 1060mm wide, triple units a maximum of 1590mm wide and in all other respects shall be constructed consistent with the measurements for single units, the weight shall be in accordance with the advice of the Authority's Consultant Engineer, but the weight of a triple unit shall not in any case exceed 360 kg.
 - 3.8 Monuments shall be fixed to their base plinths with not less than two (2) dowels and where flower vase receptacles are incorporated, drainage outlets are to be provided between base plinth and concrete beam.
 - 3.9 A grave identification number must be included on the bottom centre of each monument in numbers not less than 20mm high.

Monumental Work – Lawn Section

- 4. Burial lawn modules must be constructed of first grade durable natural stone and non-ferrous material in accordance with the following specifications:
 - 4.1 The size of the base or foundation is 660mm x 500mm and the minimum height from the concrete beam to the polished top face of base is 60mm and;
 - 4.1.1 The finish on the top face is polished; and

- 4.1.2 The edges are diamond sawn.
- 4.2 The size of centrepieces is 610mm x 150mm x 150mm and:
 - 4.2.1 The finish on the top face is polished; and
 - 4.2.2 The ends and faces are diamond sawn.
- 4.3 The size of slopers is 580mm x 315mm x 130mm back to front and:
 - 4.3.1 The finish on the top face is polished; and
 - 4.3.2 The ends and faces are diamond sawn.
- 4.4 Bronze or granite plaques may be fixed to a monument in lieu of a granite inscription.
- 4.5 Flower vases or troughs are 75mm or 100mm diameter and drain holes are 12mm in diameter.
- 4.6 There are three polishing options:
 - 4.6.1 Base: Edge polished;
 - 4.6.2 Centre pieces: Face and ends polished; and
 - 4.6.3 Slopers: Front and ends polished.
- 4.7 The installation of a monument must be as follows:
 - 4.7.1 The base must be adhered to the beam by a bed of mortar to ensure that the top or polished surface of the base is 60mm from the beam.
 - 4.7.2 The base must be positioned with the back edge aligned with the centre of the beam and centred between planter squares.
 - 4.7.3 A grave identification number must be included on the bottom centre of each monument in numbers not less than 20mm high.
 - 4.7.4 The nameplate (Monumental Masons) must be located on the front vertical face of the base, in line with the grave identification number.