

# Interment Right Application

## Application type

Interment Right – Burial Plot - \$2,450

## Interment Right Location

Cemetery:

Denomination:

Section:

Plot no:

## Interment Right Applicant/s

(Intended holder/s of the interment right)

### Applicant 1

Name:

Address:

Phone:

Relationship:

Reservation for self

### Applicant 2

Name:

Address:

Phone:

Relationship:

Reservation for self

## Proof of identity (check two forms of ID)

Applicants must produce two original identification documents, one of which must provide photo identification. These may include a passport, license issued under Australian law (driver's license or other government issued license), birth certificate/citizenship certificate, credit card, EFTPOS card, Medicare card, and membership to a registered club. Please do not attach copies of the Identification proof's to this application.

### Proof of two identity documents sighted applicant 1:

Passport

Drivers Licence

Birth Certificate

Credit Card

EFTPOS Card

Medicare Card

Pension Card

Healthcare Card

## Proof of two identity documents sighted applicant 2:

Passport

Drivers Licence

Birth Certificate

Credit Card

EFTPOS Card

Medicare Card

Pension Card

Healthcare Card

I \_\_\_\_\_ of \_\_\_\_\_ declare that I have sighted two of the above original forms of identification, provided by below Applicant/Interment Right Holder.

Signature of consultant:

Date:

## Interment nomination

Identify the name/identity of the person/s whose remains may be interred:

Specify a person who may nominate the person/s whose remains may be interred:

Specify the type of person, in relation to the Right Holder/s, who may nominate the person/s whose remains may be interred. E.g. family, children, friends, partners etc.:

## Next of kin (next of kin or **other persons nominated** by the applicant as secondary contact)

Name:

Address:

Phone:

Relationship:

## Funeral director (not required for pre-need)

Business name:

Consultant Name:

Postal address:

Phone:

Contact email:

Consultant signature:

Purchase order number (if required):

**NOTE:** Upon payment of the current fee to purchase an interment right in one of Maitland City Council's Cemeteries, an Interment Right certificate will be issued to the person/s nominated as the Holder (the applicant/s). This Interment Right gives that person/s, or any other person/s they nominate, the right to be interred in that plot.

Should the deceased be the holder, then the Interment Right becomes part of his or her estate, to be administered by his or her executor. If there is no executor, then the next of kin who is the 'major beneficiary' may authorise the opening of the interment site for the interment of the deceased. Only the holder of the Interment Right can authorise an interment into the plot and the placement of any Monumental Works on the interment site.

The Interment Right can be transferred to another person \*Conditions apply. This is not legally complete until any transfer is registered in Maitland City Council's Cemetery Register. It is necessary to supply relevant information such as a will or estate documents, death certificate, or evidence of identity to transfer the ownership of an interment right. Please refer to the "transfer of interment right fact sheet" which is available on our website.

Interment sites can usually be dug to a depth to accommodate two coffins and six ashes. However, occasionally, due to rock or stability problems not evident prior to commencement of digging the interment site, ground conditions may not allow for interment in an allocated plot. In these circumstances an alternate interment site may need to be arranged.

Council does not insure the interment site/ headstones/ or monumental work.

## Signature/s (all applicant/s)

I declare the information I have supplied in this application is true and correct and I have legal authority to make this application. I Agree to all terms and conditions of this 5-page application.

Signed:

Date:

Name of registered applicant 1:

Signed:

Date:

Name of registered applicant 2:

## Return the form to:

Maitland City Council

PO Box 220, Maitland NSW 2320

**OR**

[cemeteries@maitland.nsw.gov.au](mailto:cemeteries@maitland.nsw.gov.au)

## Privacy and personal information protection notice

The collection of this information is a statutory requirement under the *Cemeteries & Crematoria Act 2013*, *Interment Industry Scheme 2018 & Public Health Regulation 2012*. This document will form part of a public record that council may use and or make available in accordance with the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*. A consequence of non-provision may result in burial plot not being allocated. Council will take all reasonable steps to protect the personal information it holds from misuse, unauthorised access and modification. Council will retain your personal information for a period that is in accordance with the State Records Retention and Disposal Authority (FA450).

## OFFICE USE ONLY

### Payment codes: Cemeteries

**At-Need (Immediate Use):** \$2,450.00

**Reservations GL 30401 BCI:** \$1,900.00 - GST XMPT - Interment Right.

**Reservations GL 30401 BCI:** \$550.00 - GST Inc - Perpetual Maintenance.

Amount paid:

Date:

Receipt no:

This Approval is issued by Maitland City Council (“Council”) as the cemetery operator. It authorises the named Contractor or Funeral Director to undertake works or conduct funeral services in Council-managed cemeteries, subject to the following conditions.

This Approval is conditional approval only. It is not an entitlement, and ongoing compliance is required. Council may suspend or withdraw an Approval at its discretion for non-compliance.

### **1. General Compliance – All Approval Holders**

- All works and services must comply with this Approval, Council policies (Councils Cemetery Policy, Monument & Memento Policy), codes of practice, NSW legislation, and Australian Standards.
- Work must be professional, durable, and respectful of cemetery safety, dignity, and environment

### **2. Access and Site Controls**

- Approval Holders must comply with all access restrictions and site control measures specified by Council, including (but not limited to):
- Restrictions on vehicle entry and movement;
- Closure periods, weather-related restrictions, or protocols notified by Council;
- Observance of signage, barriers, and protective measures.
- Unauthorised access, vehicle use, or interference with access controls (including gates, bollards, or barriers) constitutes a breach of this Approval.
- Vehicles must remain on designated roadways and pathways unless expressly authorised.

### **3. Responsibility for Subcontractors and Service Providers**

- Approval Holders are fully responsible for the conduct of subcontractors and associated service providers engaged in works or funeral services, including grave diggers, monumental masons, celebrants, musicians, or other participants.
- Any breach by a subcontractor or service provider is deemed a breach by the Approval Holder.

### **4. Damage and Remediation**

- Approval Holders are liable for any damage caused to cemetery grounds, graves, monuments, structures, utilities, pathways, fencing, signage, vegetation, or other property in connection with their activities.
- Council may, at its discretion:
  - (a) require the Approval Holder to remediate damage within a reasonable timeframe; or
  - (b) undertake remediation itself and recover the full cost from the Approval Holder.

### **5. Enforcement and Penalties**

- Administrative Penalties: Where a breach of this Approval occurs, Council may impose an administrative penalty of up to \$550 per breach, reflecting compliance and administrative costs.
- Remediation Costs: Council may recover the full cost of any repairs, rectification, or clean-up necessitated by a breach.
- Suspension or Cancellation: Council may suspend or cancel a Approval for repeated or serious breaches, including unauthorised access, unsafe work practices, substandard works, or conduct inconsistent with cemetery dignity.
- Reinstatement: A suspended or cancelled Approval may only be reinstated upon re-application. Council may impose additional conditions or refuse reinstatement.

- Indemnity: The Approval Holder indemnifies Council against all loss, damage, claims, or expenses arising from their activities under this Approval.

### **6. Termination for Cause**

Council may terminate a Approval immediately and without notice if the Approval Holder:

- Wilfully or negligently breaches any Approval condition;
- Fails to comply with lawful Council directions;
- Undertakes works or services that are unsafe, substandard, or inconsistent with NSW standards or Council requirements;
- Engages in conduct that risks damage to cemetery property, public safety, or community amenity.

### **7. Additional Conditions – Contractors (Monumental Masons, Grave Diggers, etc.)**

- All works must comply with AS 4204:2019 Headstones and Cemeteries Monuments (or successor standards) and Council specifications.
- Pre-work and post-work photographic evidence must be provided where required.
- No works may commence unless a valid Approval application has been lodged, approved, and issued by Council.

### **8. Additional Conditions – Funeral Directors**

- Funeral services must be conducted strictly in accordance with Council’s approved bookings for time and location.
- Only authorised vehicles (hearse and necessary service vehicles) may access the cemetery.
- Temporary equipment (tents, chairs, lowering devices, PA systems, etc.) must be installed, used, and removed safely and promptly.
- Services must be conducted respectfully, with noise and activity kept to levels consistent with the dignity of the site.

### **9. Acknowledgement**

By accepting and acting upon this Approval, the Approval Holder acknowledges and agrees that:

- This Approval is conditional and may be suspended, varied, or revoked by Council in accordance with these conditions;
- All administrative penalties, remediation costs, and liabilities imposed under these conditions are recoverable by Council as a debt due and payable;
- Breaches of these conditions may also constitute offences under the Local Government Act 1993, the Cemeteries and Crematoria Act 2013, the Crown Land Management Act 2016, or the Summary Offences Act 1988, and may be referred to the NSW Police or other enforcement agencies.

### **10. Evidence of Compliance – Pre- and Post- Work Checklist**

- The Approval Holder must complete and submit to Council the Cemetery Works Compliance Checklist (as attached to this Approval) for each approved activity.
- The Checklist must be accompanied by pre-work and post-work photographic evidence showing the condition of the site, including (where applicable) adjacent graves, monuments, pathways, fencing, and surrounding grounds.
- Failure to complete and submit the Checklist in accordance with this section constitutes a material breach of this Approval.