

CEMETERIES POLICY (COMMUNITY POLICY)

1. Scope:

This policy applies to cemeteries operated and administered by Rockhampton Regional Council.

2. Purpose:

To provide a framework for the management and operation of Council's cemeteries promoting a safe and respectful environment for all users.

3. Related Documents:

Primary

Nil

Secondary

Births, Deaths and Marriages Registration Act 2003

Coroners Act 2003

Information Privacy Act 2009

Land Act 1994

Local Government Act 2009

Public Health Act 2005

Queensland Heritage Act 1992

Succession Act 1981

Work Health and Safety Act 2011

Cemetery Memorial Guide Fact Sheet

Cemetery Procedure

Cemetery Service Exhumation Request Form

Cemetery Service Request Form

Specification for Grave Covers

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

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

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

4. Definitions:

To assist in interpretation, the following definitions apply:

Ashes	Processed remains recovered from the cremation of a body.
Burial	The act or practice of burying a dead body.

Corporate Improvement and Strategy use only

Adopted/Approved: Adopted, 25 October 2016

Version: 1

Reviewed Date:

Department: Community Services

Section: Parks

Page No.: Page 1 of 4

Burial Rights	Rights to a burial site granted by Council to a person.
Burial Rights Holder	The lawful holder of the burial right (to inter human remains and/or ashes).
Cemetery	An area containing one or more burial sites – including lone sites, family sites or a larger collection of burial sites.
Columbarium	Area or wall established for the placement of ashes and/or memorialisation.
Council	Rockhampton Regional Council
Employee	Local government employee: (a) the chief executive officer; or (b) a person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
Exhumation	The act of digging something out of the ground (especially human remains) where it has been buried. To remove from a site; disinter.
Funeral Director	An undertaker; a person whose business is preparing dead bodies for burial or cremation and making arrangements for funerals.
Funeral Service	Represents a burial, ashes interment, exhumation, wake or event that may or may not include serving of refreshments conducted in one of Council's cemeteries, either in the chapel or a garden area.
Grave	A hole dug in the ground to receive a coffin or dead body.
Grave Cover	A conforming structure as detailed in Council's Specification for Grave Covers.
Human Remains	The body or part of the body of a deceased person
Interment	The placement or burial of human remains or ashes on or into an allocated site.
Memorial or Monument	Includes (a) a headstone; (b) an inscribed plaque or commemorative plate; (c) monumental, ornamental or other structure/s erected on a grave site; (d) anything else erected or placed to mark the site where human remains have been buried or placed, or to commemorate a deceased person.
Monumental Mason	A tradesman mason or person possessing the skills to competently and professionally carry out monumental masonry work to a tradesman-like standard.
Niche	Space in a columbarium to place ashes.
Non-conforming Grave Cover	A structure placed on or over the boundaries of the grave or site that is inconsistent with the standard dimensions.
Ownership	The right of possessing something.
Region	Rockhampton Region
Re-open	A burial subsequent to the first interment
Site	A collective term for any of grave, niche, plot, memorial or other place for the disposition of human remains or memorialisation of the deceased.

5. Policy Statement

5.1 Management of Cemeteries

Council is committed to:

- the provision of interment and memorialisation services to the community;
- servicing the deceased and their families with dignity and respect;

Corporate Improvement and Strategy use only

Adopted/Approved: Adopted, 25 October 2016

Version: 1

Reviewed Date:

Department: Community Services

Section: Parks

Page No.: Page 2 of 4

- preserving the history of the Region's cemeteries and maintaining records for genealogy research;
- maintaining cemetery grounds to meet community needs and expectations; and
- planning for the future burial needs of the Region's communities.

5.2 Administration

- 5.2.1 A Cemetery Service Request Form must be received at least two business days prior to the requested service.
- 5.2.2 Payment for service is to be made two business days prior to service commencement unless otherwise agreed by Council.
- 5.2.3 Council maintains records and plans (electronic, printed or hand-written) about each interment and reservation (except where historically this information was not retained).
- 5.2.4 Council will not accept pre-payment for burials or interment of ashes (other than in fulfilment of Clause 5.2.2)
- 5.2.5 Existing pre-paid burials registered with Council will be honoured.
- 5.2.6 Individuals or groups are not able to reserve or set aside grave site/s. Existing reservations will be honoured.
- 5.2.7 Instances where historic administration practices conflict with this policy will be dealt with on a case by case basis.

5.3 Interment/Burial

- 5.3.1 No funeral service shall be permitted until Council approval has been granted.
- 5.3.2 Burials must be arranged and conducted by a Funeral Director.
- 5.3.3 Ashes interment may be arranged through a Funeral Director or directly with Council.
- 5.3.4 New burial sites will be allocated by Council.
- 5.3.5 Digging of burial sites will be undertaken by Council.
- 5.3.6 Specific cultural/religious requirements are to be advised on the Cemetery Service Request Form. Each request will be considered with regard to Council's work health and safety obligations, cemetery procedures, the availability of suitably skilled employees and the necessary equipment.
- 5.3.7 When the removal of a monument, slab and/or headstone is required on re-opening a grave in a monumental section, Council will take all reasonable care not to cause any damage, however if a monument, slab or headstone is inadvertently damaged during this process Council will not be liable for any repairs.

If a monument/memorial and/or grave cover is assessed to be beyond the capabilities or experience of Council to remove, and where circumstances warrant, Council will engage the services of a monumental mason to remove and reinstate the monument/memorial and/or conforming grave cover and applicable fees will be levied.

Council will not reinstate non-conforming grave covers.

Corporate Improvement and Strategy use only

Adopted/Approved: Adopted, 25 October 2016
Version: 1
Reviewed Date:

Department: Community Services
Section: Parks
Page No.: Page 3 of 4

5.4 Burial Rights and Burial Rights Holder

- 5.4.1 A burial rights holder has the right to be buried in the identified site and to authorise the burial of others in that site (up to the permitted number as determined by Council)
- 5.4.2 Burial rights are assigned by Council based upon historical records and other available information.
- 5.4.3 Burial rights may not be sold or transferred without Council's written consent, unless transfer is authorised by the *Succession Act 1981*.
- 5.4.4 The existing burial right on a vacant or reserved site may be surrendered to Council. Any refund of initial purchase cost will be at Council's discretion.
- 5.4.5 Interments and modifications to the site (including memorialisation) require the burial rights holder's written permission.
- 5.4.6 The burial rights holder is responsible for the cost of acquisition, installation, repairs and maintenance to any memorial/monument associated with the site.

5.5 Exhumation

- 5.5.1 A Cemetery Service Exhumation Request Form must be completed for exhumation of human remains or disinterment of ashes and will only be accepted when accompanied by the burial rights holder's written consent or other duly authorised representative.
- 5.5.2 Exhumations of human remains are to be carried out in conjunction with a Funeral Director.
- 5.5.3 The disinterment of ashes may be conducted by Council.
- 5.5.4 Ownership rights of the site will revert back to Council unless other interments exist.

5.6 Vases, Mementos and Adornments

Family members and visitors may place mementos in commemoration as listed in the Cemetery Memorial Guide Fact Sheet. Items must not interfere with other mementos; be securely placed, be fresh or dried flowers and not pose a safety or injury risk to other persons.

6. Review Timelines:

This policy will be reviewed when any of the following occur:

- 6.1 The related information is amended or replaced; or
- 6.2 Other circumstances as determined from time to time by Council.

7. Responsibilities:

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	Manager Parks
Policy Quality Control	Corporate Improvement and Strategy

EVAN PARDON
CHIEF EXECUTIVE OFFICER

Corporate Improvement and Strategy use only

Adopted/Approved: Adopted, 25 October 2016
Version: 1
Reviewed Date:

Department: Community Services
Section: Parks
Page No.: Page 4 of 4