

1. Policy Purpose

The objective of the policy is to set down guidelines for the management and administration of Council owned cemeteries.

2. Policy Scope

The policy covers all matters relevant to all Maranoa Regional Council managed cemeteries and applies to Council employees, Councillors, funeral directors, community members, legislative authorities and contractors.

3. Definitions

AUTHORISED PERSON	A person authorised by the delegated authority to exercise the powers of an authorised person under this policy and Council's Local Laws.
BURIAL	Means the interment of non-cremated human remains
BURIAL LICENCE	A licence for interment of non-cremated human remains
BURIAL LICENCE HOLDER	Person who has been issued with a burial licence
CEMETERY OR CEMETERIES	Designated area containing one or more burial places and/or areas for cremated remains
COUNCIL	Maranoa Regional Council
COLUMBARIUM	A Structure having recesses in the walls to receive cremated remains
CREMATION	To reduce a body to ashes by fire
EXHUMATION	The removal of human remains
FEES AND CHARGES	A fee or charge fixed by Council and published in Council's Register of Fees and Charges
HEADSTONE	Masonry structure placed at the head of a grave site
INURNMENT	The practice of placing an urn in a niche wall and closing it up
LAWN CEMETERY	Burial area in which standard plaques are placed ground level on a concrete plinth and the remainder of the cemetery is mown grass
ASH WALL	A Structure having recesses in the walls to receive cremated remains and a standard plaque located. A plaque may be located in such areas without the placement of ashes

MONUMENT	Any structure, headstone masonry, metal work, casting or item placed over, in or around a burial right or grave site
NICHE	Inurnment site or place in a wall where a container containing ashes of a deceased person may be placed
PLAQUE	Memorial sign that is attached to a plinth, headstone or niche wall
PLINTH	A flat stone structure placed on a grave for which a plaque or monument is attached
REGISTER	Council's formal data repository containing details of a burial, memorial site, immurement right, interment right or burial right
RESERVATION	Pre-need burial right

4. Policy Details

4.1. Introduction

Council maintains 16 cemeteries with the Maranoa Regional Council area providing a combination of monumental and lawn sections, and columbarium walls. These are:-

- Amby Monumental Cemetery,
- Hodgson Monumental Cemetery,
- Injune Lawn Cemetery,
- Injune Monumental Cemetery,
- Jackson Monumental Cemetery,
- Mitchell Monumental Cemetery,
- Mungallala Monumental Cemetery,
- Roma Lawn Cemetery,
- Roma Monumental Cemetery,
- Roma Ash Wall,
- Surat Monumental Cemetery,
- Surat Ash Wall,
- Wallumbilla Lawn Cemetery,
- Wallumbilla Monumental Cemetery,
- Yuleba Lawn Cemetery
- Yuleba Monumental Cemetery.

All other cemeteries in the Maranoa region are administered by private trustees or closed to future burials.

Council recognises the heritage value of each cemetery and takes this into consideration with the ongoing management of each cemetery. It is acknowledged that cemeteries are special places requiring sensitive and sympathetic management, however this may not always be practicable. Council, as the Cemetery Manager reserves the right to determine what is appropriate, hazardous and acceptable management of a cemetery.

Commitment

As the Cemetery Manager of the cemeteries within the Maranoa Regional Council area, Council is the sole determinant of dignified behaviour within the cemeteries. This includes what constitutes a dignified funeral, monument design and installation, and the placement of tributes in addition to the permanent monument.

To minimise conflict as to what Council deems appropriate and acceptable conduct, Council has prepared and implemented this Policy.

Every attempt will be made to liaise with the families, funeral director or other representatives prior to any action being taken, however Council staff may take action to rectify situations without prior consultation if required.

4.2. Provisions at Cemeteries

Council will make such provisions as it considers necessary for the following:-

- 4.2.1 A Register of Burial, as required by Subordinate Local Law No.1.9, must be kept in respect of all burial places.
- 4.2.2 A Register of Cremation, as required by Subordinate Local Law No.1.9, must be kept in respect of each cremation.
- 4.2.3 The establishment and standards of construction and design for monuments and structures.
- 4.2.4 The size, multiple use and location of burial places.
- 4.2.5 The erection or installation of structures and the make of inscriptions.
- 4.2.6 The carrying out of work by monument masons.
- 4.2.7 The removal, replacement and maintenance of structures.
- 4.2.8 The improvement and maintenance of cemeteries.
- 4.2.9 The conduct of religious or other ceremonies of burial, cremation, disposition or commemoration.

4.3. Register of Burial Places and Cremation

- 4.3.1 A Register of Burial, as required by Subordinate Local Law No.1.9, must be kept in respect of all burial places.
- 4.3.2 A Register of Cremation, as required by Subordinate Local Law No.1.9, must be kept in respect of each cremation.
- 4.3.3 A register of pre-need burial rights (Reserve Graves) will be kept and must contain the name and address of the owner of the burial right.
- 4.3.4 Each register, which may be kept in written, printed or electronic form, must contain sufficient information to allow for simple cross-referencing or entries by:-

Surname

Date of burial or cremation

Burial place location

- 4.3.5 Each burial or cremation must be recorded in its respective register immediately after the service.
- 4.3.6 Registers may be amended to remove or correct inaccuracies.

4.4. Exclusive right of burial

- 4.4.1 Council will issue to the owner of an exclusive right of burial a certificate upon request, clearly showing:-

The owners name and address

The amount paid

The date of issue

A description of the physical location of the grave

The terms and conditions under which the certificate is issued

- 4.4.2 Any fees relating to the purchase and issue of the certificate must be paid at the time of application.
- 4.4.3 The Council may refuse to grant an exclusive right of burial to any person if, in the opinion of Council, the grant would create a monopoly or encourage dealings in such rights as a business.
- 4.4.4 Council will facilitate the transfer of a right of burial as result of a bequest following receipt of written evidence authorising the transfer and payment of the appropriate fee, and where this transfer does not facilitate the creation of a monopoly or a commercial transaction within the cemetery.
- 4.4.5 Council may cancel a right of burial if the right of burial is not exercised within 60 years of issue. Council will utilise all available information to determine the availability or otherwise of the plot. For example, a right of burial may exist at one particular cemetery but Council has evidence that the right of burial holder has been interred at another cemetery.

4.5. Burials

- 4.5.1 Burials in Council cemeteries must be undertaken by an accredited funeral business.
- 4.5.2 Human remains must not be brought into a Maranoa Regional Council cemetery unless:-
- Approval has been granted by Council; and
 - The remains are enclosed in a coffin or other form of container appropriate to the proposed form of disposal and complies with the industry standards for constructing coffins or other forms of containers for the burial of human remains; if it complies with the following requirements:-
 - a) Not leak liquids or gases;
 - b) Be securely closed during transportation to the burial site and at the time of interment;
 - c) Be constructed so as to not distort or collapse when handled during the normal course of event leading up to the burial (including handling when damp);
 - d) Be approved in writing by the Chief Executive Officer of the relevant Queensland Government Department with oversight of cemeteries and crematoria.
- 4.5.3 Boxed ashes may be interred by private citizens during Council's ordinary business hours (or pre-arrange time).

4.6. Order for Burials

- 4.6.1 Burials and interment of ashes shall take place only during the hours approved by Council.

These hours are:

- between the hours of 8.30 am and 3.30 pm Monday to Friday; or
- by arrangement with Council on Saturdays, Sundays and public holidays (with the exclusion of Good Friday, Anzac Day and Christmas Day.) Burials by special arrangement will be subject to additional fees as laid out in Councils Fees and Charges schedule.

- 4.6.2 Notice of the proposed burial, exhumation or disposal must be given to Council a minimum of two (2) full working days prior to the event.

- 4.6.3 There will be a minimum of three (3) hours between service bookings at any one cemetery.

- 4.6.4 Council may approve funerals inside of the two day notice period due to exceptional circumstances from time to time subject to conditions of, and approval by, the authorised person.

- 4.6.5 Burials are not to take place unless a burial order/application has been approved by Council.

- 4.6.6 Where, in the opinion of the authorised person, the digging of any particular grave is impossible or impracticable because of flooding, wet ground, rock or any other reason, the authorised person may, in his or her absolute discretion, refuse a burial in that grave and may order the relocation of the burial to another grave plot regardless of prior arrangements.

- 4.6.7 Council may, due to operational needs, change or modify hours of burial as required, as approved by an authorised person.

4.7. Bringing of Human Remains into a Cemetery

- 4.7.1 A person must not bring human remains into a Maranoa Regional Council cemetery unless approval has been given by an authorised officer.

- 4.7.2 The remains are to be enclosed in a coffin or other form of container appropriate to the proposed form of disposal and complies with the industry standards.

4.8. Requirements for Graves

- 4.8.1 All adult plots will be dug at a standard depth of 2.7 metres to allow for two burials except in the instance where the soil structure or ground stability does not allow for a second interment.

- 4.8.2 A plot must be dug at a depth of 2.7 metres (9 feet) to allow a triple burial and the request for such must be received at the time of the first interment.

- 4.8.3 There must be not less than 1 metre of soil coverage on top of the last coffin in a grave.

- 4.8.4 The maximum number of coffin interments per grave space/plot is three (3) dependent on the depth of the first and second interments or if otherwise restricted in some way which would prevent reopening of the grave.

- 4.8.5 This section does not affect the interment of cremated remains.

- 4.8.6 Burials within the designated children section shall only be facilitated where the coffin or casket size can be accommodated within the limitations of the surveyed plot.

4.9. Exhumations

- 4.9.1 Exhumations are NOT to take place unless Council has received :-

- Lodgement of written confirmation from an accredited undertaker that he/she is prepared to carry out the exhumation; and
- Lodgement of the written consent to the proposed exhumation by the nearest living relative to the deceased; and
- Lodgement of a Council's application form duly completed, together with the provision of the death certificate.

- 4.9.2 Exhumations will be subject to the conditions outlined in Council's Subordinate Local Law No.1.13.

4.10. Above Ground Entombment

- 4.10.1 Council does not facilitate above ground entombments.

4.11. Vertical Burials

- 4.11.1 Council may consider a vertically spaced cemetery (as opposed to a conventional horizontal spacing) in the future for lawn cemeteries.

- 4.11.2 Vertical spaced cemeteries are not planned for any Council cemetery and are not to be implemented for any burial (unless a religious or cultural request to undertake such a burial is received).

4.12. Opening and Reopening of Graves

- 4.12.1 Council staff will arrange for the digging of a grave by an appropriately qualified person.

- 4.12.2 Open (prepared) graves must be covered with an appropriate structure to prevent persons from falling in if they are left unattended, unless an appropriate alternative barrier is in place.

- 4.12.3 After a burial, a grave may only be reopened for a further burial with the written approval of the authorised person.

- 4.12.4 The Council shall take every care when required to re-open a grave for a second or subsequent burial but will not accept responsibility for any accidental or unintentional damage caused to monuments, gravesite or lawn during such opening.

- 4.12.5 Where it is necessary to re-open a grave by breaking up and removing a concrete cover/monument, the Council shall not be responsible for re-instatement of the memorial following burial.

- 4.12.6 Breaking up or removing a concrete/granite/marble etc cover on a monument, to allow re opening of a grave for second or third interment shall be subject to the following:-

- Liaison with the authorised person at the time of booking the interment; and

- Completed by a person qualified to undertake such work, eg. concrete cutters, stonemason; and
- Be organised by the person arranging the funeral, the funeral director, burial right holder or family member; and
- Be completed in adequate time to allow excavation of the grave.

4.12.7 The Council may apply quantities of water or employ other methods to graves following interment to assist with subsidence and compaction of soil so that the grave can be restored to previous levels as soon as possible.

4.12.8 The size and position of all graves in Council cemetery is to be determined by the authorised person.

4.13. War Graves

4.13.1 Council does not have a specified area for war graves.

4.13.2 These can be accommodated in the general cemeteries, and are to be constructed and maintained by the Australian War Graves Commission.

4.14. Plaques, Monuments and Inscriptions – Monumental & Injune Lawn

4.14.1 Headstones and monuments in the general sections of the Councils' cemeteries are the responsibility of the holder of the burial licence.

4.14.2 Should these items be damaged, vandalised or fall into disrepair it is the responsibility of the burial licence holder to make repairs.

4.14.3 If headstones or monuments are dangerous, Council may conduct works to make the area safe. This work may involve the placement of a headstone on the ground to prevent it from falling and will not include repairs or reinstatement of the headstone.

4.14.4 All required fees to be paid and authorisation given before any work is commenced by suitably qualified stonemasons.

4.14.5 The site must be reinstated to the previous standard with all rubbish and debris removed from the cemetery.

4.14.6 Surrounding monuments and headstones must not be damaged in the course of undertaking any works.

4.14.7 Memorials must be consistent with the existing amenity of the cemetery

4.14.8 Plastic type materials will not be permitted.

4.14.9 The memorial shall be contained within the grave plot and be less than one metre in height unless certified by a structural engineer.

4.14.10 The planting of trees, shrubs, roses or any other plants is not permitted on a grave/plot.

4.15. Plaques, Monuments and Inscriptions – Lawn

4.15.1 Council will determine the standard sizes and design type for all memorial plaques and be responsible for the procurement of such to ensure conformity.

4.15.2 Only one plaque per plinth is accepted. This plinth has recessed flower receptacles.

4.15.3 Council will supply a standard concrete plinth for the affixing of a plaque. However applicants may make arrangements through an accredited monumental mason to supply a sandstone, granite or marble base consistent with the dimensions determined by Council.

- 4.15.4 Any image used for a photo must display the face of the person interred (or to be interred) at the location and cannot be interpreted as offensive in a public venue.
- 4.15.5 Other than photographs, no other form of media can be added to the plaque (eg. sound, video, lights etc).

4.16. Flowers and ornaments

- 4.16.1 Council welcomes the limited placement of fresh or artificial tributes at burial and memorial sites however, it is committed to providing fair guidelines that apply uniformly to everyone. This will ensure families are able to grieve in an environment that is safe and tidy and allow Council to meet its obligations in the management of the cemetery grounds.
- 4.16.2 No unauthorised tree, shrub or other plant is to be placed or planted on any grave.
- 4.16.3 Within the lawn sections, flowers may be placed in the receptacles on the plaque plinth.
- 4.16.4 Within the monumental areas, flowers and ornaments may be placed within the confines of the plot where the grave top has been paved or has a low fence to enclose the plot area.
- 4.16.5 Flowers and ornaments must not exceed a height of 30cm.
- 4.16.6 The placement of flowers must not encroach on the lawn, adjacent graves or walkways.
- 4.16.7 The limit on receptacles is designed to allow families to express their grief but also ensures that other families do not feel marginalised or impinged upon by the placement of excessive items upon neighbouring locations.
- 4.16.8 Tributes that encroach on neighbouring burial or memorial positions will be removed.
- 4.16.9 Within the Children's section of the Lawn Cemeteries, small ornaments or mementos may be placed within the plinth area relating to the grave site. No items are to be placed on the grassed area of the plot. The placement of small ornaments or mementos in the Adult Sections of the Lawn Cemeteries is prohibited.
- 4.16.10 Within the monumental sections, small ornaments or mementos may be placed within that area relating to the grave where the top has been paved or has been enclosed by a low fence.
- 4.16.11 Glass jars/bottles/containers, ceramic pots, crosses and large mementos are not permitted. If used they will be immediately removed from the cemetery.
- 4.16.12 Any non-approved items will be removed.
- 4.16.13 Fresh flowers, wreaths and artificial flowers will be removed from grave sites by Council staff if, in their opinion, they have deteriorated to such an extent as to detract from the appearance of the cemetery.

4.17. Ashes – Placement in Graves

- 4.17.1 Placement of cremated remains shall take place during the hours approved by Council.
- 4.17.2 Multiple ashes are permitted to be placed in existing or new graves
- 4.17.3 A maximum of four (4) ashes may be interred in a new grave and a maximum of two (2) ashes interred in an existing grave. The plaques for lawn graves must comply with standard sizes and designs set by Council and must be ordered and placed by council.

4.17.4 It is a requirement that details of the interment are memorialised on a plaque or monument.

4.18. Ashes – Placement in Columbarium/Ash Wall

4.18.1 Placement of cremated remains shall take place only during the hours approved by Council.

4.18.2 The container holding the ashes must be constructed of suitable weather resistant material.

4.18.3 A standard cast brass plaque or commonwealth War Graves plaque of the standard size must be installed over the niche.

4.18.4 The placing of vases, bottles or containers, for holding of flowers is not permitted.

4.19. Ashes – Scattering in a Cemetery

4.19.1 Ashes must not be scattered in a Council administered cemetery without prior approval.

4.19.2 Details of the deceased must be provided in writing.

4.19.3 Scattering of ashes shall only take place during the hours approved by Council.

4.19.4 The ashes must not be scattered so as to contaminate water sources or affect persons of close proximity.

4.20. Removal of Ashes

4.20.1 Applications to have cremated remains removed from any cemetery for any reasons, must be made in writing to Council. The application must be signed by all applicants or their rightful successor, or a statutory declaration may be submitted stating that all near relations of the deceased have been advised of the request for removal.

4.20.2 The holder of the burial licence may relinquish the burial licence to Council in writing after the removal of the ashes.

4.21. Fees and Charges

4.21.1 Fees for services are determined by Council and specified in Council's Register of Regulatory Fees and Commercial Charges.

4.21.2 All fees are to be paid in advance, unless approved credit arrangement is in place.

4.22.2 Council staff will not issue any certification until the appropriate fee if required in advance has been received.

4.22.3 Graves can only be reserved on payment of the purchase for the grave.

4.25. Prohibited – All Cemeteries

A person (other than an authorised employee or contractor of Council) must not do any of the following (within a cemetery without written exemption from Council) :-

4.25.1 Erect an unapproved monument/structure or tribute.

4.25.2 Damage, deface, interfere with or alter burial places.

4.25.3 Damage, deface, interfere with or alter monuments.

- 4.25.4 Disturb or interfere with a lawfully conducted funeral or commemorative service.
- 4.25.5 Bury, inter or exhume any human or non-human remains, whether cremated or not.
- 4.25.6 Enter or remain in a cemetery between sunset and sunrise, unless Council permission is obtained.
- 4.25.7 Cause or permit an animal that is under the person's control to enter or remain in a cemetery without proper supervision.
- 4.25.8 Take part in any gathering, meeting or assembly, except for the purpose of recognised religious, research, historical, educational or other ceremony of burial or commemoration.
- 4.25.9 Engage in trade or commerce or distribute any circulars, advertisements, paper drawn or photographic material
- 4.25.10 Drive a vehicle at a speed of more than 8 kilometres per hour.
- 4.25.11 Park a vehicle on any known burial place, verge or plantation, or in a manner that is likely to impede traffic.
- 4.25.12 Teach, learn or practice driving a vehicle.
- 4.25.13 Camp or reside on any land.
- 4.25.14 Possess or consume an alcoholic or intoxicating beverage or substance except from that directly associated with a funeral service.
- 4.25.15 Urinate or defecate (anywhere other than in a public toilet).
- 4.25.16 Bring into or leave any rubbish, refuse, scrap metal (including remains of vehicles), rock, soil, sand or any other substances.
- 4.25.17 Remove any dead timber, logs, trees and flora whether standing or fallen.
- 4.25.18 Kill, capture or in any way interfere with animal, bird, fish or other fauna whether native or introduced.
- 4.25.19 Plant any tree, shrub, herbage or other plant with prior consent.
- 4.25.20 Obstruct any authorised person or, or contractor, of Council or any Funeral Business to, in the performance of the authorised person's duty or the employee's or contractor's, or Funeral Business' work in the cemetery.
- 4.25.21 Picking flowers or plants within the cemetery grounds.
- 4.25.22 Discharge a firearm (except at a military funeral).

Offenders may be prosecuted under relevant Local, State or Federal Law.

5. Conservation and Heritage

Council recognises that burial grounds and cemeteries are places of significance to the community by virtue of their architectural, social and genealogical significance, and will provide reasonable assistance to community groups and interested parties who seek to promote or research cemetery issues.

6. Closed/Historical Cemeteries

The Monumental section of the Injune Cemetery is closed and the Monumental section of the Roma Cemetery will be closed upon the allocation of the remaining available plots excepting where an Exclusive Right of Burial has been granted.

The following are Historical Cemeteries only:

- Bindango Historical Cemetery
- Euthella Historical Cemetery
- Muckadilla Historical Cemetery
- Yingerbay Historical Cemetery
- Dulbydilla Historical Cemetery

7. Related Policies and Legislation

Local Government Act 2009

Land Regulation 2009

Local Law No. 1 (Administration) 2011

Subordinate Local Law No.1.9 (Operation of Cemeteries) 2011

Subordinate Local Law No.1.13 (Undertaking Regulated Activities regarding Human Remains) 2011

Burials on Private Property Policy 2014

8. Associated Documents

Maranoa Regional Council Register of Regulatory Fees and Commercial Charges

Cemeteries Burial Booking Procedure 2013

Cemeteries Burial Procedure 2013