

# Niche Wall – Perpetual Interment Right Application Form



SECTION 1 - Interment Site Details		
Cemetery:	Wallsend <input type="checkbox"/>	Stockton <input type="checkbox"/>
Niche Wall:	Niche Wall Side:	
Row Number:	Space Number:	(office use only) Cem ID:
SECTION 2 - Applicant Details (Grantee)		
Full Name of Applicant:		Title:
Address:		
Suburb:		Postcode:
Email:		Phone:
SECTION 3 – Next of Kin / Second Contact Details of applicant		
Full name of Contact:		Title:
Address:		Suburb:
Email:		Postcode:
Relationship to Applicant:		Phone:
SECTION 4 – Joint Grantee		
Name of Joint Grantee:		
Address:		
Suburb:		Postcode:
Email:		Phone:
SECTION 5 – Interment Nomination		
Specify name of person/s whose proposed remains may be interred:		
SECTION 6 – Proof of Identity – Two types of ID required		
<input type="checkbox"/> Passport:	<input type="checkbox"/> Drivers Licence:	
<input type="checkbox"/> Birth Certificate:	<input type="checkbox"/> Medicare Card:	
<input type="checkbox"/> Pension Card:	<input type="checkbox"/> Utilities Bill	
<input type="checkbox"/> Health Care Card:	<input type="checkbox"/> Club Membership Card	
SECTION 7 – Signatures		
I.....of.....		
(name of consultant)		(organisation)
Have supplied two of the listed forms of identification, provided by:		
.....		
(full name of applicant and intended Perpetual Interment Right holder)		
I declare that the identification attached to this application are true and accurate copies of the original documents.		
Consultant Signature:		Date:
SECTION 8 – Signatures – Applicant & Witness		
I, the undersigned applicant,		
<input type="checkbox"/> Am the person to be registered as the Holder of the Perpetual Interment Right (known as the Grantee)		
<input type="checkbox"/> I have read the Cemetery Policy included with this application form and understand that <b>kerbs, fences, stone vases (memorial or not), or the planting of any plants along the grave space are not permitted.</b>		
<input type="checkbox"/> 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:

## CEMETERY TERMS & CONDITIONS

### **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 (CN) Work Health and Safety Management System requirements and the procedures of CN can be satisfied. It is the obligation of the Grantee or the Agent of this application to ensure compliance.
- ii. CN requires all Agents who work within CN cemeteries to hold a valid Permit to Work and all Agents, their employees, and their sub-contractors must have completed a CN Contractor Induction and the relevant CN site specific induction prior to commencement of work.
- iii. The CN Cemeteries Policy shall apply.
- iv. Payment of all prescribed fees must be made by the invoiced date. No Interment Right or Order for Interment Permit will be reserved until fees are paid. No arrangement for the interment of the ash remains will be made until all charges prescribed at the date of interment have been paid.
- v. An Order for Interment Application must be received by CN no less than 48 hours prior to the desired burial date and time.
- vi. An application is not deemed to be received unless and until all supporting documentation is received, including two forms of identification, and medical cause of death certificates where applicable. An Order for Interment Permit will not be granted until aforesaid documentation is received.
- vii. Upon application to CN, Interment Rights may be transferred once the appropriate charge is paid and interment right transfer is received.
- viii. CN may refuse to grant or transfer an interment right if, in the operator's opinion, the transfer would tend to create a monopoly or encourage dealing in interment rights.
- ix. CN reserves the right to prevent/deny access to a cemetery when required.

### **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 CN to have had a sufficient relationship with the deceased person. CN may require a statutory declaration as proof of relationship; or
- iii. The Grantee has given written authority and the Applicant has provided CN with a copy of that written authority that the Applicant may issue instructions to inter the remains of the deceased subject to the Perpetual Interment Right and the approval of an Order for Interment Permit.

### **Niche Wall and Memorial Garden Suites**

- i. CN is responsible for the maintenance and administration of the Niche Wall and Memorial Garden Suite.
- ii. CN reserves the right to realign or alter the position of niches or other memorials at its discretion.
- iii. CN 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.
- iv. A person shall not construct or install any monument, memorial, inscription, token plant, floral tributes, containers, or the like without CN's written permission. CN may remove and / or dispose of any unauthorised monument, memorial etc without reference to any person.

### **Monumental works**

- i. No monumental works are to be carried out until written approval is granted by CN.
- ii. No monumental works are to be carried out by any business that does not hold a valid CN Permit to Work, or by any person/s employed by that business who do not hold and have submitted a valid Workcover White Card, and/or by any person/s who has not completed a CN Contractor Induction and a Site-Specific Induction.
- iii. 48 hours' notice must be given to CN via email of proposed work on any monument (including restorations). CN may not allow works to occur in certain circumstances.
- iv. All monuments must comply with Australian Standards AS 4204-2019 and CN's requirements.
- v. The grave site number/s must be indelibly and legibly identified on the monument and clearly indicated on the submitted plans in accordance with Australian Standards.
- vi. A photograph of the final monument shall be provided to CN within 48 hours of the completion of the monument works.
- vii. Lawn sections allow for a headstone only within the allocated plot area on the concrete lawn beam.
- viii. Where the Grantee of the plot is deceased, the Applicant submitting the Monumental Works Permit Application must provide documentation identifying the Applicant as the executor of the Grantee's will or, if probate has been completed, a copy of the documentation showing the Applicant has inherited the estate. The executor or the beneficiary does not become the holder of the Perpetual Interment Right until the cemetery operator's register is amended by way of a Perpetual Interment Right Transfer application being completed and the applicable charge being paid.

- ix. The holder of the Perpetual Interment Right (ie the Grantee) only has authority to apply for a Monumental Works Permit.
- x. Monument ownership and all responsibilities for the future care, maintenance, preservation, conservation or restoration of any construction erected or placed over the interment site are the responsibility of the Grantee or their heirs or successors.

### **CN Shall:**

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

### **Glossary of Terms**

**Perpetual Interment Right:** an exclusive right granted by CN (“the Cemetery Authority”), 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. The ownership of the land, wall, garden, or memorial boulder remains with CN.

**Order for Interment Permit:** CN, (“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 into the Register of Interments.

**Applicant:** any person making application for a Perpetual Interment Right, Order for Interment Permit or Monumental Works Permit issued by CN pursuant to CN’s Cemetery Policy.

**Application:** the required form to be completed when applying to CN.

**Agent:** a person or business authorised to act on behalf of another person

**Grantee:** person/s granted an Interment Right issued by CN pursuant to CN’s Cemetery Policy – where there are two grantees; they shall be ‘joint tenants’.

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

### **Complaints Handling Policy and Procedure**

Whilst we strive to do our best for the community, we understand that there will be times when we may not meet your expectations. If you are unsatisfied with a decision made, please email [cemeteries@ncc.nsw.gov.au](mailto:cemeteries@ncc.nsw.gov.au).

If you wish to lodge a formal customer complaint please visit the CN Complaints page

<https://www.newcastle.nsw.gov.au/about-us/forms-and-publications/forms-and-permits/complaints>.

### **Protecting your privacy**

We are committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and our [Privacy Management Plan](#).

**Purpose:** Information required for Infrastructure and Property, 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 will not be processed.

**Storage and security:** Information will be stored in accordance with City of Newcastle’s Records Management Policy.

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