

nhulunbuy corporation

NHULUNBUY PUBLIC CEMETERY PLAN

Title	Nhulunbuy Public Cemetery Plan
Owner	Nhulunbuy Public Cemetery Trust
Responsible Officer	Cemetery Manager
Approval date	October 2024
Review date	October 2028

Purpose

The purpose of this plan is to outline the management of the Nhulunbuy Public Cemetery in compliance with the legislative requirements of the *Burial and Cremation Act 2022*.

Definitions

The Cemetery Manager is the Chief Executive Officer of the responsible entity for the cemetery.

Exclusive Right of Burial entitles the grantee to the exclusive right to bury any human remains at a specific burial site in a public cemetery or an independent cemetery

Human Remains means the body, or part of a body, of a deceased person, but does not include a body, or part of a body, that is cremated or undergoes any other process of disposal prescribed by the *Burial and Cremation Act 2022*.

Multiple Burials means the burial of human remains in a burial site where other human remains are already buried

Personal Representative means the person specified to exercise the exclusive right of burial by the grantee.

General Information

The Nhulunbuy Public Cemetery is situated off Beagle Circuit, near the turn-off from Arnhem Road. There is signage indicating the track that leads to the Cemetery. The facility is accessible to the public at all hours and all days of the year.

The Nhulunbuy Public Cemetery is governed by the Nhulunbuy Public Cemetery Trust. The responsible entity for this facility is Nhulunbuy Corporation Limited.

Any enquiries relating to the Nhulunbuy Cemetery, including but not limited to, burials, reservation of cemetery plots and use of memorial plaques can be directed to the Nhulunbuy Corporation directly via phone, email, post or in person.

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Exclusive Rights to Burial

Available burial sites can be reserved through purchase of a plot reservation via the Nhulunbuy Corporation. Appendix A contains a current cemetery plot map with available plots designated.

The purchased plot reservation entitles the purchaser to the exclusive right to bury any human remains at the special burial site (plot) within the cemetery.

Once payment is remitted for the plot reservation, the exclusive right of burial is granted via the issuing of a certificate by the Cemetery Manager within three business days of receipt of monies.

The certificate will contain the following information:

- (a) the name of the responsible entity;
- (b) the name and location of the cemetery;
- (c) the full name of the manager of the cemetery;
- (d) the location of the specific burial site;
- (e) the full name of the grantee;
- (f) the date the right of burial was granted;
- (g) the period of duration of the right of burial;
- (h) any conditions specified by the manager on the grant of the right;
- (i) the full name of the personal representative for the grantee;
- (j) the full names of the person specified to be buried at the burial site;
- (k) any conditions specified by the grantee for the exercise of the right.

The expiry of an exclusive right of burial granted is a day that is 50 years after the day on which the right was issued.

A person or the personal representative of the person granted exclusive right of burial at the Nhulunbuy Public Cemetery may renew the exclusive right of burial more than once for an additional maximum period of no more than 50 years. Nhulunbuy Corporation Limited will notify grantees 12 months in advance of the upcoming expiry of their exclusive right of burial. Renewal requests must be made in writing to the Nhulunbuy Corporation Limited and addressed to the Cemetery Manager.

Cancellation of an unexercised exclusive right of burial will not result in a refund of payment made for the plot reservation and subsequent exclusive right of burial.

Nhulunbuy Corporation maintains a register of exclusive right of burials granted via plot reservation with the following particulars recorded:

- (a) the name of the responsible entity;
- (b) the name and location of the cemetery;
- (c) the full name of the manager of the cemetery;
- (d) the location of the specific burial site;
- (e) the full name of the grantee;
- (f) the date the right of burial was granted;
- (g) the period of duration of the right of burial;
- (h) any conditions specified by the manager on the grant of the right;
- (i) the full name of the personal representative for the grantee;
- (j) the full names of the person specified to be buried at the burial site;
- (k) any conditions specified by the grantee for the exercise of the right.

It is the responsibility of the person granted exclusive right of burial to ensure the Nhulunbuy Corporation is notified of any changes to their contact details. Change of detail requests must be made in writing to the Nhulunbuy Corporation Limited and addressed to the Cemetery Manager. Once advised, the issuing of an amended certificate by the Cemetery Manager will occur within three business days of the change of detail request received.

A person claiming ownership of the exclusive right of burial, if requested, must provide proof of ownership to Nhulunbuy Corporation.

Multiple Burials

Nhulunbuy Public Cemetery is unable to accept applications for multiple burials due to the requirement of reopening graves and limited records of depths of burials to date.

Section 81 of the *Burial and Cremation Act 2022* outlines the required depth for burials and in the event of multiple burials the depths must still be adhered to.

Nhulunbuy Corporation burial records do not contain original depths and therefore prevent an ability to assess if burial sites can accommodate multiple burials.

Maintenance

The Nhulunbuy Public Cemetery maintenance and repairs schedule is managed by the Nhulunbuy Corporation Limited.

Fee and Charges

The Nhulunbuy Corporation Limited's Schedule of Fees and Charges is adopted annually. The

schedule for the Nhulunbuy Public Cemetery is a list of fees for all chargeable services in accordance with Section 26 of the *Burial and Cremation Act 2022*.

Fees and charges are determined by the Nhulunbuy Corporation each year and contribute towards helping provide services and facilities for the Nhulunbuy Public Cemetery.

Fee Waiver

In circumstances of financial hardship, burial fees may be waived. All requests for a fee waiver due to financial hardship must be made in writing to the Nhulunbuy Corporation Limited and addressed to the Cemetery Manager. The Cemetery Manager will assess applications on a case-by-case basis.

The Cemetery Manager will consider the income of the person requesting the fee waiver when determining whether to waive part, or all, of the fee.

If the entirety of costs associated with the burial amount to more than 20% but less than 30% of the person's annual income, a 50% fee waiver will be granted.

If the entirety of costs associated with the burial amount to more than 30% of the person's annual income, a 100% fee waiver will be granted.

Cemetery Map

Appendix A contains the Nhulunbuy Public Cemetery Plot Map.

Date	Cemetery Manager	Signature
29 October 2024	Shane Whitten	Shane Whitten