

Classification:	Infrastructure Policy
Last Reviewed:	September 2026 (Res. 87/2027)
Next Review Date:	September 2030
Responsible Officer:	Director Infrastructure & Operations
Approved by:	Council Resolution
Applicable Legislation:	Burial & Cremation Act 2013 Burial & Cremation Regulations 2014
Related Policies, Procedures and Standards:	

1. PURPOSE

This policy outlines the District Council of Robe's objectives and responsibilities in managing the Council-owned and operated cemetery in accordance with the *Burial and Cremation Act 2013* (the Act) and *Burial and Cremation Regulations 2014*.

Council recognises that its cemeteries are the resting places of many of the district's pioneers and respected citizens and is committed to operating and maintaining them in a caring, equitable and efficient manner that meets the needs of the community.

The policy also defines requirements for interments within a cemetery and burials on private property. The approval process for memorials within Council's public open spaces is managed in accordance with the Park and Street Furniture Donation Memorial Policy.

2. ADMINISTRATION

2.1 Office Hours

The administration of the Cemetery is conducted at the District Council of Robe office located at 3 Royal Circus Robe. The office is open from Monday to Friday 8:30am to 5:00pm (except Public holidays).

2.2 Fees

Council will annually determine the Fees and Charges for services provided at the Robe Cemetery as part of its budget process.

2.3 General Conditions

The policy applies to the cemetery, owned and operated by District Council of Robe. The management of burials and granting of interment rights for the District Council of Robe facilities is vested in the Council and delegated to its administration.

Existing reservations issued by Council prior to the development of this policy will be honoured by Council.

The cemetery will not be segregated into areas based on religion or ethnicity in accordance with section 22 of the Act. Council will have regard to the customs and specific needs of all those who apply for an interment permit.

In considering applications Council will have regard to:

- the Cemetery's local historical significance as a burial place for many of the pioneers of the area

- the need for each cemetery site to be managed and maintained at a standard consistent with its significance and as an important family memorial place

2.4 Documentation

All applications for a right to inter bodily remains in a Council-owned or operated cemetery must be accompanied by the necessary documentation in accordance with *Section 12 of the Burial and Cremation Act 2013* and *Regulation 9 of the Burial and Cremation Regulations 2014*.

Council must not permit the disposal of human remains without first sighting and recording the details of one of the following:

- a certificate of identification of the deceased; and
- a partial certificate of cause of death; or
- a disposal authorisation; or
- an authorisation to dispose of human remains granted by the Minister or Registrar under *Section 12* of the Act.

All interments within the Robe Cemetery must be approved by Council using the prescribed Burial Application Forms.

Interments are to be conducted by the funeral company specified on the Burial Authority. Preparation of the interment site must be undertaken by Council staff, or a contractor authorised by Council.

In accordance with Local Government (Cemetery) Regulations 2010, a name plate affixed to the coffin or if without a coffin, placed on top of the remains which includes at least one given name, surname and date of death is a mandatory requirement prior to interment.

2.5 Record Keeping

In accordance with *Section 53 of the Burial and Cremation Act 2013*, Council, as the relevant authority, must maintain and make available to the public comprehensive records for the cemetery.

Copies of cemetery registers and plans will be available for public inspection during Council's normal office hours.

3. INTERMENT RIGHTS

3.1 Issue of Interment Rights

Interment Rights may be granted by Council for one or more sites within a Council-owned or operated cemetery upon completion of the prescribed application and payment of the relevant fee.

An Interment Right provides the holder with the exclusive right to inter human remains in the allotted site. The holder (see *Attachment 1*) may use the site only in accordance with this Policy and the provisions of the *Burial and Cremation Act 2013*.

Council grants Interment Rights in perpetuity.

Interment rights may be issued for the following:

- Grave Sites: Interment Rights for grave sites are issued for new interments using a dual-depth burial system. These sites may accommodate family members, and the Right is granted in perpetuity (see *Section 30 of the Act*).
- Memorial or Niche Walls: Interment Rights for ashes interred within a memorial or niche wall are granted in perpetuity.

- Vaults: Council may, on application, approve the construction of a watertight vault (distinct from a mausoleum) of single or dual depth capacity. Approval is subject to soil and groundwater conditions, design, and specifications. Construction must comply with Council's approved specifications and will be supervised by Council's Building Supervisor or an authorised contractor (see *Section 30 of the Act*).
- Scattering of Ashes: The spreading of ashes in the Robe Cemetery, public parks, reserves and beaches is approved by Council by way of adopting this policy in accordance with the Burial and Cremation Act 2013 and By-Law 2 'Local Government Land'.

3.2 Burial Options

Interment Right holders have the option of including multiple interments of not more than 2 burials in a single plot of 1.2 metres wide x 2.4 metres long by using two depths of 1.67 metres and 2.13 metres. A burial must be at a depth of more than 1 metre from the surface of the ground. In an endeavour to minimise the need to disturb remains, consideration should be given to all proposed interments for each plot wherever possible.

The Robe Cemetery does not have a section dedicated to a natural burial ground. A burial may take place in a shroud provided the burial adheres to burial legislation.

3.3 Memorial and Niche Walls

The Application form must be completed and signed by the Interment Right Holder or by an authorised representative. Cemetery plaques on these walls will only be installed by Council, with the written consent of the Interment Right holder or representative.

Any damage to existing plaques on the Memorial and Niche Walls is the responsibility of the Interment Right holder or representative named on the Application form.

Restrictions apply to the type, size or style of memorials within the Robe Cemetery.

It is recommended that plaques are supplied by a monumental mason. Council is not responsible for the upkeep, maintenance, repair etc of any plaques on these walls.

The Council may act to remove any structure or placed item that has become dilapidated, unsightly or is considered unsafe.

Landscaping may only be undertaken by an authorised person(s) and any unauthorised landscaping may be removed by Council.

3.4 Transfer or Surrender of Interment Rights

A person or family holding an Interment Right for an unused burial site or memorial wall may seek Council approval to surrender (*Section 34 of the Act*) or transfer (*Section 33 of the Act*) that right to another person or family (see *Attachment 2*).

Council will not unreasonably withhold approval; however, all administrative costs associated with the surrender, formal transfer and recording in Council's register will be borne by the Interment Right holder, in accordance with *Schedule 1 of the Regulations*.

3.5 Lost Documentation

Council may issue a replacement copy of an Interment Right upon receipt of a Statutory Declaration from the Interment Right holder or an authorised person, outlining the circumstances in which the original documentation was lost.

3.6 Access to an Interment Site

A holder of an Interment Right (including those who have existing Interment Rights) is required to comply with the Act and the approval given by Council, prior to:

- interment of human remains in a cemetery or natural burial ground
- reopening an interment site containing bodily remains
- removing or relocating human remains.

The process of excavating and/or modification of a site must be undertaken by a Council employee or a contractor approved by the Council. Confirmation of a burial site must be verified by Council's Administration prior to any excavation or other work on the site.

4. BURIALS ON PRIVATE PROPERTY

In accordance with sub-section 8(2) of the Act, the Council will receive applications and may grant permission for a burial on private land outside the boundary of a township. The request must be made on the application form attached to this policy.

5. MEMORIALS WITHIN CEMETERY

5.1 Headstones

Headstones are to be manufactured and installed by a Monumental Mason approved by Council to undertake such work.

When placing headstones, consideration must be given to the size limits of grave sites specified in Section 3.2 of this policy.

The use of registered insignias (e.g. military service insignias) on headstones requires prior written approval from the relevant organisation (e.g. Office of Australian War Graves).

Council is not responsible for the upkeep, maintenance or replacement of headstones.

5.2 Plaques (Memorial and Niche Walls)

Plaques installed on the Memorial Walls and Niche Walls are to be supplied by a Monumental Mason and installed by Council.

Installation will only occur with the written consent of the Interment Right holder or their authorised representative.

Plaque design, size, wording and materials must comply with Council's specifications to ensure consistency and structural integrity.

Any damage to plaques within Memorial or Niche Walls is the responsibility of the Interment Right holder or their authorised representative.

Council is not responsible for the upkeep, maintenance or replacement of plaques.

5.3 Installation of Memorials in the Historic Section

The Historic Section of the Robe Cemetery is recognised as an area of historical and heritage significance. Any works undertaken within this section must have regard to preserving the historic character and visual integrity of the cemetery.

The installation, replacement, alteration or restoration of headstones, plaques or memorial structures within the Historic Section requires prior written approval from Council and consultation with Council's Heritage Advisor.

Minor maintenance or like-for-like repairs that do not alter the appearance, dimensions, materials or wording of an existing memorial (for example repainting or reapplying faded lettering) may be exempt from Heritage Advisor consultation at the discretion of Council administration.

All memorials within the Historic Section are to be designed and installed in a manner that is sympathetic and complementary to the surrounding historic character of the cemetery.

All headstones and plaques must also comply with Sections 5.1 and 5.2 of this policy where applicable.

Additional wording or inscriptions are not permitted to be added directly onto historic headstones or memorials.

Where an additional interment of ashes or plaque alone is approved within the Historic Section, Council may permit the installation of a plinth measuring approximately 300mm x 200mm with an attached bronze plaque measuring approximately 200mm x 100mm located at the foot of the grave, subject to Council approval.

Where a memorial is proposed for an unmarked grave within the Historic Section, written approval from Council must first be obtained. Applications submitted by descendants or third parties must include evidence of family consent or historical justification to Council's satisfaction.

Approved memorials for unmarked graves shall generally comprise a bronze plaque measuring approximately 200mm x 100mm mounted on a plinth measuring approximately 300mm x 200mm, installed in a location approved by Council.

5.4 Items placed at grave sites

Council appreciates that family and friends may wish to place items at grave sites as tributes to their loved ones. Council agrees to items being placed at graves sites subject to the following conditions:

- ornaments, floral or other tributes are not to be placed on or in the lawn area outside the approved plinth as they can impede cemetery maintenance by Council staff
- Plastic or other non-breakable containers should be used for the display of floral or other tributes
- floral tributes and wreaths that have reached the end of their useful life will be removed at Council's discretion and without notice
- plantings are not permitted on memorials or within the cemetery grounds without prior Council approval
- solar powered lights with spikes are prohibited, however solar powered lights included in a permanent monument approved by Council may be installed
- no fixtures or fittings are to be permanently attached to the plinths without prior approval from Council
- Council may remove and dispose of any ornaments or tributes that are deemed by Council to be unsightly, offensive or a risk to public safety.

5.5 Ownership and Maintenance of Memorials

The ownership of all plaques, monuments and other approved memorial structures remains with the Interment Right holder (or their heirs and successors). Council is not responsible for the upkeep, repair, or maintenance of any memorial.

In accordance with *Section 41 of the Burial and Cremation Act 2013*, Council may issue a written notice to the owner of a memorial requiring that repairs, removal, or reinstatement be undertaken within a specified timeframe.

Where a memorial is considered by Council to be unsightly, in poor condition, or dilapidated, Council may remove or repair the structure in accordance with *Section 41 of the Act* and any associated costs will be borne by the owner of the memorial.

6. RESERVATIONS

Reservations of burial sites are generally not permitted to ensure equitable access to available interment sites and effective long-term cemetery planning.

However, Council may approve reservations in exceptional or compassionate circumstances, including (but not limited to):

- where a child has been interred and the parent(s) seek to reserve an adjoining plot
- where there is a demonstrated immediate need for adjacent family burial sites due to extenuating circumstances

All requests for reservation must be submitted in writing to Council and will be assessed on a case-by-case basis.

Council's administration staff are authorised to assess and determine reservation requests, having regard to:

- availability of suitable sites
- cemetery planning considerations
- the intent of maintaining fairness and consistency

The Historical section of the Robe Cemetery is fully allocated and there will be no further reservations.

7. AUTHORISED OFFICERS

Council may appoint authorised officers to ensure administration and enforcement of section 59 of the Act.

8. FURTHER INFORMATION

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's website: www.robe.sa.gov.au

Royal Circus, Robe SA 5276

Copies will be provided to interested parties upon request. Email council@robe.sa.gov.au

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

9. POLICY REVIEW

This policy may be amended at any time and must be reviewed at least every four years since its adoption (or latest amendment).