

# **BEECHWORTH CEMETERY TRUST**

## **Policy: Interment of Cremated Human Remains in the Beechworth Public Cemetery**

### **Introduction:**

The purpose of this policy is to provide clarity and guidance for the interment of cremated human remains within the Beechworth Public Cemetery

### **Legislative requirements:**

The Cemeteries and Crematoria Act 2003, Part 6 Division 1, Section 77(4)(b) establishes the power for a Cemetery Trust to impose terms and conditions on the entitlements of a right of interment for interring human remains. The Department of Health and Human Services (DHHS) have advised that where a Trust develops a policy to manage operating procedures of the cemetery which does not alter or conflict with the Model Rules for the Cemetery the Trust does not need to have the Policy approved by the Governor in Council. The Trust has reviewed this Policy and has not sought approval from the Governor in General as the Policy does not conflict or alter the Model Rules for the Trust.

### **Background:**

The Beechworth Public Cemetery averages thirty-five burials per year with around a third of these being the interment of ashes following the cremation process. There is an increasing world-wide trend towards cremations and this is reflected in the Beechworth Public Cemetery burial statistics. Added to this, many former residents of Beechworth have a desire to be buried in their town of birth. As no new plots are available for sale within the General Cemetery and their wish to be interred with their families, cremation and ashes placement in the family grave may be their only option. This is creating an increase in cemetery ashes interments. The Trust endeavours, in every instance, to accommodate all requests for ashes burials within the Beechworth Public Cemetery.

### **Interment of Ashes authority.**

The Holder of the “Right of Interment” to the burial site (or if that person is the deceased, their executor, administrator, or authorised person) is the only person who has the authority to inter ashes or a deceased person in a gravesite.

Where a person who is not the Holder of the “Right of Interment” and has no proof that they are acting on behalf of the Holder of “The Right of Interment” or the Holder cannot be contacted (i.e. they are overseas or they are deceased), the Trust may be willing to accept a Statutory Declaration from the applicant, in addition to the completed application form.

### **Pre-Ashes Interment Process:**

Conventionally, it is the responsibility of the relatives of the deceased person to collect the ashes from the Crematorium a short time after a family member has been cremated. As a Funeral Company is not normally involved in an ashes interment, the following transpires:

- The collected ashes are held within a standard plastic container that fits within the Memorial Wall niche.
- The family may decide to decant the ashes into an urn of their choosing. The Cemetery will accept this change but only if the urn fits snugly inside the niche and does not impede the placement of the bronze niche sealing plaque. To assist with this, the dimensions of the niche and bronze niche sealing plaque are attached as **Appendix 1**
- The family of the deceased assume the role of the Funeral Director and deals with the impending ashes interment directly with the Beechworth Cemetery Trust,
- Normally, at an ashes interment, only family members and friends are present along with a Monumental Mason, or his/her delegate and also a Beechworth Cemetery Trust Member(s). Ordinarily, members of the clergy do not attend. It is advised that the Beechworth Public Cemetery does not provide a pastoral service in these instances.
- Plaques must be of bronze and manufactured by an accredited Monumental Mason who will attend and oversee the fitting of the plaque at the time of the ashes placement.
- In some instances, a double bronze plaque which covers two niches is attached to the Memorial Wall. This normally occurs with a husband and wife who have their own individual ashes containers that rest in individual adjoining niches. The Cemetery approves these double horizontal plaques. However, for the aesthetics of the Wall, double vertical plaques are not permitted. The dimensions of these double bronze niche sealing plaques are attached as **Appendix 1**

### Ashes Interment Options:

Given the varying locations that cremated human remains (ashes) may be legitimately interred within the Beechworth Public Cemetery, the following areas have been designated:

#### Memorial Wall

Traditionally, Cemeteries provide a specific Memorial Wall for the interment of Human Remains and the Beechworth Public Cemetery has this structure and community service. The Memorial Wall is situated to the left of the main entrance pathway beside the historic fountain and contains niches for the holding of ashes.

#### Lawn Cemetery

The Beechworth Lawn Cemetery is located across the road from the Historic General Cemetery in Balaclava Road, Beechworth. In this section, ashes interments can take place in either the Headstone or Desktop Sections in any of the following:

- Re-purchased plots for ashes interments only,
- Combined Ashes/Coffin Burials- (*See Combined Ashes/Coffin burials below*)

#### Garden Cemetery

This small Cemetery Section, located behind the Memorial Wall contains:

- ashes that have been scattered with no monument recognition, and,
- urns containing ashes buried beneath small family desktop monuments.

This is the preferred cemetery location option for the random scattering of ashes.

## General Ashes Scattering

With the general scattering of ashes, the Cemeteries and Crematoria Act 2003(Vic) s128 states that there is no requirement to dispose of cremated human remains in a public cemetery. Also, with government owned land and parks, there is no general permit required for the scattering of ashes in Victoria. The Beechworth Public Cemetery has designated the following areas within the facility for the scattering of cremated human ashes:

- Confined to the Garden Cemetery behind the memorial wall,
- Over a family grave providing that the “Right of Interment” provisions for that particular plot are in place.

Ashes are not to be scattered randomly within the General Cemetery, particularly as there are over ten-thousand unmarked graves within the facility. There is a need to respect these unmarked interments.

For those wishing to randomly scatter ashes of their relatives within the Cemetery, this may raise the issue of how to formally recognise the burial by way of an static memorial (plaque/monument) within the facility.

Ashes Scatterings will be recorded as burials for Beechworth Public Cemetery statistical purposes and will also be listed on the Cemetery’s web-based Chronicle System to facilitate future Family Research queries.

## General Cemetery

As the sale of new plots within the General Cemetery is no longer an option for future burials, this limits scope for ensuing interments to the following three interment options:

### A) Unmarked Family Plots:

- In instances where ashes are to be interred within a family plot that is unmarked, the Cemetery Trust mandates that a monument, constructed and erected by an accredited Monumental Mason be in place on the plot prior to the arranged burial date.

### B) Within graves/plots:

- Plots that have already been pre-purchased,
- Traditional coffin burials within existing family graves by way of a re-opening,

### C) Beneath the Grave:

- This interment method involves the placement of the ashes beneath the grave using a chute dig. As graves can contain up to four (4) interments of cremated human remains, digging a chute/hole to place the container beneath the grave, the Trust needs to have the ability to determine whether it is practical to place the container using the standard method.

The approach used to date for interment of cremated human remains (ashes) in plots already used is to dig a chute/hole at the head of the existing monument/grave. The ashes container is then placed in the chute/hole so that it is located within the perimeter of the grave.

Communication of how ashes are interred can possibly lead to different levels of expectations which may lead to people being unsatisfied with the approach taken by the Trust. The process for ashes interment is to:

- Provide written advice to the client seeking the interment outlining the standard method used for ashes interment;

- Advise the client seeking the interment that the Trust will only inter cremated Human remains if they are contained within the standard container, unless otherwise approved in writing by the Trust, or if the smaller container is required due to the interment location in the memorial wall that has smaller niches;
- Obtain written acknowledgement from the client that they understand the method to be used and that the Trust may, due to unforeseen circumstances have to change the approach taken;
- Liaise with the client if there is a likelihood of an increase cost to perform the ashes interment above the standard interment fee as a result of unforeseen difficulties e.g. Removal of ledger; and
- Advise the client seeking the interment if the plot is not suitable to have ashes interred using the standard method.

### Combined Ashes/Coffin burials

On occasions, a plot may be used for the burial of both ashes and a coffin. This is normally confined to the Lawn Section of the Cemetery but may involve pre-purchased plots or grave re-openings within the General Cemetery. As ashes do not deteriorate, unlike a deceased body, ashes can be held for a considerable time before being buried. There are four options for these combined burials:

- I. Ashes placed within the coffin prior to it being sealed.  
In these instances, the family organising the funeral are responsible for arranging the ashes placement with the Funeral Director prior to the coffin being sealed. The Beechworth Public Cemetery is to be notified of the ashes placement for burial recording and fee charging purposes.
- II. Ashes buried with the coffin  
The same process applies as with ashes being buried within a coffin (above), however, the need to notify the Cemetery is not required.
- III. Ashes buried prior to a coffin interment  
In this instance, the ashes are not normally held but buried in the plot, pending a coffin interment at a later date. The ashes container is buried at a shallow depth, as deemed by the DHHS and then exhumed and reburied with the coffin. The Cemetery, as part of the normal burial process, records the ashes interment and notifies the Gravedigger of the container's presence for retrieval prior to the coffin funeral.
- IV. Ashes buried in an occupied grave already containing a coffin(s)  
This is a simple matter of digging down to a DHHA regulated depth to accommodate the ashes container in the Lawn Section or a grave re-opening in the General Cemetery.

### Memorials etc:

Normally, once ashes have been interred, a memorial is erected to the memory of the deceased. These following options are traditionally used:

- Inscription on the headstone or desktop if the interment is in the Lawn Section,
- A bronze plaque mounted on the ledger of a re-opened grave in the General Cemetery,
- A small desktop monument mounted on the ledger of a re-opened grave in the General Cemetery,

- A new monument erected on an unmarked family grave with either an inscription or a bronze plaque adhesion. This also includes the Memorial Garden,
- A bronze plaque niche cover on the Memorial Wall.

With the mounting of “Tubular/Tulip/Cup” vases on the Memorial Wall, please refer to the Beechworth Public Cemetery “*Flowers, Vases, Ornaments & Breakable Policy*”.

For those wishing to randomly scatter ashes of their relatives within the General Cemetery, this may raise the issue of how to formally recognise the burial by way of an static memorial (plaque/monument) within the facility.

For those proposing to have monuments/plaques etc mounted in the Beechworth Public Cemetery, these must be undertaken by an accredited Monumental Mason approved by the Trust.

## Consultation:

During the development of this Policy the Trust Secretaries consulted with the Department of Health and Human Services and the Cemeteries and Crematorium Association of Victoria as well as a desktop scan of other Cemetery Trust websites. There was no formal community consultation during the development of this policy.

## Policy Clarification and Concerns:

If the contents of this policy require further clarification or additional information by Cemetery users, then these should be directed to [“The Cemetery Trust”](#).

## Publicity:

This policy will be available on the Beechworth Public Cemetery website and also made available on request.

## Implementation of policy:

The Trust authorise the Chairperson to implement this policy and where applicable, consistent with any strategic documents or plans for the Beechworth Cemetery Trust

## References:

- Occupational Health & Safety Act - 2004 (Vic)
- Occupational Health & Safety Regulation - 2017
- The Australian Standard on Good Governance Principles.
- Cemeteries & Crematoria Act - 2003 (Vic) S128
- Beechworth Public Cemetery Policy: *Flowers, Vases, Ornaments & Breakable Items*
- Beechworth Public Cemetery Policy: *The Establishment & Alterations of Memorials*
- Beechworth Public Cemetery Website: *Plots & Sales*
- Beechworth Public Cemetery Website: *Fees & Charges*

**Adopted:** Trust Meeting - 26<sup>th</sup> May 2009

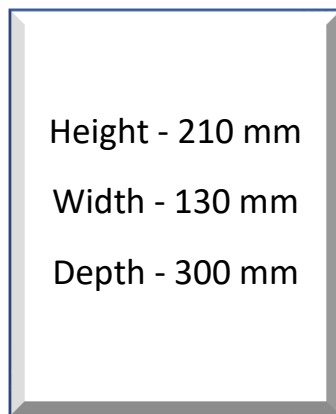
Reviewed: Trust Meeting - 18<sup>th</sup> May 2018  
20<sup>th</sup> March 2023  
To be reviewed 2025

## Appendix 1:

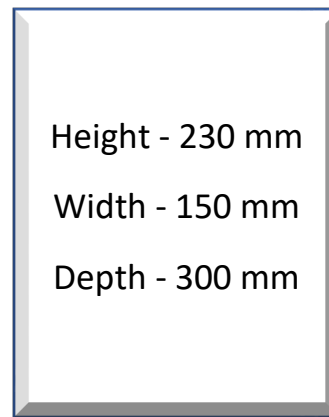
### Ashes interments in the Memorial Wall

#### Single Niche:

##### Niche dimensions



##### Covering bronze Plaque dimensions



#### Double Bronze Plaque Niche Cover Dimensions:

