

# Application to Establish or Alter a Memorial or Place of Interment

<b>OFFICE USE</b>
Reference No:
Location:
Receipt No:
Approval No:
Memorialists Ref No:

**Instructions for completing this form**

1. Sections A must be completed by the Monumental Mason/Person Conducting Works
2. Section B must be completed in all cases by the Applicant
3. Section C must be completed in all cases
4. Section D must be completed in all cases
5. Section E must be completed by the Monumental Mason/Person Conducting Works and the Applicant
6. The completed Application Form must be accompanied with payment of the relevant Cemetery Trust fee.
7. Any supporting documentation to the application should be attached to this Application Form.

**NAME OF CEMETERY:** \_\_\_\_\_

**(Section A)**

**Monumental Mason/Person Conducting Works**



**NORTH EAST MEMORIALS PTY LTD**  
**DAMIEN KLEINE** Owner/Manager  
**ABN 35 627 505 319**

**PHONE** 0423 836 455  
**EMAIL** info@northeastmemorials.com.au  
**POSTAL** PO BOX 341, Myrtleford VIC 3737

Acting as agent on behalf of and with authority of the Holder of the Right of Interment hereby apply for approval for *(Tick appropriate box)*

- Additional Inscription;
- Plaque - is base to be included     Yes     No
- Renovation of Monument;
- New Headstone and Base;
- Headstone, Kerb and Ledger/or Concrete Top and Chips;      Cemetery Fee: \$
- Chapel, Kerb and Ledger or Concrete Top and Chips;
- Chapel, Canopy, Kerb and Ledger;
- Other (Specify)

On the site of the late \_\_\_\_\_

Site Location: \_\_\_\_\_

I agree that I have read, understood and acknowledge at all times to comply with: (i) the terms and conditions under which the Trust approves this application (if the application is approved); and (ii) Australian Standard AS 4204 - 1994 (Headstones and Cemetery Monuments) and AS 4425 - 1996 (Above-ground Burial Structures), in relation to the proposed works.

I agree that such works are to be carried out in accordance with the provisions of the *Cemeteries and Crematoria Act 2003, Cemeteries and Crematoria Regulations 2005, the Occupational Health and Safety Act 2004, the plans and specifications* attached to this application and in compliance with any directions of the Trust at no cost to the Trust, as detailed on the Trust's approval of this application (if any) or as may be advised by the Trust from time to time. I agree to strictly adhere to the requirements of any cemetery Trust approval including any terms and conditions of approval, or any requirements to provide evidence of construction compliance as and when required. I accept that the cemetery Trust may cancel the approval at any time if the terms and conditions of the approval have not been complied with. I understand I may be asked for proof of current licenses, third party and indemnity insurance.

Signature of Monumental Mason: *Damien Kleine*      Date:    /    /

## (Section B)

### (B-1) Applicant Details

Name of person making this application: \_\_\_\_\_

Address: \_\_\_\_\_

Are you the Holder of the Right of Interment?

Yes (If Yes, complete Section C - Declaration)

No (If No, complete Section C - Declaration and Section C - Supporting Evidence)

**(B-2)** If no, provide the details of the Holder(s) of the Right of Interment, and answer the following questions.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Has the Holder of the Right of Interment been informed of this application?  Yes

No - If no, please provide reasons why. \_\_\_\_\_

If yes, does the Holder of the Right of Interment consent to this application (written permission required)?  Yes  No

**A Statutory Declaration from the Right of Interment Holder, or other supporting documentation as directed by the Trust from time to time will be required where the Applicant is not the Holder of the Right of Interment.**

### Important - Maintenance of Memorial and Costs

Under the *Cemeteries and Crematoria Act 2003*, the Holder of the Right of Interment is responsible for maintaining any memorial that has been established on their place of interment in a safe and proper condition. The Trust is empowered to issue directions in relation to the maintenance of memorials and if the Holder of the Right of Interment fails to take appropriate action requested, the Trust may take its own action and any costs and expenses incurred by the Trust may be recoverable from the Holder of the Right of Interment.

## (Section C)

### Declaration

**Declaration by the Applicant** (the person(s) named in Section B of this application):

I consent to the work described in this application being carried out and declare that I have read and understood this application and that the information in this application is true and correct. I understand the Trust may need to contact me directly to confirm details such as grave location or application details, and I acknowledge as the Holder of the Right of Interment, or on behalf of the Holder of the Right of Interment, the responsibility under the *Cemeteries and Crematoria Act 2003* to maintain the memorial/place of interment in a safe and proper condition once completed and to keep the Trust advised of any change in the Holder of the Right of Interment's contact details. I acknowledge and agree that submitting this application does not: (i) constitute the Trust's approval of the application, which may be refused for any reason the Trust thinks fit under the *Cemeteries and Crematoria Act 2003*; (ii) create a binding contract or agreement between me and the Trust; or (iii) impose and liability on the Trust in relation to the proposed works I have requested be undertaken by the party listed in Section A of this application. The Trust's responsibility is to ensure the works conform with the Trust's terms and conditions of approval and not my requirements. I release the Trust from any claim I may have or may have had against the Trust in relation to or connected with the works to the maximum extent permitted by law.

I acknowledge, warrant and declare that in submitting this application, I: (i) am the Holder of the Right of Internment in relation to the site location; or (ii) (if applicable) have the written consent of the Holder of the Right of Internment in accordance with section 98(2)(c) of the *Cemeteries and Crematoria Act 2003*. I release the Trust, including its members, employees, officers, agents and contractors, from any and all liability in connection with the information I have submitted in this application and agree to indemnify, and will keep indemnified, the Trust, including its members, employees, officers, agents and contractors, in respect of any claim, action, suit, proceeding, demand, damage, penalty, cost or expense however arising, by any person arising as a direct or indirect result of, or in connection with the information I have submitted in this application.

### Supporting Evidence - ROI

Please arrange for Holder of the Right of Interment to provide a Statutory Declaration.

STATUTORY DECLARATION IS ATTACHED  Yes  No

**Signature of Applicant:** \_\_\_\_\_ Date: / /

Inscription	Translation

Name of translator and contact details: \_\_\_\_\_

### Cemetery Trust Fee

The relevant fee accompanying this application relates, but is not limited to, administrative costs incurred by the Trust for review, process and acceptance/rejection of this application and in undertaking audits (if any) or supervision of the person(s) conducting the works in accordance with the Trust's requirements.

### Construction Compliance

The Trust or Applicant may require the person conducting the works to provide the Trust date stamped images (to the satisfaction of the Trust) if and when required by Trust. This is recommended at the time of the following construction phases:

- **Excavation completion** to demonstrate appropriate depth of intended footings Scale measures (e.g.tape measure) should be used to indicate depth;
- **Dowel stage** to demonstrate evidence of stainless-steel dowels; and
- **Final completion** to demonstrate the site location has been left in an appropriatemanner required by the Trust.

The above requirements are considered advisable particularly in circumstances where the person conducting the works is providing footings for a monument however, such evidence of construction compliance is at the discretion of the Trust. The Trust reserves the right to require additional evidence of construction compliance in accordance with any approval of this application or if and when required by the Trust.

### Audit

The Trust may, in its absolute discretion, conduct random audits or inspections at the site location from time to time.

## (Section E)

<p>The parties to this application listed in Sections A and B submit this application for approval in accordance with section 98 of the <i>Cemeteries and Crematoria Act 2003</i> and hereby agree to adhere to and by bound by both the terms and conditions contained in this application and the terms and conditions of any Trust approval:</p>	
<p><i>Damien Kleine</i> _____  <b>Signature of Monumental Mason/Person Conducting Works</b></p>	<p>_____ _____  <b>Signature of Applicant</b></p>
<p>DAMIEN KLEINE _____  <b>Name (please print)</b></p>	<p>_____ _____  <b>Name (please print)</b></p>

<p><b>CEMETERY OFFICE USE:</b></p> <p>Application approved/not approved on the _____ by the Trust's representative</p> <p>Subject to the following special conditions:</p> <ul style="list-style-type: none"> <li>• Foundations to be as per above requirements or as directed</li> <li>• Other (specify)</li> </ul>
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