



**SECTION 7 - Grantee Signature** *(When the Grantee is deceased, The Executors or Primary Beneficiary/Beneficiaries)*

- I am the Grantee of the Perpetual Interment Right be transferred to the **Section 3 Recipient** in this document. **Or**
- I am the Executor of the Grantee's WILL and authorise on behalf of the estate of the Grantee named in Section 2 the Perpetual Interment Right be transferred to the **Section 3 Recipient** in this document. **Or**
- I am the person who was named as the Primary Beneficiary of the grantee of the Perpetual Interment Right by inheritance from the WILL of the person nominated as the Grantee in Section 2 of this document.

**Please Note: A certified copy of the WILL Or A Statutory Declaration must accompany this application when the Grantee is deceased**

I, the undersigned, being the person registered as the Holder of the Perpetual Interment Right (Grantee), or as indicated above, hereby transfer the Perpetual Interment Right to the person named in **Section 3**, Including all my rights, title and interest in and under the Perpetual Interment Right.

Signature <i>(Grantee)</i> :	Date:
Signature <i>(Witness)</i> :	Date:

**SECTION 8 – Signatures – Applicant / Recipient & Witness**

I, the undersigned applicant,

- Am the person to be registered as the Holder of the Perpetual Interment Right (known as the Grantee)
- I have read the Cemetery Policy included with this application form and understand that **kerbs, fences, stone vases (memorial or not), or the planting of any plants along the grave space are not permitted.**
- I have read, understood and agree to abide by the Cemetery Policy and state all the information supplied is true and correct.

Signature Applicant:	Date:
Signature Witness:	Date:

<b>Application Type</b> <i>(please tick all that apply)</i>	<b>Please Tick</b>	<b>Office Use Only</b>
Interment Right Transfer – Wallsend & Stockton Cemetery (\$100.00)	<input type="checkbox"/>	601032-8008-43600 (T29)
(When completed with an Order for Interment or Monumental Application)		
Interment Right Transfer - Wallsend & Stockton (\$30.00)	<input type="checkbox"/>	601032-8008-43600 (T29)

## CEMETERY POLICY

### General Conditions

- i. Interments will only be allowed if the relevant legislation including but not limited to the Public Health Regulation 2012 - Part 8, Work Health and Safety Act 2011, Heritage Act 1977, The City of Newcastle (Council) Work Health and Safety Management System requirements and the procedures of Council can be satisfied. It is the obligation of the Grantee or their agent (e.g. Funeral Director) of this application to ensure compliance.
- ii. Council is responsible for the maintenance and administration of the Niche Wall and Memorial Garden Suite and the memorials placed therein.
- iii. Interment / installation, placement and the supply of plaque / plinth is the responsibility of Council.
- iv. Council requires all agents who work within Council cemeteries to hold a valid Permit to Work in the Council Cemeteries prior to commencement of work.
- v. The City of Newcastle Cemeteries Policy shall apply.
- vi. Payment of all prescribed fees of the application must be made at the time of lodgement. No Perpetual Interment Right or Order for Interment Permit will be reserved nor arrangement for the interment of the ash remains will be made until all charges prescribed at the date of interment have been paid.
- vii. The Medical Cause of Death Certificate or Death Certificate must be attached with the Order for Interment Permit Application.
- viii. Perpetual Interment Rights may be transferred, upon request to Council, and payment of the appropriate charge fixed by Council.

### Grounds of Authority

*The Applicant may propose to use an existing Perpetual Interment Right*

- if:*
- i. The Perpetual Interment Right has been issued in the name of the Applicant; or
  - ii. The person named on the Perpetual Interment Right is the deceased person to be interred and the Applicant is considered by Council to have had a sufficient relationship with the deceased person. Council may require a statutory declaration as proof of relationship; or
  - iii. The Grantee has given written authority and the applicant has provided Council with a copy of that written authority that the Applicant may issue instructions to inter ash remains of the deceased in the Niche Wall or Memorial Garden Suite subject to the Interment Right.

### Niche Wall and Memorial Garden Suites

- i. Council reserves the right to realign or alter the position of niches or other memorials at its discretion.
- ii. Council will not be liable for the repair, maintenance, upkeep or preservation of any plaque / plinth or item placed in the Niche Wall or Memorial Garden Suite.
- iii. Ash remains are held for interring into niches for 6 months; no responsibly is accepted for ash remains. Ash remains not placed in niches within 6 months may be disposed of in a manner determined by Council.
- iv. A person shall not construct or install any monument, memorial, inscription, token plant, floral tributes, containers or such like shall be erected or placed on or within the Niche Wall or Memorial Garden Suite without Council's written permission. Council may remove and / or dispose of any unauthorised monument, memorial etc without reference to any person.

### Council Shall:

- i. Maintain, preserve and repair Niche Walls and Memorial Garden Suites.
- ii. Ensure that no monument is erected on the Niche Wall other than the flat black granite wall plaque or in the Memorial Garden Suite, no monument is erected other than the granite plinths of the style and design allowed.
- iii. Supply and install in the Niche Wall and Memorial Garden Suite, as soon as practicable, upon receipt of written instructions from the Grantee, a memorial plaque / plinth of a standard size and type as determined by Council.

### Glossary of Terms

**Perpetual Interment Right:** an exclusive right granted by Council (or its predecessors) for use of an Interment Site, Niche Wall space or Memorial Garden Suite space. The holder of the Perpetual Interment Right has the sole authority to determine who can be interred / immured (buried) in the Interment Site, Niche Wall or Memorial Garden Suite and to allow for the installation of memorials including headstones, inscriptions etc to be placed on the Interment Site, Niche Wall or Memorial Garden Suite. The ownership of the land, wall, garden or memorial boulder remains with Council.

**Order for Interment Permit:** Council, ("the Cemetery Authority") permits the interment of the deceased in accordance with the details provided in the Order for Interment Permit Application. To comply with the Public Health Regulation 2012 - Part 8, the details will be entered in the Register of Interments.

**Applicant:** any person making application for a Perpetual Interment Right issued by Council pursuant to Council's Cemetery Policy.

**Grantee:** person/s granted a Perpetual Interment Right issued by Council pursuant to Council's Cemetery Policy – where there are two grantees; they shall be 'joint tenants'.

Cemetery	Location	Type of Cemetery
Minmi	Minmi Road, Minmi	Monumental
Stockton	Fullerton Street, Stockton	Monumental, Lawn, Niche Wall
Wallsend	Sandgate Road, Birmingham Gardens	Monumental, Lawn, Niche Wall and Garden Suite

### Protecting your privacy

The City of Newcastle is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council policy.

**Purpose:** Information required for Facilities and Recreation, Cemetery Records, Statutory requirement under the Public Health Regulation 2012- Part 8 and Cemeteries and Crematoria Act 2013.

**Intended Recipients:** The information will form part of a public record that must be available for inspection under the Public Health Regulation 2012 - Part 8.

**Supply:** Voluntary.

**Consequence of Non Provision:** Application not be processed.

**Storage and security:** The City of Newcastle Electronic Document Management System; records to be kept indefinitely.

**Access:** The City of Newcastle, phone 02 4974 2000, fax 02 4974 2222, email [mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au).