

## 4.5 CEMETERIES - BURIALS AND EXHUMATIONS

<b>Adopted or Reviewed by Council:</b>	25/08/2025	<b>Council Minute Reference:</b>
<b>Reviewer:</b>	Records Administration Officer, Project Manager and Regulatory Services	
<b>Local Law:</b>	Cemeteries Local Law 2020	
<b>Procedure:</b>	Cemetery Administration, Cemetery Guidelines	
<b>Legislation:</b>	Cemeteries Act 1986 Local Government Act 1995 Work Health and Safety Act 2020 WA	

### POLICY STATEMENT

The purpose of this policy is to provide consistency in the Shire of Kojonup's process' in Administration and Works within the Kojonup, Muradup, and Boscabel Cemeteries and to ensure the Shire of Kojonup comply with the Legislation and Work Health and Safety to protect the Shire workers, visitors and contractors. It is designed to help maintain consistent administrative standards whilst respecting communities religious and cultural beliefs.

### APPLICATION FOR BURIALS

An application for burial can be made by completing the appropriate form "*Application for Interment*". This must also be accompanied by an "*Application for Grant of Right of Burial*". If a current Grant of Right of Burial is held (within 25 years of purchase), the applicant will just need the Application for Interment. A copy of the medical Certificate of death or a Coroner's order of Burial should accompany these applications.

### RESERVATIONS OF BURIAL PLOTS OR MEMORIAL

A reservation can be made for a burial plot or plot in the Niche wall for the interment of ashes if requested as a way of reserving a location within the Cemetery. An application form "*Reservation of a grave or Niche wall*" and the appropriate fee will need to be paid. The reservation is for 25 years. If the plot has not been used in this time, the person reserving the plot has the option of a renewal of reservation. The reservation does not give the applicant the rights over that plot until a Grant of Right of Burial is purchased.

### FUNERAL DIRECTORS

Funeral Directors can make an application for an annual licence by filling in the form "*Annual Licence for Funeral Directors*" and payment of the fee as per the current fees and charges. This is done by financial year and ends on the 30<sup>th</sup> of June each year. If a funeral director has not paid an annual fee, then an application must be made for a "*Single Funeral Permit*". The appropriate form is to be filled out and the "*Fifth Schedule, Certificate of Identification*". A copy of the Certificate of Currency for Public Liability up to \$5,000,000 is to accompany each application.

### REQUIREMENTS FOR FUNERALS AND COFFINS

Funeral procession must start at the time agreed by the Shire and must be on time or further charges may apply. Vehicle entry is restricted during a funeral procession. Only the hearse and official mourning coaches may enter during the procession and service. This does not apply to persons using wheelchairs. Coffin or casket sizes must be stipulated on the application for Interment.

### DEPTH AND SIZE OF GRAVES

The deceased will be buried at a depth of 2.1 meters as standard to allow for second interments at a later date. The minimum coverage of a coffin is 750mm to the top of the ground or not less than 600mm if permission is granted by the CEO. The permission will only be granted by the authorised

officer, if in their opinion, exceptional circumstances require granting of that permission. The dimensions of the dig for the grave is 90cmx240cm.

## **DISPOSAL OF ASHES**

A personal representative of the deceased person may apply to dispose of the cremated remains (ashes) in the Cemetery. An *'Instruction for disposal of ashes from another Crematoria'* should be completed and the appropriate fee paid. A certificate of cremation is to be kept with the application. The ashes may be disposed of in the Niche wall or placed in a burial plot. The disposal of the ashes must be done by a person employed by the Shire of Kojonup and will only be placed in the areas in the Cemetery approved for this action.

## **ACCESS TO THE CEMETERY**

Access to the Cemetery will only be granted on the times between 6am and 6pm. Vehicles accessing the Cemetery are to use the designated roads only and must abide by the set speed limit of 25kms per hour and shall comply with the signs and directions of the Cemetery. Offenders may be ordered to leave the Cemetery under section 5.5 of the Shire of Kojonup's Local Law 2020.

## **EXHUMATIONS**

Under section 58 of the Cemeteries Act 1986, the Minister may in writing order the exhumation of a body and the re-burial or disposal of ashes after cremation of the body in accordance with the Act.

## **BACKFILLING OF GRAVES**

To meet cultural and religious expectations and the specific needs of families, relating to the backfill of graves where active participation is sought. Also, to provide religious and cultural groups and families an opportunity to participate in backfilling a grave following the conduct of a funeral, while ensuring that the Shire meets its obligations under the *Work Health and Safety Act 2020*.

For religious, cultural and personal reasons, people or groups may, following the conduct of a funeral, seek to assist in the full or partial backfill of a grave. It is important that requests of this nature be managed in a way that not only protects the safety and health of individuals but follows an established process that is respectful of those involved.

Requirements:

1. Request for private backfilling is to be received no less than forty eight (48) hours prior to the conduct of a funeral.
2. The request is to be included on the Digging Requisition submitted by the Funeral Director and supplied to the works crew.
3. Participation in the backfilling of a grave will not reduce the amount of the burial fee payable.
4. Backfilling is limited to the use of hand tools only by members of the public.
5. Backfilling is limited to a maximum of six people.
6. If shoring is to be removed from the grave, this will be done only by a Shire of Kojonup employee or the Shire's nominated sub-contractor; and
7. Individual family members are not permitted to enter the grave.
8. Families may simply request to observe the Shire of Kojonup backfilling a grave and this can be accommodated on a request being made no less than forty eight (48) hours prior to the conduct of a funeral.