

Council Policy – Serpentine and Jarrahdale Cemeteries

Responsible Directorate	Operations
Responsible Business Unit/s	Operations
Responsible Officer	Manager Operations
Affected Business Units	Operations

Objective

In accordance with the *Serpentine and Jarrahdale Cemeteries Local Law 2005*, the Shire of Serpentine Jarrahdale (the Shire) strives to maintain a community focus by conserving the historical links of the area for local families.

Scope

The Shire manages and maintains two cemeteries, Serpentine and Jarrahdale, both of which offer picturesque rural character with the option for burials or ashes placement. The Shire's intention is to ensure the extended availability of burial plots for persons with a personal connection to the area, and applications for burials are only accepted for persons with a demonstrable personal link to the district of Serpentine Jarrahdale.

This Policy applies to Shire staff, community members, contractors, and the funeral industry.

Policy

Introduction

The Shire is committed to the management and administration of our cemeteries to ensure that all processes are delivered in a safe manner and follow industry best practice and standards.

Shire Responsibilities

- administration and management of plots and niches within our cemeteries,
- excavation and back-fill of graves,
- issuing 'Grant of Right of Burials',
- issuing 'Grant of Right of Memorial',
- approving monumental works within our cemeteries,
- issuing licenses and permits to work within our cemeteries,
- interment of ashes, and
- maintenance of cemetery grounds.

Funeral Director Responsibilities

- liaising with the Shire to arrange and conduct a funeral service within our cemeteries, and

- all matters relating to the handling of the human remains for a burial in a cemetery under the care and control of the Shire, including but not limited to transporting of the body to the cemetery and the act of interring the deceased.

1. Burials

Burials are carried out by Funeral Directors, who arrange every aspect of the burial and service for the family.

1.1 Burial Times

In accordance with *Serpentine and Jarrahdale Cemeteries Local Law 2005*, as a minimum, the Shire requires at least two (2) working days' notice for burials within our cemeteries.

The preferred burial times are Tuesday to Thursday between 08:00am and 11:00am. Any burials outside of the provided timeframe will be individually assessed and may incur additional fees.

The Shire has limited operational capacity to perform funerals on Mondays, Fridays, public holidays or weekends. As applications may be denied, it is recommended to align with the preferred burial days.

1.2 Grant of Right of Burial

Tenure on private graves is specified in a legal document called 'Grant of Right of Burial'. An 'Application for Burial' Form, provided by the Shire, will need to be filled in. Grants are issued for 25 years with the right to extend.

First Burial

A 'Grant of Right of Burial' is automatically issued for the first burial. The nominated person will have rights to the land for a 25-year period.

Second or Third Burial

When a second or third burial is required, the 'Grant of Right of Burial' for the plot must be produced with the Grantee's permission as proof of right to use the plot.

Grantee

The Grantee has the right to all activities within the grave plot area including the approval to place cremated remains, further burials in the nominated grave plot, and/or to erect monumental work upon the grave.

The Grantee should make provisions in their Will to ensure that a nominated person will retain legal ownership of the plot if they were to pass away.

If the Grantee is the person being buried, the 'Grant of Right of Burial' can be transferred to a nominated person.

Grant of Right of Burial Expiry

After 25-years, the 'Grant of Right of Burial' will expire. The Shire will attempt to notify the Grantee and advise of their ability to have the 'Grant of Right of Burial' re-issued. The associated cost is the re-purchase of the land at the current rate. If the Grant expires and is not re-issued within 12 months of expiry, the control of the site reverts to the Shire of Serpentine Jarrahdale.

Unknown Grantee

If the Grantee is unknown, then a Statutory Declaration can be obtained from the Shire and filled out by the person wishing to become a Grantee.

1.3 Plot Reservations

Serpentine Cemetery

The Shire does not currently accept new reservations for Serpentine Cemetery; this is a transitional measure and will be reassessed at a future date. Plots will be allocated at the time of a person's death in preparation of a burial. Exceptions will be extended to those persons who have a pre-existing reservation and will remain in place until the reserved plot is used, or other arrangements are made.

If the request is for a second or third burial, the Funeral Director must sight the 'Grant of Right of Burial' and arrange for the removal and storage of any existing monuments prior to the burial taking place.

Jarrahdale Cemetery

The Shire does not currently accept new reservations for Jarrahdale Cemetery; this is a transitional measure and will be reassessed at a future date. Plots will be allocated at the time of a person's death in preparation of a burial. Exceptions will be extended to those persons who have a pre-existing reservation and will remain in place until the reserved plot is used, or other arrangements are made.

If the request is for a second or third burial, the Funeral Director must sight the 'Grant of Right of Burial' and arrange for the removal of any existing monuments prior to the burial taking place.

2. Interment of Ashes

Interment of ashes refers to the process where cremated remains are placed in a permanent resting place.

Ashes can be placed Monday – Friday between 8:30am and 2:30pm, by Shire Officers with applicants.

2.1 Grant of Right of Memorial

Tenure on private niches is specified in a legal document called 'Grant of Right of Memorial'. An 'Application for Placement of Ashes' Form, provided by the Shire, will need to be filled in. Grants are issued for 25 years with the right to extend.

First Interment

A 'Grant of Right of Memorial' is automatically issued for the first interment. The nominated person will have rights to the niche for a 25-year period.

Subsequent Interments

When subsequent interment requests are received, the 'Grant of Right of Memorial' for the niche must be produced with the Grantee's permission as proof of right to use the niche.

Grantee

The Grantee has the right to all activities within the niche area, including, approval for further interments, and/or to place a Plaque or Pedestal on the niche.

The nominated person should make provisions in their Will to ensure that a nominated person will retain legal ownership of the niche if they were to pass away.

If the Grantee is the person being interred, the 'Grant of Right of Memorial' can be transferred to a nominated person.

Grant of Right of Memorial Expiry

After 25-years, the 'Grant of Right of Memorial' will expire. The Shire will attempt to notify the Grantee and advise of their ability to have the 'Grant of Right of Memorial' re-issued. The associated cost is the re-purchase of the niche at the current rate. If the Grant expires and is not re-issued within 12 months of expiry, the control of the niche reverts to the Shire of Serpentine Jarrahdale.

Unknown Grantee

If the Grantee is unknown, then a Statutory Declaration can be obtained from the Shire and filled out by the person wishing to become a Grantee.

2.2 Serpentine Cemetery

Serpentine Cemetery offers two locations for ashes placement – the Ashes Walk and Memorial Wall.

The Ashes Walk allows for single niches, whilst the Memorial Wall has the capacity for single, double, and double-double niches (also known as family niches).

2.3 Jarrahdale Cemetery

Jarrahdale Cemetery offers three locations for ashes placement – the Memorial Walk niches, Kerb niches, and Ground niches.

The Memorial Walk niches, also referred to as a Family Niche, can hold up to eight interments of ashes. Kerb niches and Ground niches allow up to two interments of ashes.

2.4 Reservation of Niches

The Shire does not currently allow for the reservation of niches within our cemeteries; this is a transitional measure and will be reassessed at a future date. Shire Officers will allocate a niche within the specified cemetery that will suit the families' preference. Exceptions will be extended to those persons who have a pre-existing reservation and will remain in place until the reserved niche is used, or other arrangements are made.

2.5 Pedestals and Plaques

The Shire does not supply pedestals or plaques, and it is recommended that you contact a reputable supplier to commission this on your behalf. The Shire requires that the pedestal or plaque meet the standard size for your chosen niche, and that a copy of the proposed design be supplied to the Shire through the application process to ensure it meets specifications.

2.6 Interment of Ashes into Burial Plots

Ashes can be placed within an existing grave if permission is given from the 'Grant of Right of Burial' holder. Ashes cannot be placed by family members and will require the assistance of Shire Officers.

Monumental Works

Monuments are not supplied or installed by the Shire and require a separate application through a licenced monumental mason. Monument applications are to be accompanied by a proposed design to ensure it meets Shire specifications (refer to ESFR17 - Application to Erect a Monument)". The monumental mason must sight the 'Grant of Right of Burial' before submitting the application.

Fees and Charges

Fees and charges are set by the Council and are published in a Schedule of Fees and Charges available on the Shire's website. Fees are payable at the time specified in the schedule.

Registers

The Shire has detailed registers for:

- Cemetery applications
- Grant of Right of Burials/Memorials
- plot allocation, current interments and reservations
- niche allocation, current interments and reservations
- exhumation requests and
- annual licences issued.

Shire Maintenance Responsibilities

Cemetery Maintenance

The Shire is committed to the preservation of the natural rural character exhibited at both the Serpentine and Jarrahdale cemeteries. As such, the Shire conducts regular maintenance and ad-hoc tasks to ensure that the area is maintained in a neat and tidy condition for the community.

Tasks include:

- removal of hazards and litter,
- garden maintenance and leaf blowing of paths and access ways, and
- arbor maintenance tasks such as tree pruning.
- removal of deteriorated, weather and time worn items such as artificial flowers, ornaments, toys, stuffed teddies and withered flowers

Volunteers

The Shire will support volunteer activities where both parties agree, and appropriate insurances are in place.

Illegal Dumping

The Shire urges the community to report illegal dumping within our cemeteries to the Shire via our website. If possible, we encourage that you take a photo or record any vehicle registration numbers so that we can stop any future acts from occurring.

If a report of illegal dumping has been received by the Shire, Officers will be dispatched to remove the items at the earliest opportunity.

General Rules and Conditions

Person Link

The Shire requires applicants to provide a demonstratable personal link to the district of Serpentine Jarrahdale to be eligible for burial or ashes placement within our cemeteries. Applications are assessed on a case-by-case basis and a demonstratable link may include one or more of the following:

- individuals who currently reside or have previously resided, within the Shire for a period of 10 or more years.
- Individuals who have immediate family members interred within the cemeteries.
- Individuals who have a significant historical or cultural connection to the Shire.
- Individuals who may not reside within the Shire but have made a significant contribution to the Shire for a period of 10 or more years. This may include activities such as volunteering, mentoring local youth or supporting vulnerable residents. The sharing of valuable skills and knowledge through workshops or coaching local teams. Supporting local growth and wellbeing. Their contribution should clearly benefit the Shire's residents, reflect genuine care for the community, and have a positive impact over time.

Prohibited Items

The Shire reserves the right to remove any items such as:

- glass,
- alcohol,
- seating and benches,
- any items that the Shire considers detracting from the natural character of the cemetery or conflicts with this policy.

Plants and Trees

No person may plant, place, or remove any grass, shrubs, trees, or any other structures without the Shire's prior written consent. All vegetation planted within graves will be the responsibility of the family to maintain.

Grave Maintenance

Individual families are expected to maintain their own graves and plots, including any plaques or monuments located on the plot. Authorised Shire Officers will maintain the surrounding environment within the cemetery area with the assistance from volunteers and community members. Graves and plots with an expired Grant of Right of Burial, including historical gravesites, will be cared for within the Shire's capacity and resources. Preservation efforts will focus on maintaining the dignity and heritage value of these sites, including the removal of weather and time worn items on the grave but does not extend to the repair or restoration of damaged monuments.

Littering and Vandalism

Cemeteries should be a place of reflection and peace, and the Shire asks that visitors please respect the grounds. Vandalism and littering are not tolerated and could incur a penalty as per the *Serpentine and Jarrahdale Cemeteries Local Law 2005*.

Litter or refuse should be placed in the receptacle provided by the Shire at the conclusion of your visit to our cemeteries.

Excessive Speed

As per the *Serpentine and Jarrahdale Cemeteries Local Law 2005* speeding within a cemetery is unlawful and could incur a penalty. Speed limit within the cemeteries is 25km. Please report any improper conduct to the Shire.

Removal of people from Council Cemeteries

An authorised person may direct any persons engaging in offensive, inappropriate or improper conduct to leave the cemetery.

Future Planning

In line with the Shire's commitment to the continued administration and management of the Serpentine and Jarrahdale Cemeteries, future planning will focus on identifying opportunities for service enhancements across both sites.

This includes the completion of comprehensive plot data entry into OneComm, the identification and marking of unmarked grave locations, and the implementation of mapping enhancements to improve operational efficiency, identifying grant opportunities linked to the Shire's 2027 bicentenary celebrations, supporting projects such as the expansion of burial plots at Jarrahdale Cemetery, installation of a gazebo, and driveway repairs.

Ongoing efforts will coordinate debris clean-up and repairs to cemetery grounds, while a Master Plan will be undertaken to extend the lifespan and ensure the sustainable management of both cemeteries for future generations.

Definitions

Applicant means the person making an application to undertake an activity within a Council cemetery.

Approval includes the consent, permission, licence, permit or authorisation of actions within a Council cemetery.

Ashes means the processed remains recovered from the cremation of human remains.

Authorised Officer refers to a Shire Officer as appointed by the Chief Executive Officer.

Burial means the act of burying human remains.

Burial Place means a gravesite, memorial site, or plat for the interment or commemoration of the deceased.

CEO refers to the Chief Executive Officer, as appointed by the Shire.

Cemetery means a place where the dead are buried/interred.

Columbarium means a structure which niches, established for the interment of ashes and/or memorialisation.

Exhumation means the act of removing human remains from a burial place and includes the recovery of ashes from a burial place.

Funeral Director means a person holding a current funeral directors' license.

Grave/Plot means any burial place formed in the ground by excavation.

Human remains means the body or part of the body of a deceased person.

Immediate Family means Spouse/De factor partner, Children, Parents, Grandparents, Siblings and Grandchildren.

Interment includes the burial of human remains or placement of ashes.

Memorial includes a monument or headstone, plaque or commemorative plate, monumental or ornamental structures.

Monument means a marker made principally of stone which extends above the surface of the earth, naming the occupant(s) of a place of interment.

Monumental Mason means a person holding a current monumental mason's licence as per the *Serpentine and Jarrahdale Cemetery Local Law 2005*.

Niche means space in a columbarium, garden or kerb used/intended for the interment of ashes or commemorating the deceased.

Plaque means an inscribed plate.

Register means the Shire's formal repository of data containing all the required details of a burial, cremation, memorial site, interment rights or burial rights.

Single Funeral Permit means a permit issued by the Shire under section 20 or 21 of the *Cemeteries Act 1986* which entitles the holder to conduct at the cemetery a funeral of a person named in the permit.

Relevant Council Documents

- Application for Annual Funeral Licence (E25/10933)
- Application for Annual Monumental Mason Permit (E25/10954)
- Application for Ashes Placement – Jarrahdale Memorial Walk (E25/10922)
- Application for Ashes Placement - Serpentine Memorial Wall and Ashes Walk (E25/10924)
- Application for Ashes Placement - Within a Burial Plot (E25/10927)
- Application for Burial (E25/10932)
- Application for Re-Issue a Grant of Right of Memorial (E25/10939)
- Application for Re-Issue of a Grant of Right of Burial (E25/10942)
- Application for Reservation of a Plot or Niche (E25/10960)
- Application for Transfer a Grant of Right of Burial (E25/10941)
- Application for Transfer a Grant of Right of Memorial (E25/10940)
- Application to Erect a Monument (E25/10953)
- Certificate of Identification (E25/10938)
- Statutory Declaration – Grant Holder Confirmation (E25/10945)
- Statutory Declaration – Placement of Ashes in Existing Grave without a GROB (E25/10928)
- Statutory Declaration – Transfer of Grant (E25/10946)

Legislation/Local Law Requirements

- *Local Government Act 1995*
- *Cemeteries Act 1986*
- *Serpentine and Jarrahdale Cemetery Local Law 2005*

Amendment Record

Relevant Delegations			
		Date	Resolution Number
Council Adoption		28/11/1988	F196
Version	Date	Resolution Number	Amendment Details
2	24 May 2004	SM047/05/04	
3	25 January 2010	OCM023.1/01/10	
4	29 September 2015	OCM187/09/15	
5	18 December 2017	OCM179/12/17	
6	17 March 2025	OCM068/03/25	New template and updated scope
7	13 October 2025	OCM-270-2025	Updated processes and procedures Updated registers and documents. Clarification on points.