

## Purpose

Whitsunday Regional Council has the management of three cemeteries within its Local Government Area, namely the Proserpine, Collinsville and Bowen cemeteries ("the cemeteries").

The purpose of this policy is to provide guidance to Council Officers and users of the cemeteries, and:

- to provide a range of burial and memorial options for the bereaved family of the deceased;
- to identify roles and responsibilities in the burial process;
- to correctively capture the required information for record and archiving purposes;
- to ensure upkeep and maintenance of cemeteries is conducted in an efficient and cost effective manner; and
- to ensure appropriate amenity.

## Scope

This policy is applicable to all cemeteries administered, operated and maintained by the Whitsunday Regional Council, namely those cemeteries located in Proserpine, Collinsville, and Bowen.

## Policy Statement

1. Council shall manage the cemeteries to a high standard and in a cost-effective manner.
2. Council does not permit any person to undertake any activity within the cemeteries unless the activity has been approved by Council.
3. Only Council Officers and Council or Funeral Director contracted staff shall be allowed to prepare graves in the cemeteries.

### Days and Hours of Operations

4. Burials are to take place between 0800 and 1500 on business days. Burials outside of the nominated times will be considered for exceptional circumstances such as religious beliefs.
5. A request for a burial outside of the cemetery operating time must be submitted on the approved form and shall be considered for approval by the Manager Parks and Gardens, or the Director Infrastructure Services
6. Burials where religious or cultural beliefs dictate burial within 48 hours may be approved by the CEO or delegate.
7. Burials which are not completed by 1530 on business days may be charged overtime rates.

### Register of Burial Places

8. Council shall keep a register of burials and ashes placement in respect of all administered cemeteries.
9. Council shall keep a register of reservation plots/sites/niches which will include the number of the plot, name and address, contact details and proof of identification of the deed holder in respect of each reservation.
10. Each register, which may be written, printed or electronic form, must include the name of the deceased, date of death, date of birth, listed next of kin and relationship to the deceased, date of interment, depth

of interment, interment number e.g 1<sup>st</sup> or 2<sup>nd</sup> interment, name of Rights of Burial holder, name of Funeral Director and location of interment site of every person whose remains are interred in the cemetery.

11. The register may not include all interments in historical cemeteries.
12. The register may not include cremations that are not interred in any council cemetery.
13. Each register entry must contain the name and address of the owner of the burial right with the exception of the historical records where this information may not have been obtained or kept by previous operating entities.
14. Only burials (not cremations) undertaken in the cemeteries shall be registered by Council with the Department of Justice Births, Deaths and Marriages Section through their approved software system.

#### **Burials not within a Cemetery**

15. Applications for Burials to take place in an area outside a cemetery must be made in accordance with any relevant Local Law.
16. The interment must not take place unless approval is granted by the relevant State Government Minister and Local Government as required under the relevant Policy.

#### **Reservation of Plot, Niche or Site**

17. Reservations are accepted by Council at each of the cemeteries upon receipt of the Approved Form and payment as per Council's Fees and Charges.
18. All applications for a reservation must be made using the approved form and accompanied by the fee set out in Council's Fees and Charges. All fields listed on the application form are required to be completed in full and accompanied with a copy of the applicant's identification. Council reserves the right to return the application form and request for further information if items have been left blank.
19. Whilst Council shall make every effort to honour specific plot reservations, there may be circumstances where Council may not be able to do so. For example, Council is unable to carry out burials that are adjacent and/or opposite to plots that have been buried in, within a twelve-month period due to the risk of collapse.
20. Burial plots which are reserved will have an "R" token placed on the plot to indicate status when the audit is completed at the end of each year.
21. The Funeral Director must liaise with Council's Customer Service staff for plot location at time of burial application (not the bereaved family).
22. Council staff will allocate existing single sites that are available for single burials prior to utilising new areas for burial.

#### **Cancellation of Reservation of Plot, Niche or Site**

23. The reservation holder is the only person that has the right to cancel a reservation on a reserved site.
24. Cancellation of reservation must be submitted in writing to Council and relevant charges will be applied as per Council's Fees and Charges.

#### **Interments - Burial and Ashes**

25. All applications for burial and ash interments must be made using the approved form and accompanied by the fee set out in Council's Fees and Charges.
26. All fields listed on the application form are required to be completed in full. Council reserves the right to return the application form and request for further information if items have been left blank.

27. Council staff and any person involved in the preparation of graves, including sub-contractors employed by the Funeral Director for the digging of graves, shall follow Council's Interment of Human Remains Procedure.
28. For a burial interment to occur, the completed application must be lodged with Council on the approved form not less than two business days prior to the funeral unless pre-approval has been granted by Council. Late lodgements may not be approved or may incur an additional fee. Burials where religious or cultural beliefs dictate burial within 48 hours may be approved by the CEO or delegate.
29. Ashes may be interred in the Columbarium wall, memorial garden or an existing grave upon approved application and payment of the associated fee in Council's Fees and Charges. Ashes may only be interred in an empty plot where the burial plot was reserved prior to the death occurring and exceptional circumstances have arisen which mean that the family have only ashes to inter.
30. The old monumental sections in the cemeteries are closed and no further interments shall take place in those sections except in the following circumstances:
  - i. there is a pre-existing reservation; and
  - ii. it is practical and safe to inter remains or ashes.
31. All new interments shall be conducted in the lawn and beam sections of the cemeteries, memorial gardens, and columbarium walls.
32. Council shall undertake the process of allocating burials and reserving burial sites.
33. The interment options at Whitsunday Regional Council cemeteries are as follows:

#### Bowen Cemetery:

Type	Single Interment	Double Interment	Single Interment and One Ashes	Ashes Only	Multiple Ashes Interned	Plaque Only
Grave	YES	NO	YES	YES	YES	NO
Memorial (Rose) Garden	NO	NO	NO	YES	YES	YES
Columbarium	NO	NO	NO	YES	YES	YES

### Collinsville Cemetery:

Type	Single Interment	Double Interment	Single Interment and One Ashes	Ashes Only	Multiple Ashes Interned	Plaque Only
Grave	YES	YES	YES	YES	YES	NO
Memorial (Rose) Garden	NO	NO	NO	YES	YES	YES
Columbarium	NO	NO	NO	YES	NO	YES

### Proserpine Cemetery:

Type	Single Interment	Double Interment	Single Interment and One Ashes	Ashes Only	Multiple Ashes Interned	Plaque Only
Grave	YES	YES	YES	YES	YES	NO
Memorial (Rose) Garden	NO	NO	NO	YES	YES	YES
Columbarium	NO	NO	NO	YES	NO	YES

34. The placing of a plaque on an empty gravesite shall only be approved where the burial plot was reserved prior to the death occurring and exceptional circumstances have arisen which prevent the family from burying the deceased.
35. No burial or interment of ashes shall be permitted in the cemeteries until an application on the approved form has been received and approved by Council in writing.
36. Specific cultural/religious requirements are to be advised at the time of application on the approved form. Council shall endeavour to grant the requirement, however the final decision shall be made by the authorised person.
37. Animal burials are prohibited in the cemeteries.
38. No more than two coffin interments and six ashes interments shall be made in a singular plot, with the exception of Bowen cemetery which only has the allowance for one coffin interment and multiple ashes.

### Columbarium Wall

39. A single niche in the columbarium wall can be purchased at Council's cemeteries for the interment of ashes. The Bowen columbarium is the only wall that offers a double niche for family members.

### Memorial Gardens

40. A Memorial Garden can also be found at each of Council's Cemeteries for the interment of ashes where families do not want to place loved ones in the columbarium wall.
41. Families may plant a bush rose within the Memorial Garden.
42. Permission must be sought before planting can occur, as per the Memorials in Council's Parks and Reserves Policy.
43. The maintenance and upkeep, including watering, of bush roses or trees planted within the Memorial Garden will be the responsibility of the Council.

### Lawn Cemeteries - Headstones, Monuments, Plaques Adornments

44. A headstone requires a contract with Council authorising construction and maintenance of the structure. Only a licensed monumental mason or licensed builder with experience and relevant QBCC license as required,
45. No vaults or mausoleums shall be permitted.
46. Council will take all care when maintaining the cemetery but will not accept any responsibility for cleaning plaques, adornments, or headstones and will not be liable for damage as a result of vandalism, weather, or the operation of the irrigation system.
47. Council officers may, without notice, remove and dispose of any headstone/monument etc. that does not comply with Council's requirements.
48. Council shall not be liable for the repair, maintenance, upkeep or preservation of any plaque or item placed on the grave, site or niche. The responsibility for the costs of repairs and maintenance to plaques, monumental and historical graves, site or niche and headstone lies with the family of the deceased.
49. Monumental works shall be purchased directly through a stonemason and will require written approval from Council prior to being installed.
50. The type of plaques permitted in lawn cemeteries are:
  - (a) Bronze; and
  - (b) Granite/stone.
51. Plaques with photographs are acceptable.
52. One plaque per gravesite is permitted.
53. Updating and replacement of an existing plaque will be at the family's expense.
54. Bronze Plaques for the lawn and columbarium shall be approved by Council.
55. Where the Public Trustee has organised the burial of a deceased person, only the plaque supplied/paid for by the Public Trustee shall be placed on the grave site.
56. Proserpine Cemetery is limited to;
  - a) Lawn Section - An inscribed plaque mounted on a cement slope and base having dimensions of 280mm high and 380mm wide and a maximum depth of 20mm.
  - b) Columbarium Wall - An inscribed bronze plaque having dimensions of 210mm high and 300mm wide and a maximum depth of 20mm.
  - c) Memorial Rose Garden - An inscribed plaque with dimensions of 180mm high and 230mm wide with a depth of 20mm for a single placement and 180mm high and 460mm wide with a depth of 20mm for double placements.
57. Bowen Cemetery is limited to;
  - a) Old Lawn Section - An inscribed plaque placed on a concrete slab having dimensions of 280mm high and 380mm wide and a maximum depth of 20mm.
  - b) New Lawn Section - An inscribed plaque mounted on an angled beam having dimensions of 280mm high and 380mm wide and a maximum depth of 20mm.
  - c) Beam Section - A granite headstone having dimensions of 900mm wide and 600mm high with a depth of 130mm in a granite or marble composition (bronze/granite/marble plaques to standard size of 320mm x 280mm can be affixed to a headstone).

- d) Columbarium Wall - An inscribed bronze plaque having dimensions of 165mm wide and 230mm high and a depth of 20mm for a double plaque and dimensions of 150mm wide and 130mm high with a depth of 20mm for a single plaque.
- e) Memorial Garden - An inscribed plaque with dimensions of 280mm high and 380mm wide with a depth of 20mm for a single placement, 280mm high and 740mm wide with a depth of 20mm for a double placement.

58. Collinsville Cemetery is limited to;

- Beam Cemetery - An inscribed plaque with dimensions of 280mm high and 380mm wide with a depth of 20mm.
- Lawn Cemetery - An inscribed plaque with the dimensions of 280mm high and 380mm wide with a depth of 20mm.
- New Columbarium Wall - An inscribed plaque with the dimensions of 300mm high and 210mm wide with a depth of 20mm.
- Old Columbarium Wall - An inscribed plaque that is made to measure.

59. Placement of Vases, Flowers, Adornments, Trees and Shrubs, Structures within the Cemeteries.

60. For safety and visual appeal there are certain items permitted for placement in Council cemeteries.

61. Fresh or artificial flowers and wreaths may be placed directly on graves for 2 months after interment after which the grave will be prepared for grass to grow in the lawn sections. Thereafter, fresh or artificial flowers including wreaths can be placed on or on either side of the monument. Visitors are encouraged to remove such items when they become unsightly, weathered, or wither.

62. Flower vases placed either side of the headstone/plaque shall be of concrete, granite, or other durable long lasting material No glass is permitted. Vases must be of a size that does not encroach on adjoining graves or grassed areas and not exceed 300mm in height so as to not interfere with irrigation spray patterns. The vase must be of a sufficient weight to remain secure. Council does provide the option to purchase vases at suppliers cost from our Customer Service Centres if desired.

Adornments must fit neatly either side of the monument and must be secure and not encroach on adjoining graves. Adornments that pose a maintenance issue or encroach may be removed only after three (3) attempts to notify the next of kin, giving an opportunity to rectify. If it proves difficult to notify next of kin or a family member and the adornments or other items of value are removed by Council staff, the item(s) may be retrieved from the nearest Council Office closest to the cemetery from which the items were removed. Council reserves the right to dispose of the item(s) that do not comply with the policy two months from date of collection if next of kin or family member have not come forward to collect.

- a. Planting of trees and shrubs is not permitted in Councils cemeteries by members of the public with the exception being bush roses in the memorial garden upon approval by Council.
- b. Structures such as archways and aarbors will not be permitted to be placed at the cemetery without the approval of the CEO or delegate.



- c. Statues will only be permitted if they fit within the monument area either side or are securely fixed and do not encroach on adjoining graves.

#### **Cemetery Maintenance**

- d. Council will take all care when maintaining the cemetery but will not accept any responsibility for cleaning plaques, adornments, or headstones and will not be liable for damage as a result of vandalism, weather, or the operation of the irrigation system.
- e. Council will need to from time to time remove withered flowers, or flowers and adornments that have been blown by the wind into areas wherein the grave it came from cannot be readily identified.
- f. The cemeteries shall be maintained in line with Parks & Gardens Technical Levels of Service.

#### **Cemetery Access**

- g. Access to all cemeteries is restricted to designated roadways. Public vehicles are not permitted to drive on grave beds.

#### **Exhumation**

- h. Council shall not allow exhumation of human remains that have been interred for a period greater than six days and less than six months unless extenuating circumstances exist to the satisfaction of the authorised person.
- i. All arrangements for exhumation are to be made with a Funeral Director who shall liaise with Council.
- j. Permission for exhumation shall only be granted to the next of kin of the deceased person and must be made by way of written application by a Funeral Director to Council.
- k. All requirements of the Council must be met prior to the exhumation being considered for approval by the CEO.
- l. In the case where a notice has been served on Council by the State Coroner for an exhumation, all arrangements are to be undertaken by that Department.

Council shall not compensate or reimburse the Burial Right Holder for such plot.

- 1.77 The Burial Right Holder shall be responsible for the removal of any headstone, plaque or memorials once the exhumation has been completed.

#### **Consultation with Suppliers**

- 1.78 A meeting between Council staff and local service providers and suppliers shall be undertaken on at least an annual basis to ensure good relations, to promote continuous improvement of Council's cemetery services and to discuss Council's Fees and Charges.

## Definitions

**Adornments** shall mean Ornaments, photo frames, candles, toys, solar lights, windmills and wind chimes, flags,,etc

**Approved form** shall mean a form approved by the CEO.

**Authorised Person** shall mean a Council Officer with the authority to make a decision eg. Manager Parks and Gardens, Director Infrastructure Services or the CEO.

**Burial** shall mean the act of burying the remains of a deceased person.

**Burial Site/Plot** shall mean a grave site, vault site, memorial site or other place for the disposition or commemoration of the remains of the deceased, whether cremated or not.

**Cemeteries** shall mean the Council managed cemeteries in Bowen, Collinsville and Proserpine.

**CEO** shall mean a person who holds an appointment as Chief Executive Officer of the Whitsunday Regional Council under section 194 of the *Local Government Act 2009*. This includes a person acting in this position.

**Council** shall mean the Whitsunday Regional Council.

**Funeral Director** shall mean an individual, or business carrying out a funeral service.

**Grave** shall mean a burial place of a deceased person's remains.

**Memorial Garden** shall mean a place to remember a deceased person and where ashes may or may not be interred.

**Monument** shall mean any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around a burial plot/site/niche.

**Monumental mason** shall mean a qualified tradesperson mason.

**Niche/s** shall mean a hollow space in a Columbarium Wall to place cremated remains.

**Operating entities** shall mean former Council's prior to the amalgamation of the Whitsunday Regional Council.

**Reservation** shall mean to pre-purchase a burial right for a burial site/plot/niche.

**Register** shall mean Council's formal repository of data containing all the required details of a deceased person.

**Spouse** includes a de facto spouse.

## Applicable Legislation

*Births, Deaths and Marriages Registration Act 2003*

*Births, Deaths and Marriages Registration Regulation 2003 Local Government Act 2009*

*Local Government (Cemetery) Regulations 2010 Public Records Act*

*Public Health Act 2005*

*Public Health Regulation 2005 Workplace Health and Safety Act 2011*

*Workplace Health and Safety Regulations 2011*

*Whitsunday Regional Council Local Laws*

## Definitions



# Cemeteries Policy

## Infrastructure Services - Park & Gardens

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**CEO** refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

**Council** refers to the Whitsunday Regional Council

**Employee** refers to any employee, contractor, volunteer etc. of the Council

### Related Documents

N/A

## Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

COUNCIL POLICY			
Date Adopted by Council	24/02/2021	Council Resolution	
Effective Date		Next Review Date	12/06/2022
Responsible Officer(s)	Infrastructure Services	Revokes	LSP_CE_04
Public Consultation: Yes / No			