



# muswellbrook shire council

## Cemetery Policy General Cemetery, Lawn Cemetery and Memorial Walls

MSC040E

### Authorisation Details

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<b>Community Strategic Plan Goal</b>	5. Effective and efficient infrastructure that is appropriate to the needs of our community		
<b>Community Strategic Plan Strategy</b>	5.1 Construct and maintain well-planned community infrastructure that is safe, reliable, and provides agreed levels of service		

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# 1 Policy Objective

Muswellbrook Shire Council is committed to providing a range of interment options that will best suit the immediate and ongoing needs of our community. This policy is designed to describe the roles and responsibilities of person or body who exercise a function in cemeteries operated by Council.

# 2 Risks being addressed

Ensure consistency in presentation of cemeteries, accurate record keeping, and compliance with legislation.

# 3 Scope

Muswellbrook Shire Council is the operator for the following cemeteries within its Shire. Council undertakes to provide and maintain the following Cemeteries:

- Denman General Cemetery
- Denman Lawn Cemetery
- Denman Memorial Wall
- Giants Creek General Cemetery
- Muswellbrook General Cemetery
- Muswellbrook Lawn Cemetery
- Muswellbrook Memorial Walls
- Wybong General Cemetery

# 4 Definitions

Term	Definition
Cemetery	A building or place used primarily for the interment and memorialisation of human remains (whether or not it contains an associated building for conducting memorial services).
Function	Includes a power, authority or duty, and exercise a function includes perform a duty.
Funeral Director	Person who, in the conduct of operating a business or a service engages, for the purpose of burial or cremation, in the collection, transport, storage, preparation or embalming of bodies, or engages in the conduct of exhumations.
Holder	The person recorded in the cemetery operator's register in relation to that cemetery as the holder of the interment right.
Interment Allotments	The placement of human remains in a mausoleum, vault, columbarium or other structure designed for the placement of such remains, or the burial in the earth of human remains (directly in the earth or in a container).
Council	Muswellbrook Shire Council
Operator	The person or body responsible for the management of the cemetery.

## 5 Policy Statement

All Rights of Interment for allotments in cemeteries operated by Muswellbrook Shire Council are classified as “Perpetual Right of Interment”.

No interment will be approved unless Council has received full payment for the Right of Interment and/or permission is given by the Right of Interment holder.

All allotments referred to in the policy will be 1.2 m x 2.4 m plots and can accommodate a single or double depth burial in both Lawn and General Cemeteries. All care is taken to ensure the correct sizes and access to allotments is provided. The historic nature of the General Cemeteries may impede allotments.

Interment of ashes is also permitted in any of Council’s cemeteries, provided Council’s requirements are met, including the provision of Memorial Walls.

### 5.1 Fees and Charges

Muswellbrook Shire Council reviews fees and charges annually.

Fees and Charges are set out in Council’s Adopted Operational Plan – Fees and Charges

All Rights of Interment for allotments in cemeteries operated by the Council are managed directly between the Right of Interment Holder, the surviving holder(s), or the deceased’s estate and Council. However, costs related to interment services will be recovered directly from the Funeral Director.

Fees and Charges:

Right of Interment Holder: Managed directly with the Council.

Interment Services: Costs, including the NSW Interment Services Levy, are recovered from the Funeral Director.

Council does not include in its Fees and Charges any provision for monumental plaques or head stones in the General Cemeteries and Lawn Cemeteries.

### 5.2 Work in Cemeteries Operated by Muswellbrook Shire Council

Written approval from Council is required before any work is carried out in any of the Cemeteries.

This includes but is not limited to:

- Interment (burial), of either a body or ashes in an allotment.
- Erection of a monument.
- Repair to a monument.
- Installation of plaque.
- Installation of ashes in a Memorial Wall.

Council requires the person or company undertaking any works to complete the relevant forms, provide any relevant documents including insurances, and pay prescribed fee and charges.

Any person or company wishing to do work to an interment site will also need to have the permission of the Right of Interment holder before approval will be granted by Muswellbrook Shire Council.

### 5.3 Grave Digging

Muswellbrook Shire Council does not provide or fund a grave digging service. This should be organised with the funeral director at the time of arrangement.

### 5.4 Lawn Cemeteries

The fee for the Right of Interment in Council's Lawn Cemeteries provides for the following:

- Right of Interment in the stated allotment.
- Fixing of a concrete sloper desk.
- Fixing of a concrete flower box.
- Provision of turf landscaping and perpetual maintenance.

The standard for plaques and other information pertaining to Lawn Cemeteries:

- Material            Bronze with brown stoved enamel finish or granite/marble  
                          The size of plaque must be within the sizes set below:  
                          Maximum 559 mm x 305 mm x 50 mm
- All flowers are to be placed in the flower box provided by Council.
- Lawn area of the cemetery is to remain clear of flowers and any other adornment for the maintenance and presentation of the cemetery.
- Small mementos are permitted on the concrete apron of a grave, provided that they are not hazardous (e.g. broken glass). Adornments to sloper desks are not to be attached.
- Where requested, sloper desks of granite or marble may be used in place of concrete sloper desks following approval of a Monumental Permit Application lodged with Muswellbrook Shire Council.

### 5.5 Memorial Walls

Installation of ashes and ordering of plaques is organised through an external provider and the application must meet all Council's requirements. If requested, Council can organise. Relevant fees and charges will apply.

The standard of the bronze plaque for memorial walls will be as follows:

- Material:            Bronze with brown stoved enamel finish
- Niche Size:        Walls 1 & 2 Muswellbrook and Giants Creek: 152mm (wide) x 114mm (high)  
                          Wall 3 Muswellbrook & Wall 1 Denman:        160mm (wide) x 205mm (high)
- Lettering:         Raised bronze lettering
- Edging:             Bevelled edge
- Adornments:       Approved proprietary brand of flower vase.

## 6 Delegations and Dispute Resolution

The General Manager is the interpreter of this policy.

## 7 Related Documents

### 7.1 Legislation and Guidelines

Cemeteries and Crematoria Act 2013 No 105

Public Health Regulation 2022

Local Government Act 1993

### 7.2 Policies and Procedures

Procedure – Cemetery

### 7.3 Other Supporting Documents

- Reservation of Allotment or Niche
- Application for Burial Permit
- Monumental Permit
- Interment of Ashes – Record
- Niche Plaque Order Form
- Register of Burial – Template
- Right of Interment – Template
- Record of Burials or Reservations

## 8 Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

V.	Date changed	Modified by	Amendments/Previous adoption details
1	25.08.2020	Manager - Works, Property & Building	Draft policy endorsed by Council for public exhibition.
2	01.06.2023	Director Property and Place	Reviewed version. Public exhibition of draft policy 29/06/2023-27/07/2023.
3	22.08.2023	Director Property and Place	Adopted by Council 22 August 2023, minute number 57.
4	7/04/2025	Director Infrastructure and Property	Changes to delineate the application of fees and charges for the Right of Interment Holder and Interment Services. Reported to Council meeting on 22/04/2025, minute number 261. Public exhibition of draft policy from 24/04/25 to 22/05/25. Adopted at conclusion of public exhibition on 23/05/2025.