



Name	CEM03 Memorials
Policy Type	Council
Responsible Officer	Thorak Cemetery Manager
Approval Date	16/07/2024
Review Date	15/07/2028

1. Purpose

This policy outline’s Litchfield Council’s expectations for the design and construction of memorials at Thorak Regional Cemetery.

2. Scope

This policy applies to all memorials erected within Thorak Regional Cemetery.

3. Definitions

For the purposes of this Policy, the following definitions apply:

Memorial	A memorial for the purposes of this policy is any structure such as a mausoleum, monument, plaque, tombstone, headstone, tablet, gravestone, vault, kerbing, or other form of construction placed over in or around an interment site to memorialise a deceased person with the approval of the Council.
Offence	Offence in this context refers to a memorial’s design, wording or marks that are capable of wounding feelings or arousing anger, resentment, disgust or outrage in the mind of a reasonable person (where that reasonable person visits a cemetery).
Interment Rights Holder	The person registered as having Interment Rights for an interment site.
Responsible entity	In accordance with section 22 of the Burials and Cremation Act 2022, the responsible entity is the Council.
Manager of the Cemetery	In accordance with section 23 of the Burials and Cremation Act 2022, the manager of the cemetery is the Chief Executive Officer or nominated delegate.

4. Policy Statement**4.1. Memorials - General**

- 4.1.1 An interment rights holder may arrange for a memorial to be installed immediately after an interment in all areas other than monument sections, following consent granted by the manager of the cemetery (manager) in the form of a memorial permit.
- 4.1.2 Following an in-ground interment in any monument section, an interment rights holder may arrange for a permanent memorial to be installed twelve months after the interment, following consent granted by the manager in the form of a memorial permit.
- 4.1.3 Only memorials specified for each distinct Thorak Regional Cemetery area may be installed in that area as per the TRC-FOR-009 Monuments & Memorial Specification Form.

4.2 Temporary Markers

- 4.2.1 Temporary grave markers with the name of the deceased, photographs, dates and plot number may be used, with prior permission from the manager, in the form of a permit, for a maximum period of twelve months after which the manager may remove the marker.

4.3 Memorial Specifications

- 4.3.1 All memorials shall be of a design, dimension and quality approved by the manager in its specifications. All work is to be consistent with Australian Standard, AS4204-2019 (Headstones and Cemetery Monuments) as a minimum and the requirements set out in the Monument & Memorial Specifications Form.
- 4.3.2 All monuments shall utilise the full width and length of the plot 2800mm x 1200mm or match the adjacent memorials. Where a memorial does not take up the total area of the plot, areas between the memorial or front face shall be concreted, compacted or a suitable dimension foot stone be laid.
- 4.3.3 Any memorial that takes the form of an above-ground burial structure such as a mausoleum must be consistent with Australian Standard AS 4425-2020 (Above-Ground Burial Structures) as a minimum.

4.4 Qualified Tradesperson with Permit to Work in the Cemetery

- 4.4.1 A memorial must be installed by a registered stonemason or suitably qualified tradesperson with evidence of current public liability insurance and a current permit to work at Thorak Cemetery. The exception is where a plaque is to be installed in an area where cemetery staff are responsible for installation.
- 4.4.2 Stonemasons or other tradespeople working within the cemetery must comply with all Work Health & Safety requirements of the Litchfield Council.

4.5 Memorial Permit Application

- 4.5.1 A memorial permit is required to install a memorial, including temporary memorials. Detailed drawings, including dimensions, type of memorial, name(s) inscribed and any epitaphs or other inscriptions on the memorial are to accompany the application for a permit. If not in English, an English translation must be provided.
- 4.5.2 The approval of a memorial permit shall be at the discretion of the manager and take into account consideration of dimensions, textures, colour and design within the aesthetics of the designated area and surrounding memorials.
- 4.5.3 Memorials higher than 1500mm in the Memorial sections also require evidence of structural engineering approval. Where an above-ground burial structure such as a mausoleum exceeds 2000mm in height, a building permit will also be required from a registered private building certifier as part of the application.
- 4.5.4 The manager will only grant approval for a memorial following consideration of the application and payment of the appropriate fee as set by Council resolution. This application must contain the consent of the holder of the exclusive rights. Issuing a memorial permit does not constitute an admission of liability from the responsible entity for any ownership, defects in design, construction, workmanship or materials.
- 4.5.5 Should the exclusive rights holder be deceased, then the exclusive rights can be administered by the Executor. If there is no Executor, then the Next of Kin / Decision maker, as per Part 1 (9) of the Burials and Cremation Act 2022, becomes the holder of the exclusive rights. The Application must be accompanied by a Statutory Declaration stating that the Applicant is the next of kin of the deceased exclusive rights holder or has the consent of all available direct descendants with whom contact has been possible.
- 4.5.6 Once the memorial permit has been granted, any alteration to the original design needs further approval from the manager. Failure to notify the manager may result in the structure being removed at the owners' expense.
- 4.5.7 Where a memorial permit has been granted for an above-ground burial structure such as a mausoleum, all building works must be completed within 6 months of commencement. The occupancy permit issued by the Building Certifier as evidence of satisfactory completion must be forwarded to the manager within 3 months of completion. If no occupancy permit is obtained and submitted, the manager reserves the right to seek the removal of the structure.

4.6 Memorial Epitaphs

- 4.6.1 The name to be inscribed on the memorial must accord with the name shown on valid proof of the deceased person's identity produced to the satisfaction of the manager, unless, with prior permission from the manager, a nickname is used.
- 4.6.2 Any epitaph must not cause offence. If a memorial does cause offence, the manager reserves the right to refuse the permit application, or if constructed, remove the memorial and seek recompense from the interment rights holder for all costs incurred.
- 4.6.3 The use or displaying of any logos, emblems, trademark/brand names, advertising (with the exception of a small stonemason/company logo and/or plot number, up to 100mm x 100mm) civil or military insignia is not permitted without permission of the registered holder.

4.7 Memorial Maintenance Responsibilities

- 4.7.1 The registered holder of the rights of interment for an allotment shall keep any associated memorial in good repair and proper condition.
- 4.7.2 The responsible entity will not be liable for the future care, maintenance, preservation, conservation or restoration of any memorial. The responsible entity will not accept responsibility for damage to memorials through acts of vandalism, riot, war or terrorism, cyclones or severe storms.
- 4.7.3 If a memorial is assessed by the manager as being dangerous, in disrepair or unsightly, the manager may require the person who as authorised to erect the memorial to repair, remove or reinstate the memorial in accordance with section 49 of the Burials and Cremation Act 2022.

4.8 Memorials and Subsequent Interments

- 4.8.1 Where a grave is to be re-opened for a second successive interment, the removal of any memorial to enable that interment is to be arranged in a timely manner by the interment rights holder on behalf of the family or person arranging the funeral. The manager is not responsible for the removal of memorials.

4.9 Memorials Register

- 4.9.1 The manager will maintain a Memorials Register of each memorial erected in the cemetery, containing the following information:
 - The type of memorial
 - The dimensions of the memorial
 - Details of any epitaphs and other inscriptions on the memorial.
 - Details of the location of the memorial within the cemetery.

- Who installed the memorial.

5. Associated Documents

TRC-FOR-009 Monument & Memorial Specifications Form
 Memorial Permit Application Form & Memorial Permit
 Permit to Work in a Cemetery Application Form & Permit to Work in a Cemetery
 Memorials Register
 Building Permit & Occupancy Permit (Building Certifier)

6. References and Legislation

Northern Territory Local Government Act 2019
 Work Health and Safety (National Uniform Legislation) Act 2011
 Burial and Cremations Act 2022
 AS 4204-2019 Headstone & Cemetery Monuments
 AS 4425-2020 Above Ground Burial Structures

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
21/03/2018	Initial Approval of Policy
20/05/2020	Incorporation of all monument sections, inclusion of temp memorial permits, requirement for English translations for inscriptions.
16/07/2024	Policy reviewed in accordance with review schedule. Minor amendments as per new Burial and Cremations Act 2022. References updated to current Australian Standards.