

HEAD OF POWER

- *Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011, schedule 1*

INTENT

The purpose of this policy is to establish parameters in which Council would consider approving the burial of human remains on private property.

SCOPE

This policy applies to all persons applying for burial on private property.

DEFINITIONS

Employee means a local government employee as defined in the *Local Government Act 2009*.

POLICY STATEMENT

1. Council will ensure that any burial on private property within the Bundaberg Region is in accordance with legislation, Australian Standards and best practice.
2. An application can be made for approval that allows for the disposal of human remains outside a cemetery.
3. Further to the Local Law and Subordinate Local Law, Council imposes the following additional criteria for granting an approval:
 - The person wishing to be buried or the executor/family of a deceased person requesting the burial on the property, must have a linear family connection with the occupiers of the land where the remains are being buried and the linear connection would need to be continuous. A minimum of third generation may be used as a guide.
 - The property where the remains are to be buried is to be a minimum of 20 hectares (49 acres) and must be classed as rural under Council's Planning Scheme.
 - The burial plot must be at least 25 metres from buildings of any nature, water courses and adjoining properties.
 - The property owner where the burial plot is to be located is to provide Council a written undertaking to establish a registered easement on the property that allows for access to the site from a gazetted road and a 20 square metre area surrounding the plot. The owner has a period of six months to have the registered easement created on the property.
 - Council may require a bond to ensure registration of the easement. Should the owner of the land default, the bond shall be forfeited to Council. The bond will be refunded on confirmation of the registration of the easement.

4. Where there is an inconsistency between the Local Law or Subordinate Local Law and this policy, the Local Law or Subordinate Local Law will apply.

ASSOCIATED DOCUMENTS

- *Local Law No. 1 (Administration) 2011*

DOCUMENTS CONTROLS

Council will review this policy biennially or in response to changes in law or best practice.

POLICY OWNER

Branch Manager Parks, Sport and Natural Areas.