

Local Law Guideline: Placement of items at a gravesite

Local Law (section and title):	Section 51 of <i>Cemeteries Local Law 2023</i>
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Purpose

Council regulates the operation of cemeteries and other activities regarding human remains under the *Cemeteries Local Law 2023* (the Local Law). This guideline is made by Council under section 51 of the Local Law. If the placement of an item at a gravesite complies with this guideline, an approval under the Local Law is not required.

The Local Law seeks to facilitate the operation of cemeteries in a way which allows individuals to respectfully grieve the deceased person, recognising the need to ensure risk to human health and safety is minimised, and visual and public amenity is protected.

The grounds of all Council cemeteries are regularly maintained and upgraded as required by Council. Council will make decisions on how the public can safely access grounds, and where required, items may be removed to better allow access and/or maintenance to grounds.

Guidance



Memorial items

Council appreciates that visitors to the cemetery may wish to place items in remembrance of loved ones such as fresh flowers, wreaths, and other personal tributes. The following guidelines detail Council's position on the placement of items on gravesites.

Local Law Guideline: Placement of items at a gravesite

Broadly, Council understands that any memorialisation must be:

- Respectful to the deceased and cemetery visitors;
- Durable (with the exception of fresh flowers and other temporary items, like photo frames, stuffed toys, clothing or cards);
- Safe for all visitors and cemetery staff to conduct their daily tasks;
- Support the aesthetics, standards and general nature of the particular area of the cemetery;
- Respectful of cultural diversity; and
- Placed at the risk of the visitor.

Placement of items

A person must not place any item likely to cause a risk to health or safety on a memorial or gravesite. Please refer to prohibited items below.

A person placing an item on a gravesite must ensure that the item does not extend beyond the boundaries of the gravesite.

Items of sentimental nature may be placed on gravesites in the following locations at one's own risk, conditional upon them not being prohibited:

- Lawn grave – on the headstone;
- Lawn beam grave – on the lawn beam;
- Monumental grave – on the monument.

The responsibility for care, maintenance and security of items placed on gravesites rests with the family of the deceased.

Prohibited items

The following items are prohibited within Council's cemeteries:

- In-ground planting of trees, shrubs, flowers or any type of plant;
- Installation of fences, trellises, signs and nameplates;
- Placement of solar lights;
- Placement of glass, ceramic or other items which may cause a safety hazard;
- Placement of rocks or pebbles;
- Placement of pot plants, unless the plant is located in accordance with the above;
- Placement of items which are hazardous or not in keeping with other graves in the cemetery;
- Painting of headstones, without prior written permission from Council;
- Placement of any items which could be deemed to be unsightly, deteriorated, inappropriate or offensive; and
- Placement of artificial turf.

Grass turfing

Natural grass coverage will naturally re-establish in the months following a burial; however, families of the deceased may lay grass turf if they wish to do so. Placement of grass turf is at your own risk and you should be aware that grass turf may be unintentionally damaged in the process of routine cemetery maintenance. Grass turf must be laid so that it is level with the surrounding ground surface. The responsibility for care, maintenance and security of grass turf placed on gravesites rests with the family of the deceased.

Monuments and headstones

Maintenance of monuments and headstones are the responsibility of the burial rights holder and may be a prescribed activity under the Local Law requiring an approval from Council prior to undertaking the activity, depending on the nature of the maintenance.

Authorised persons

Where authorised persons identify items that can be considered offensive, unsightly, aged, weathered, posing a hazard; or otherwise contrary to these Guidelines (in the absence of an approval under the Local Law), the authorised persons are authorised to remove and potentially dispose of the items as under the Local Law.

Related Documents

Relevant legislation

- *Cemeteries Local Law 2023*

Council documents

- *Cemeteries Local Law 2023 Explanatory Notes*

Definitions

Term	Definition
Authorised Person	Authorised person as defined under the Local Law
Burial Rights Holder	The person who has an approval under the Local Law for the burial of human remains in a Council cemetery
City of Moreton Bay or Council	Moreton Bay City Council
Local Law	<i>Cemeteries Local Law 2023</i>
Item	Any material thing, including a building or structure or vehicle, other than an animal

Document Control

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