

Please print clearly in **BLOCK LETTERS** with a black pen.
 Ensure all fields have been filled out correctly.
 Please tick the appropriate boxes.

Once your application is received a Council Officer will contact you if further information is required.

1 Applicant details												
Surname					First Name							
Postal Address												
Suburb/Town					State				Postcode			
Email					Phone				Mobile			
<p><i>I/We declare to the best of my knowledge and belief that all the particulars here in are correct in every detail and the information required has been supplied.</i></p> <p>Signature of Applicant(s):</p>												
				Date:						Date:		
2 Property details of proposed burial location												
Lot No.				Section No.				Deposited Plan No.				
Street No. / Rural Address No.						Street/Road Name						
Suburb/Town												
Area of land (land holding must be equal to or exceed 5 hectares)												
3 Property owners details and consent												
Surname					First Name							
Postal Address												
Suburb/Town					State				Postcode			
Email					Phone				Mobile			
<p><i>I/We the undersigned are the owner(s) of the property described in this application and consent to its lodgement.</i></p> <p><i>I/We hereby permit any duly authorized officer of the Council, to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration of the Act(s), Regulation or Planning instrument.</i></p> <p>Signature of Owner(s):</p>												
				Date:						Date:		
<p>NB: If the property is owned by a company, a company seal must be provided with at least one executive signature. Any person signing on behalf of the owner must state the authority by which that person acts.</p>												
4 Details of Deceased (PLEASE COMPLETE IN BLOCK LETTERS)												
Title		Given Names			Surname							
Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	Date of Birth					Date of Death				
Last Known Permanent Address												
Suburb/Town					State				Postcode			
Relationship of deceased to property owner*												
<small>*Bega Valley Shire Council Burial on Private Land Procedure allows the burial of immediate family members</small>												

Please turn page for more information.....

bega valley
shire council

OFFICE USE ONLY

Inspecting Officer						Signature/s			
Date				Approved (Y / N)				Date Response Issued	
Application Fee		\$206.00		Receipt No.				Receipt Date	
				Receipt Type		1111		TRIM container: F11/444	

5 Checklist (INFORMATION TO BE SUBMITTED TO COUNCIL)						
1. Application form fully completed	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
2. Site Plans (3 copies minimum) showing location from any building and setbacks from boundaries, proposed access to the site (direct or via right of way/easement)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
3. Details of the proposed fencing	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
4. Geotechnical Report	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A

The application shall comply with the guideline produced by NSW Health – Guidance on Burying a Body on Private Land – *Public Health Regulation 2012* (document number GL2013-016).

Extract of guideline provided below:

1.1 Public Health Regulation 2012

Clause 66(1)(c) of the *Public Health Regulation 2012* (the Regulation) provides that “A person must not place a body in any grave or vault unless that grave or vault is located on private land where the area of landholding is 5 hectares or more and the location has been approved for that purpose by the local authority.”

Further, clause 66(2) states “A person must not bury a body in or on any land if to do so would make likely the contamination of a drinking water supply or a domestic water supply.”

1.2 General

It should be noted that the local authority is not approving of each instance of burial; rather it is approving of the burial location.

2 LEGISLATIVE EXPLANATIONS

Both the applicant (when preparing and submitting an application) and the local authority (local council) in determining an approval for a location for burial of a body on private land, should note the following requirements under the Regulation.

2.1 Landholding

The total landholding must be equal to or exceed five hectares.

This is a requirement of the Regulation and cannot be reduced. Burial on smaller landholdings cannot occur.

2.2 Geotechnical Report

A geotechnical investigation may be considered if there is any likelihood of contamination of ground waters and/or surface waters. It will also determine the suitability of the location in regard to the depth of soil, and the water table.

Clause 66(2) of the Regulation prohibits burial where it is likely to contaminate a drinking or domestic water supply. A drinking water supply means a water supply which is, or could be, used for internal ingestion or consumption, food preparation or ablutions (showing, cleaning of teeth, etc). A domestic water supply means a water supply used for domestic purposes (apart from drinking) such as clothes washing and toilet flushing. A geotechnical report can give an indication of ground water movement and water tables, even in dry times. Further, an indication of the soil depth and underlying substrate will enable both the proponent and the council to be aware of problems, such as rock outcrops or rock floaters that may be encountered in digging a grave to a suitable depth.

2.3 Burial of bodies

Bodies must be buried at a minimum depth of 900 millimetres.

Under Clause 64 of the Regulation a person who buries a body contained in a coffin must place the coffin so that its upper surface is not less than 900 millimetres below the natural surface level of the soil where it is buried.

2.4 Bodies to be placed in coffins

Bodies must be placed in coffin prior to burial.

Under Clause 63 of the Regulation bodies must be placed in a coffin and the lid of the coffin must be securely sealed. Approvals may be granted upon application to the Director General, Ministry of Health for exemptions under this clause of the regulation.