

CEMETERY RELATED ACTIVITIES PROCEDURE



1 Scope

This procedure applies to the undertaking of regulated and restricted activities regarding human remains on private land and in cemeteries operated by Rockhampton Regional Council. This procedure does not apply for privately operated cemeteries regulated under *Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011*.

2 Purpose

The purpose of this procedure is to provide processes and guidelines to ensure:

- (a) Council's cemeteries are managed and operated in a consistent manner, and offer fair and equitable services;
- (b) Any activities related to human remains and ashes is managed in a respectful, timely and dignified manner; and
- (c) Council's cemeteries are a safe and respectful environment for all users.

3 Related Documents

3.1 Primary

Cemetery Related Activities Policy

3.2 Secondary

Burials Assistance Act 1965

Coroners Act 2003

Local Law No. 1 (Administration) 2011

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

Public Health Act 2005

Queensland Heritage Act 1992

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

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

Australian Standards - AS 4204-2019 Headstones and Cemetery Monuments

Burial/Disturbance of Human Remains on Private Property Application Form

Burial Rights Application Form

Cemetery Service Exhumation or Disinterment of Ashes Request Form

Cemetery Service Request Form

Commemorations Policy – Commonwealth War Graves

Memorial Installation Permit Application Form

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Monumental Memorialisation Outlines

Plaque/Memorial Request Form

Work Instruction for Exhumation of Human Remains within RRC Cemeteries - Workplace Health and Safety

Work Instruction for Grave Digging and Funeral Preparation - Workplace Health and Safety

4 Definitions

To assist in interpretation, the following definitions apply:

Adornment	Any item placed on a grave, columbarium wall or ashes plot for the purpose of decoration.
Ashes	Processed remains recovered from the cremation of human remains.
Authorised Person	An employee appointed under Subordinate <i>Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019</i> .
Australian War Grave	Approved Office of Australian War Graves grave for ex and current returned service personnel of the Australian Defence Forces.
Beam	Concrete slab/block placed at the head of a grave to cover the width of the site in a monumental cemetery or a length of concrete placed at the head of contiguous graves in a lawn cemetery.
Burial	The act or practice of burying human remains.
Burial Rights	The right to use a site for the interment of human remains or ashes.
Cemetery	An area containing one or more sites each of which may be used for the exercise of a burial right including a lone site, a family site or a larger collection of sites each of which is to be used for the exercise of burial rights.
CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Coffin	A long, narrow, box, typically of wood, in which human remains is buried or cremated.
Columbarium	Area or wall established for the interment of ashes and/or placement of memorialisation.
Conforming Item	An item which is not offensive and which does not pose a health and/or safety risk to people and is not identified as a non-conforming item.
Contractor	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law.
Council	Rockhampton Regional Council
Delegated Officer	An employee appointed to a position with the relevant sub-delegation under <i>Subordinate Local Law 4 (Local Government Controlled Areas, Facilities and Roads) 2019</i> .
Disturbance of Human Remains	As defined in <i>Local Law No. 1 (Administration) 2011</i> , includes interfering with remains, removal of remains and opening of a site of burial.
Employee	Local government employee: (a) The CEO; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .

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Exhumation	The act of digging something out of the ground (especially human remains) where it has been buried. To remove from a site; disinter.
Fee	Applicable fees in accordance with Council's Fees and Charges Schedule.
Funeral Service	Any burial, ashes interment, exhumation, chapel or garden service or refreshments/wake event conducted in one of the Council's cemeteries.
Grave	A hole dug in the ground to receive a coffin or human remains or ashes.
Grave Cover	A conforming structure placed within the boundaries of the grave dimensions. Minimum 2400mm x 900mm. Maximum 2,750mm x 1,200mm.
Holder of Burial Rights	For a site, means the lawful holder of the right to inter human remains or ashes, install or repair a memorial, exhume human remains or disinter ashes within a Council cemetery.
Human Remains	As defined in <i>Local Law No. 1 (Administration)</i> , the body or part of the body of a deceased person. Excluding ashes.
Interment	The placement or burial of human remains or ashes on or into a site.
Justice Funerals	Funerals assisted by Government funding if families or friends cannot pay for the funeral of a loved one who has died in Queensland (and their assets will not cover their funeral costs).
Lawn Cemetery	Grassed burial area with a beam or memorial at the head/foot of the grave.
Memorial	As defined in <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019</i> , includes: (a) A headstone; (b) An inscribed plaque or commemorative plate; (c) Monumental, ornamental or other structures erected on a grave site; and (d) Anything else erected or placed to mark the site where human remains have been buried or placed, or to commemorate a deceased person.
Niche	Space in a columbarium to place ashes.
Notifiable Condition	A notifiable condition as defined in the <i>Public Health Act 2005</i> .
Qualified Undertaker	As defined in <i>SLL 1.13</i> , a person who carries on the business of disposing of human remains.
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
Site	A place set aside for the interment of human remains or ashes, including a grave, niche, plot or memorial.
SLL 1.13	<i>Subordinate Local Law No. 1.13 (Undertaking Regulated Activities Regarding Human Remains) 2011</i>
Stonemason	A trade qualified mason or person possessing the skills to competently and professionally carry out monumental masonry work to a tradesperson-like standard.

5 Procedure

5.1 Interment/Burial within Council's Cemeteries

All interments/burials are carried out in accordance with the Cemetery Related Activities Policy and the Work Instruction for Grave Digging and Funeral Preparation.

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Backfilling of sites is undertaken by Council employees as soon as practicable after the family have departed the service, unless prior arrangements have been made and are at Council's discretion, for example specific cultural/religious requirements.

Ashes may be interred in earth dug graves in all cemeteries.

Ashes may be interred at the following locations:

(a) Memorial Gardens:

- (i) Crypt – memorial block – limited to four;
- (ii) Crypt – at Council's discretion;
- (iii) Columbarium - each niche accommodates one receptacle of ashes; and
- (iv) Gardens – single, double and family sites are available. Single sites - one, double sites – two and family sites may receive up to nine receptacles.

(b) Mount Morgan:

- (i) Columbarium - each niche accommodates one receptacle of ashes.

(c) Gracemere:

- (i) Columbarium - each niche accommodates one receptacle of ashes;
- (ii) Gardens – single, double and family sites are available. Single sites – one, double sites - two and family sites may receive up to five receptacles;
- (iii) Children's ashes area accommodates ashes for children up to and including the age of 12.

Scattering of ashes may be conducted in all Council cemeteries at no charge following notification to the Cemeteries Office.

When purchasing a new site the applicant must nominate the holder of burial rights, in accordance with the Cemetery Related Activities Policy, being either themselves or another person, who must identify any other person/s authorised to be interred in the site by completing the Burial Rights Application Form. Following the service Council forwards any uncompleted forms to the applicant's nominated address for completion and return to Council.

Reservation of vacant burial site/s must be in accordance with the Cemetery Related Activities Policy. Upon receipt of a written application and medical documentation, the authorised person will determine whether exceptional circumstances exist to satisfy the need for reservation of a burial site. Such exceptional circumstances may include, but are not limited to:

- (a) Terminal illness;
- (b) Disability with limited lifespan;
- (c) Medical episode with limited chance of recovery; or
- (d) Accident with limited chance of recovery.

Reservation of ashes garden site/s at Rockhampton Memorial Gardens and Gracemere Cemetery must be in accordance with the Cemetery Related Activities Policy.

Ex and Current Returned Service Personnel of the Australian Defence Forces

If there are requests for further interments into a recognised Australian War Grave, the applicant is to contact the Commonwealth War Graves Commission directly and provide a copy of the approval to Council when submitting the Cemetery Service Request Form.

5.2 Justice Funerals (State Funded Funerals)

State funded funerals are to be advised by the qualified undertaker at the time of application.

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In accordance with the *Burials Assistance Act 1965* and Queensland Government requirements, the following applies for State funded funerals:

- (a) The site is chosen by Council;
- (b) The site is unmarked;
- (c) Other unrelated human remains may be interred in the same site; and
- (d) Relatives/friends are not permitted to identify the site with a memorial.

If there is currently one interment in a State funded site and a request for further interments into the site is received from members of the same family, the applicant must seek written permission from the relevant State department and provide a copy of the approval to Council when submitting the Cemetery Service Request Form.

5.3 Disturbance of Remains

5.3.1 Exhumations in Council Cemeteries

Applications for exhumation of human remains or disinterment of ashes within a Council cemetery require the completion of a Cemetery Service Exhumation or Disinterment of Ashes Request Form. All exhumations in a Council cemetery are to be in accordance with the Cemetery Related Activities Policy and Work Instruction for Exhumation of Human Remains within RRC Cemeteries.

The qualified undertaker must provide to Council:

- (a) A certified copy of the death certificate;
- (b) Details relating to the cause of death, particularly in relation to notifiable conditions; and
- (c) Details of any non-standard receptacle or burial practice as required.

Persons conducting the exhumation must be suitably qualified professionals and trained in confined space.

If not employed by Council, suitably qualified professionals must have public liability insurance to the sum of \$20,000,000.

If a memorial exists, the family is responsible for the disposal or fees are applied.

5.3.2 State Coroner Order for Exhuming Body or Recovering Cremated Human Remains

Where Council receives a State Coroner order for exhuming a body or recovering cremated remains, Council assists with the identification of the site and the site is then handed over to the Coroners Court of Queensland.

The exhumation is carried out under the supervision of an authorised Police Officer in accordance with the *Coroners Act 2003*.

5.4 Memorials in Council Cemeteries

Memorials outside of Council's specifications such as kerbing, painted beams, railings, fencing or other structures are not permitted in Council cemeteries.

All memorials are to meet the necessary standards as set by Australian Standard 4204-2019 Headstones and Cemetery Monuments and Council. (Refer to paragraph 5.6.3 Standard Memorial Sizes for monumental areas).

Photographs attached to a memorial must not feature offensive or threatening messages, nudity or offensive body language and will be refused upon application or removed immediately by employees if found on site.

Text on plaques, headstones and adornments must not include indecent, offensive, threatening or insulting language and will be refused upon application or removed immediately by employees if found on site.

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Restoration of historical sites may be undertaken at the discretion of the authorised person in heritage listed cemeteries and in accordance with the *Queensland Heritage Act 1992*.

Council is to be notified in writing or by telephone a minimum of two working days prior to the commencement of any approved construction, maintenance, modification or repair work to ensure no competing interests at the time in the location of the work (for example, funeral service).

Prior to the erection or installation of a memorial, a Council employee must identify and mark the site.

In monumental cemeteries, the applicant must wait 12 months after the burial prior to installing any permanent memorial (excluding plaques) to avoid damage due to subsidence.

If the memorial is a headstone or structure in a monumental cemetery:

- (a) The applicant must complete and lodge a Memorial Installation Permit Application Form along with payment of the fee prescribed by Council;
- (b) The application must be accompanied by specifications and designs for the proposed memorial;
- (c) A stonemason/s and/or suitably qualified professionals are to carry out the works in accordance with the designs and specifications once approved by the authorised person;
- (d) A copy of a current certificate of public liability insurance in the amount of \$20,000,000 for the stonemason/professional undertaking the work must be provided; and
- (e) The work is to be conducted in accordance with paragraph 5.5.3 Standard Memorial Sizes.

If the memorial is to be installed on beams in lawn cemeteries:

- (a) The applicant must complete and lodge an application on the Plaque/Memorial Request Form; and
- (b) The work is to be conducted in accordance with paragraph 5.5.3 Standard Memorial Sizes.

Memorials for a columbarium, memorial wall or ashes garden must be purchased by the applicant and installed by Council. Refer to paragraph 5.5.3 Standard Memorial Sizes for details.

5.4.1 Memorial Erection – Burials Prior to 1970

Where a burial took place prior to 1970 and no record of site purchase can be identified, the site purchase price is waived provided the site is closed to all future interments.

5.4.2 Ex and Current Returned Service Personnel of the Australian Defence Forces

The Commonwealth War Graves Commission is responsible for the maintenance and upkeep of any monuments on recognised Australian War Graves in accordance with the Commonwealth War Graves Commemorations Policy.

Before any work can be done on a recognised Australian War Grave, approval must be gained from the Commonwealth War Graves Commission and a copy of the approval provided to Council along with the relevant application form.

5.4.3 Standard Memorial Sizes

Standard Memorial Sizes (sizes are shown in mm)

Plaques for Lawn Beams and Ashes Gardens	Length	Depth
Standard Small Plaque	150	130
Standard Large Plaque	380	220
Combination Large Plaque (contact Council to confirm size for site location)	760/1100	220

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Concrete Marker	Length	Depth	Height
Single Marker	200	180	20-70
Double Marker	400	240	50-250*
To accommodate combination large plaque (contact Council to confirm size for site location)	760/1100	240	50-250*

*50mm standard front height, 150mm standard back height, but must not exceed 250mm

These are the maximum measurements. Smaller plaques/memorials may be considered.

Granite Marker	Length	Depth	Height
Single Marker	200	180	50-70
Double Marker	400	230	50-100
Family Marker	500	440	50-70

Bronze Plaques for Columbariums	Length	Depth
Mt Morgan Single	165	140
Mt Morgan Double	165	310
Gracemere Single	165	165
Gracemere Double	140	310
Memorial Gardens Single	170	150

Plaques for Memorial Blocks (Memorial Gardens)	Length	Depth
Standard Single Plaque	150	130
Double Plaque (Landscape)	300	130
Double Plaque (Portrait)	150	260

Council may rectify/replace any items that may be damaged during installation. Council accepts no responsibility for any deterioration of plaques, photographs or memorialisation due to natural elements or the passage of time.

5.6.3.1 Monumental Areas/Options

Grave sizes vary depending on the cemetery and location. Stonemasons and contractors are to contact Council to confirm the size and the location of the grave prior to commencing work. Grave cover and beam outline plans in the Monumental Memorialisation Outlines document are to be adhered to in conjunction with AS 4204-2019 Headstone and Cemetery Monuments.

Council accepts no responsibility for the modification of any memorial that has been constructed on a grave. The memorial remains the responsibility of the holder of burial rights or their family and descendants. Council reserves the right to remove any memorial after due notice to family or descendants (where possible), if the condition of the memorial renders it dangerous to employees or visitors.

5.4.4 Adornments

The placement of adornments must be in accordance with the Cemetery Related Activities Policy.

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All Cemeteries (excluding the Memorial Gardens and Gracemere Ashes Garden)	
Conforming Items	
Fresh, dried or limited artificial flowers	
Receptacles, ornamentation and other conforming items are permitted when fixed:	
(a) On the beam within the site boundary;	
(b) Within a conforming monument/site cover;	
(c) Within the allocated space in a columbarium; and	
(d) Within the allocated ashes plot.	
Non-conforming Items	
Glass, china, ceramic or other breakable ornaments or receptacles	
Wind chimes, windmill ornaments, solar or battery powered lights or ornaments	
Toys, candles, photo frames or balloons	
Alcohol containers	
Any items that will rust	
Any broken and/or disintegrated items	
Any items with hooks, spikes or sharp edges	
Any items spiked into the ground	
Pot plants	
Any item placed or planted on the lawn areas and pathways, for example, pavers, fencing, vegetation.	
Rockhampton Memorial Gardens and Gracemere Ashes Gardens	
Conforming Items	
Fresh or dried flowers (no wire allowed)	
Flower receptacles arranged through Council (groves and columbarium)	
Receptacles, ornamentation and other conforming items that are securely placed on and within the allocated ashes plot.	
Non-conforming Items	
Flower receptacles <u>not</u> arranged through Council (groves and columbarium)	
Artificial flowers (with wire), glass, china, ceramic or other breakable ornaments or receptacles	
Wind chimes, windmill ornaments, solar or battery powered lights or ornaments	
Toys, candles, photo frames or balloons	
Alcohol containers	
Any items that will rust	
Any broken and/or disintegrated items	
Any items with hooks, spikes or sharp edges	
Any items spiked into the ground	

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Pot plants
Any item placed or hung on trees, shrubs or plants
Any item placed or planted on the lawn areas and pathways, for example, pavers, fencing, vegetation.

6 Review Timelines

This procedure is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the General Manager Community Services.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	Manager Community Assets and Facilities
Policy Quality Control	Legal and Governance



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