

## **Schedule 15    Operation of cemeteries**

### Section 11

#### **1    Prescribed activity**

Operation of cemeteries.

#### **2    Activities that do not require approval under the authorising local law**

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#### **3    Documents and materials that must accompany applications for approval**

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) details of the cemetery; and
- (d) a drawing showing the design and dimensions of the proposed cemetery; and
- (e) details of the materials out of which the cemetery is (or is to be) constructed and other structural details of the cemetery; and
- (f) details of the location of the cemetery; and
- (g) if the applicant is not the owner of the land on which the cemetery is located – written consent of the owner; and
- (h) a site plan showing the immediate area of the proposed cemetery and proposed burial plots, columbarium niches, walls or any associated structures, plots and layout; and
- (i) if applicable, Native Title consent and tenure; and
- (j) details of the proposed administration and management of the cemetery; and
- (k) any other documentation or materials requested by the local government in writing.

#### **4    Additional criteria for the granting of approval**

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## **5 Conditions that must be imposed on approvals**

A condition that must be imposed on an approval is that the approval holder must comply with the standard public liability insurance condition.

## **6 Conditions that will ordinarily be imposed on approvals**

The conditions that will ordinarily be imposed on an approval are that the approval holder must –

- (a) comply with specified hours when the cemetery may be open to the public (where not previously regulated by a development approval); and
- (b) comply with specified hours when a burial, cremation or disposal may take place in the cemetery (where not previously regulated by development approval); and
- (c) give notice to the local government prior to a burial, cremation or disposal; and
- (d) permit an authorised person to inspect a burial site at any time either before or after a burial; and
- (e) keep a publicly available register containing various information about burials and cremations at the cemetery; and
- (f) keep a record of all reserved sites or niches within the cemetery; and
- (g) properly maintain memorials and other buildings and structures in the cemetery; and
- (h) ensure records of burials and graves are not destroyed or otherwise disposed of without the written approval of the local government; and
- (i) keep records of burials and graves open to inspection at all times when the person responsible for the making and retaining thereof is ordinarily in attendance at the place where the records are kept; and
- (j) comply with the regulated size and position of grave sites; and
- (k) if applicable, maintain Native Title consent and tenure; and
- (l) not exceed the maximum number of bodies which may be buried in a single grave; and
- (m) minimum periods of leases of grave sites; and
- (n) the proper maintenance of memorials and other buildings and structures in the cemetery; and
- (o) the requirement for operators to have policies about matters such as the exhumation or disturbance of human remains.

**7 Term of approval**

The term of an approval shall be a period of 12 months.

**8 Term of renewal of approval**

The term of a renewal of the approval shall be the term stated in the renewal.