

Monumental Works Permit Application Form



SECTION 1 - Interment Site Details		
Cemetery: <input type="checkbox"/> Wallsend <input type="checkbox"/> Stockton <input type="checkbox"/> Minmi <input type="checkbox"/>	Portion:	Plot:
Division:	Section:	(office use only) Cem ID:
SECTION 2 - Proposed Works		
<input type="checkbox"/> Single Headstone on Lawn Beam	<input type="checkbox"/> Full Double Monument & Piers	
<input type="checkbox"/> Full Single Monument & Piers	<input type="checkbox"/> New	
<input type="checkbox"/> Single Headstone & Piers		
<input type="checkbox"/> Restoration / 2 nd Inscription	<input type="checkbox"/> Single	<input type="checkbox"/> Double
If an interment is being conducted at the same time please ensure you complete and submit an OFI		
SECTION 3 - Monumental Mason Details		
Company Name:	Contact name:	
Address:		
Suburb:	Postcode:	
Email:	Phone:	
SECTION 4 - Applicant Details (select one or more) <input type="checkbox"/> Grantee <input type="checkbox"/> Executor <input type="checkbox"/>		
Name:	Title:	
Address:		
Suburb:		
Email:	Phone:	
Full name of deceased:	Date of death:	
Next of Kin Name:	Phone:	
Address:		Email:
I certify that I am authorised as (please tick ONE box only):		
<input type="checkbox"/> The person in whose name the Interment Right was issued		
<input type="checkbox"/> The Executor of the deceased estate and have attached a completed Perpetual Interment Right Transfer (Documentation that the applicant is the Executor of the will is required)		
Signature (Grantee/Applicant):		Date:
SECTION 5 - Monumental Mason Declaration		
<p>I, the undersigned;</p> <ul style="list-style-type: none"> • Hereby certify the construction of these works will be carried out in accordance with Australian Standard, AS 4204-2019 (Headstones and Cemetery Monuments), the City of Newcastle's (CN) Requirements for the Construction of Monuments and Work Health and Safety Management System. • Acknowledge CN may request images and / or inspection of monuments to ensure compliance with Australian Standard, AS 4204-2019 (Headstones and Cemetery Monuments), CN's Requirements for the Construction of Monuments and the Work Health and Safety Management System. • Acknowledge CN reserves the right to direct the Company and or the Grantee / Applicant to modify, dismantle or remove the monument at the Companies and or Grantee / Applicant expense from the cemetery where: <ul style="list-style-type: none"> – the monument installed is in contrary to Australian Standard, AS 4204-2019 and the CN's Requirements for the Construction of Monuments. – the monument installed is in contrary to the stated dimensions on this application or the monument is constructed outside the location of the allocated grave. – Acknowledge should such work interfere with the reopening of any of the said graves for future interments, I will arrange for such obstruction to be removed eight hours prior to the time fixed for any such interment. 		
Signature (Company):		Date:
<ul style="list-style-type: none"> • All monumental works carried out in CN cemeteries are subject to prior approval by the CN. Works cannot commence until CN provides a written notice of approval; the payment of any fee does not constitute an approval. • On receipt of this Application, a check is made to ensure construction will be in accordance with the Australian Standard, AS 4204-2019 (Headstones and Cemetery Monuments) and CN's Requirements for the Construction of Monuments as a minimum. The application is to include plans, materials, specifications, inscription details and plot details, showing the proposed monument meets such requirements. • No approval will be granted for placement of monumental work on graves less than three months old • Graves and monuments older than 50 years are subject to the Heritage Act and will be referred to the Heritage Officer. It is the responsibility of the Monumentalist and Grantee / Applicant to ensure the proposed work is consistent with the Heritage Act 		

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’.

Cemetery	Location	Type of Cemetery
Minmi	Minmi Road, Minmi	Monumental
Stockton	Fullerton Street, Stockton	Monumental, Lawn, Niche Wall
Wallsend	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.

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.

PERMISSION FOR MONUMENTAL WORKS APPLICATION STATUTORY DECLARATION

(This form should be completed by an executor or nearest surviving relative of the deceased or other proper person, and all questions must be fully answered)

I, (Full Name of Applicant),
of (Applicant's Address) Postcode Age
hereby apply for permission to place a monument or add second inscription for remains of the late
of (Deceased's Address)
in the grave known as (Section & Grave No.) at Cemetery
Section Plot

State the name of the Grantee/Interment Right Holder of the grave site being used:

1. (a) Are you the nearest surviving relative of the deceased? If so, state relationship
(b) Are you an executor of the deceased's estate?
(c) If neither an executor nor nearest surviving relative, state EITHER
(i) relationship to deceased (i)
(ii) reason(s) why this application is being made by you (ii)
(iii) written authority for making this application (iii).....

OR

Complete the following statement:

I have been requested by the deceased's
to make this application for interment and I am fully aware of the information contained herein.

(d) (i) Have all near relatives of the deceased been informed of the proposed monument Yes / No

If no, state who hasn't been informed and why

(ii) Has any near relative of the deceased expressed any objection to the monument? Yes / No

If yes, state the reasons for objection and by whom

2. (a) Did the deceased leave any written directions as to type of monument for the deceased? Yes / No

(b) If yes, what directions?

(c) Are you satisfied that the directions of the deceased were made in a state of sound mind? Yes / No

3. (a) Have all the available direct descendants of the deceased with whom contact is possible granted permission for a monument/ inscription to be placed on the grave described above? Yes / No

(b) If no, explain why permission has not been given?

I hereby certify that all particulars stated above are true and accurate, and that to the best of my knowledge and belief no particular material has been omitted; I therefore make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act, 1900.

Declared at (Location) ON (Date)

Signature (Applicant) in the presence of an authorised witness, who states:

I, (Full Name of Witness), a **Justice of the Peace in the State of NSW**
..... (JP Number), certify the following matters concerning the making of this statutory declaration by the person who made it:

1 *I saw the face of the person OR

*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering.

AND

2 * I have known the person for at least 12 months OR

*I have not known the person for at least 12 months, but I have confirmed the person's identity using an identification document and the document I relied on was:

..... (Describe ID Document)

(Signature of JP or Authorised Witness)

(Date)

This declaration must be signed in the presence of an authorised witness. A list of people who can be witnesses is set out in Schedule 2 to the *Statutory Declaration Regulations 1993*.

*Please cross out any text that does not apply.