INTRODUCTION

Mid-Western Regional Council has developed this policy document to suit the burial requirements and needs of the general community. It covers all cemeteries in the region; towns of Mudgee, Rylstone and Gulgong, Villages of Hargraves, Windeyer, Ulan, Wollar, Ilford, Lue and the localities of Tunabutta, Cudgegong and Crudine. The regulations in regard to burial requirements are outlined in this document, in both the monumental and lawn cemeteries. All denominations are covered. General information in regard to reservation of graves, interment of cremated remains, memorials and exhumations is also provided. The pricing structure is also referred to.

OBJECTIVE

1. To provide a lawn cemetery with enhanced aesthetic appeal afforded by quality landscaping, standardised memorial plaques and restricted floral adornments for the benefit of all.

2. To set standards and guidelines for the use of and services provided by, Council operated cemeteries.

3. To provide choice in the options for ashes internment.

POLICY

GENERAL

1. Two working days notice must be given at all times to allow sufficient time for grave digging to be completed. Burials with less than 48 hours notice will only be considered in exceptional circumstances.

2. All burials etc shall be completed within 8.30 am – 4.00 pm inclusive otherwise additional fees will apply as per the current Council Management Plan (pricing under ‘Weekends / public holidays (all ages, replaces normal fees)’)

3. In the event that there is a request for more than three (3) funerals conducted within the Mid-Western Region on one particular day agreement must be sought from the Operations Department to ensure resources are available.

4. No weekday burial shall be allowed to take place at any other time unless in cases of great urgency (such as those involving a health risk, an extraordinarily long weekend or circumstances surrounding the death have a state or national implication) and upon the written authority of the General Manager (or delegate), and subject to such conditions, including charges (as defined in the Council Management Plan), as deemed necessary.

5. Burials on Weekends and Public Holidays or outside normal operating hours are only permitted subject to staff availability by arrangement and additional fees will apply as per
the current Council Management Plan (pricing under 'Weekends / public holidays (all ages, replaces normal fees')

6. The erection of new vaults and other forms of above ground interments in Council cemeteries are in accordance to NSW Health regulations.

7. Preparation of Graves - Only cemetery staff (or those contracted to Council) shall be allowed to prepare graves in any Council cemetery. The only exception being preparation for receipt of cremated remains.

8. Grave Allotment Sizes - Sizes shall be as follows:
   - Single grave 2.4m x 1.2m
   - Double grave 2.4m x 2.4m
   - Family grave 2.4m x 3.7m

9. Depth - All graves within a cemetery for persons eight (8) years of age and upwards shall be sunk at least 1.8m, and for children under eight (8) years not less than 1.4m. No coffin shall be buried so that the lid is less than 0.9m below the surface. Council will consider requests for additional depth where more than two internments are proposed.

10. The Council may grant a Lease for a cemetery allotment for the interment of a stillborn baby around the Mudgee Central Garden Bed. The cost of this lease will be set in the Fees and Charges Schedule of Council. The interment will be at the minimum depth permitted and no other burials will be permitted in the allotment.

11. Burial fees are set and reviewed by Council annually.

12. Single plots are to be paid for prior to any burial, unless the applicant has an existing account arrangement with Council

13. Council will not undertake the ongoing maintenance of plaques and memorials.

14. All activities undertaken within the Cemetery grounds shall comply with relevant Work cover and Occupational Health and Safety requirements.

15. Council send a copy of this policy with a covering dot point information sheet as well as a inscription form for plaques be sent to each family immediately after each funeral.

16. Installation of cemetery reservation markers will be installed upon request, costs to be met by the applicant with payment of the fee as set out in the fees and charges schedule.

RESERVATIONS

1. At the time of burial, relatives of the deceased are to be given the opportunity to 'reserve' graves.

2. Reservation of vacant plots will be considered, however, applications must be in writing, addressed to Council stating reasons why a reserved plot is required. e.g. terminally ill person, family plot etc. Reservations on adjoining vacant lots may be made and paid for at the time of burial if additional allotments are required.

3. All such reservation plots are to be paid for, at current Management Plan prices, at the time the reservation is being made. Only then shall a permit be issued.
4. The General Manager (or delegate) shall be authorised to approve or reject applications for reserved vacant plots. Insufficient reasons or lack of prepared burial land shall be suitable avenues to refuse an application.

5. The assignment of a Lease is not permitted unless it is to an immediate (eg parent, sibling or child) member of the Lessee's family.

6. Where an allotment has not been used, the Lease may be transferred from one allotment to another, however, the Lessee must pay the administration fee applicable at the time.

7. Council has the discretion to buy back unused sites for the amount of the original purchase price, where required. If documentation is not furnished to indicate the purchase price, then the refund shall be $50.00. Proof of ownership of the lease will be required prior to release of the site.

MONUMENTAL SECTIONS

1. No plaque, vase or other ornaments will be erected or established outside the beam area.

2. Headstones will comply with specifications as outlined in Memorials section of the policy.

3. Council shall maintain the lawn areas, trees and vegetation, roadways and paths adjacent and within the monumental sections.

4. Grave ornaments will be limited to two (2) per grave site with a maximum height of 300mm. All ornaments should be within the designated area on the beam and should not encroach onto adjacent gravesites.

5. Artificial flowers and ceramic/glass ornaments will be allowed on the beam, but will be removed by Council staff if in their opinion they have deteriorated to such an extent as to detract from the appearance of the Cemetery.

6. Council may relax the general restrictions on floral adornments for a period of 3 months following interment. The General Manager (or delegate) may grant permission for a limited period for persons to place artificial flowers on a grave if extenuating circumstances exist.

7. To recognise persons who have a claim over a cemetery plot utilised prior to 1973 allowing those persons to maintain a monument on the plot, despite ownership of the plot being uncertain. Any person that has been maintaining a monument that was erected on a grave site prior to 1973, shall be allowed to carry out repairs or upgrading without the need to purchase the grave site. This applies to all cemeteries.

LAWN CEMETERY AND AVENUE TREES

1. The Lawn Cemetery has no religious denomination sections.

2. Council shall maintain the lawn and garden areas.

3. All shrubs, plants etc in the garden are planted and cared for by Council. The public are not permitted to plant flowers, shrubs or trees in the Lawn Cemetery or gardens.

4. All graves are to be dug to double depth to allow for future potential burials that may be required.
5. No monuments are to be erected in the Lawn Cemetery. Council erects plaques on the kerbing. Plaques must be ordered from Council (arrangements may be made through the funeral director).

6. Any flowers, artificial flowers, wreaths left in the Lawn Cemetery by persons are left with no responsibility on Council to maintain them. Council will remove any of the above when they begin to fade or look untidy.

7. Flowers are to be left in the plastic vase provided by Council. No ornaments, vases etc are to be fixed or placed onto the concrete kerbing or left in the garden beds with exception to point 13.

8. Ashes interment is permitted once approved by Council around specified avenue trees in addition to standard plot.

9. Council may relax the general restrictions on floral adornments for a period of 3 months following interment. The General Manager (or delegate) may grant permission for a limited period for persons to place artificial flowers on a grave if extenuating circumstances exist.

10. Council staff, at Council’s expense, shall reset plaques that are moved by Council during normal operations.

11. At the Lawn Cemeteries, a series of adjacent plots can be reserved for the burial of a family including adults and children.

12. At the Lawn Cemetery, the children’s section is for the ages as shown, i.e. for children older than 12 months and less than 13 years. (See for example attached Mudgee Lawn Cemetery Plan)

13. At the Lawn Cemetery, permission may be gained for burial of children still born and children to and including 12 months of age around the Central Garden Bed. (See attached Mudgee Lawn Cemetery Plan.) This area is for the exclusive burial of children 12 months old and under. Ornaments will be permitted in this area but have to remain to a maximum height of 300mm and width of 600mm need to remain within the designated fenced area. They should not encroach onto adjacent gravesites and not be fixed or placed on the concrete kerbing. Any ornaments that fixed or placed incorrectly and/or once ornaments become faded and deteriorated then they will be removed by Council staff.

INTERMENT OF CREMATED REMAINS

1. No person shall intern cremated ashes in Council’s cemeteries unless approval has first been obtained for such purpose.

2. The granting of a Lease for the interment of ashes shall not give or confer on the lessee, or any other person, any right for more than two interments in any one allotment in the Tree Memorial Beds.

MEMORIALS

1. No person shall erect, or cause to be erected a memorial headstone or any other structure on any allotment in Council’s cemeteries unless a Memorial Licence has first been issued.

2. The fee for memorial work is as stated in the Fees and Charges Schedule and a licence will be issued to the stonemason carrying out the work. The stonemason will provide Council with a copy of their Public Liability policy in a minimum amount of $10 million. Where a
stonemason is not being utilised, the consent of Council will be required prior to erection of the memorial headstone.

3. Each memorial shall be set up on a footing and shall be erected or set up in such a place or position as the Council may direct. No memorial work is to be undertaken until a Council employee has pegged the site after the lease has been obtained.

4. Memorials erected on cemetery allotments shall incorporate headstones which shall not exceed a height of 0.84 metres and a depth of 0.3 meters and each headstone shall have a maximum width of 1.2 metres (2.4m for double) and be of a type and material approved by Council.

5. No plantings in memorials shall take place without the prior written consent of the Council.

6. Ownership of a memorial headstone shall rest with the holder of the Lease (name to be advised) or the holder’s personal representatives (eg next of kin/executors) and shall be deemed to have taken place only when all monies owed have been discharged.

7. The holder or the holder’s personal representative shall be responsible for the maintenance, repair or removal of damaged or deteriorated memorial work.

8. If, on being notified of the need for a memorial to be maintained, repaired or removed, the holder fails to effect such work within 30 days the Council shall do so in default and recover the cost from the holder. Council also reserve the right to remove dangerous structures.

9. Council will not remove top stones erected as part of a memorial for the interment of additional bodies or ashes. Removal arrangements must be made through nominated stonemasons, as approved by the Funeral Director carrying out the burial. Removal cost of top stones is to be the responsibility of the Funeral Director.

EXHUMATIONS

1. Approval for the exhumation will be given by the General Manager (or delegate) and will be in accordance to NSW Health regulations.

2. Requirements for Reinterment - For approval for reinterment in a new burial plot to be considered the following must be lodged with the application:
   
a) Written confirmation from a recognised Undertaker that they are prepared to carry out the exhumation; and
b) Written consent for the proposed exhumation from the deceased’s next of kin, executor or other personal legal representative; and
c) A certified copy of the Death Certificate; and
d) Details of the new burial site where reinterment is to take place.
e) The approval in writing of the Director General of the Department of Health (NSW) where the reinterment plot is located other than within the same local government area. Further, that the following condition be incorporated in any approval - “That the remains of the said.... be placed in a sealed plastic bag, encased in a hermetically sealed coffin.”
f) This clause does not apply if an exhumation has been ordered by a Court

3. Requirements for Cremation - For approval for exhumation for cremation purposes to be considered the following must be lodged with the application:
   
a) Written confirmation from a recognised Undertaker that they are prepared to carry out the exhumation; and
b) Written consent for the proposed exhumation from the deceased’s next of kin, executor or other personal legal representative; and
c) A certified copy of the Death Certificate; and  
d) The approval in writing of the Director General of the Department of Health (NSW) where the reinterment plot is located other than within the same local government area. 
e) This clause does not apply if an exhumation has been ordered by a Court.
DEFINITIONS

Applicant The person making an application for a burial or memorial right; for a work permit or other Council consent; for burial or cremation.

Beam The slab of concrete covering the gravesite. Typically 800m for a single gravesite and 1020 for a double site.

Cemetery / Cemeteries Public cemeteries managed and or controlled by Council. When used as a generic term it can apply to lone graves, family plots and larger collections, such as those under Council’s control.

Council Mid-Western Regional Council.

Exhumation The removal of the remains of a dead person or still-born child from a grave site.

Fee A fee fixed by Council in it’s annual Management Plan’s Fees and Charges.

Grave Site / Burial Place A gravesite, vault site, memorial site or other place for the disposition or commemoration of the remains of the dead, whether cremated or not.

Hermetically Sealed Coffin The burial case, coffin, casket or box used must be of metal, or of other material with metal lining, and must be so constructed that when closed and fastened the same shall be airtight.

Holder / Grantee / Owner The original owner/purchaser of the right of burial. Where there are 2 or more owners these should be registered as ‘joint tenants’. The recognised owner of the right of burial is that person(s), or corporation(s) currently entered in the cemetery’s burial register. In the case of Monuments, the grantee refers to a surviving member of that person’s family.

Lease The conferral of reservation for a right of burial. Once burial has taken place, the lease is extinguished and right of burial is initiated.

Licensee A grantee.

Group Manager Operations Means the Council, Group Manager of Operations or authorised designates.

Monument Any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around a burial right.

Monumental Mason A tradesman mason or person possessing the skills to carry out monumental masonry work.

Plastic Bag Industrial strength plastic to be utilised.

Pre-need Burial Right A burial right granted prior to need.

Recognised Undertaker A person or persons whose business is the management of
funerals.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Register</td>
<td>The Council’s formal repository of data containing all the required details of a burial, cremation, memorial site or right of burial. (Note limited records are available prior to 1973).</td>
</tr>
<tr>
<td>Reservation</td>
<td>A pre-need burial right.</td>
</tr>
<tr>
<td>Right of Burial</td>
<td>An exclusive right to the owner /holder to inter human remains in a burial space. There is no entitlement to any ‘real estate’ or property as such.</td>
</tr>
<tr>
<td>Top stone</td>
<td>A slab of stone / concrete laid flat over a grave.</td>
</tr>
</tbody>
</table>
GULGONG LAWN CEMETERY

SPRINGFIELD LANE

G
24 23 22 21 20 19 18 17 16 15 14 13
1 2 3 4 5 6 7 8 9 10 11 12

F
24 23 22 21 20 19 18 17 16 15 14 13
1 2 3 4 5 6 7 8 9 10 11 12

E
24 23 22 21 20 19 18 17 16 15 14 13
1 2 3 4 5 6 7 8 9 10 11 12

D
24 23 22 21 20 19 18 17 16 15 14 13
1 2 3 4 5 6 7 8 9 10 11 12

Under 16 Children Section

ROW C SET ASIDE FOR CHILDREN 0 - 3 YEARS
NUMBERING TO BE COMPLETED BY MID NOVEMBER

ROW B SET ASIDE FOR CHILDREN 4 - 16 YEARS
NUMBERING TO BE COMPLETED BY MID NOVEMBER

A
NOT YET CONSTRUCTED

CASTLEREAGH HIGHWAY