



**ESTABLISHMENT OF
BURIAL SITES ON
PRIVATE LANDS**

**IN THE
NAMBUCCA VALLEY COUNCIL
AREA**



**DETAILS REQUIRED TO BE SUBMITTED WITH A DEVELOPMENT APPLICATION
TO ESTABLISH BURIAL SITES ON PRIVATE LANDS
IN THE NAMBUCCA VALLEY COUNCIL AREA**

- 1 The burial site is to be utilised for the burial of family members only.
- 2 A geo-technical report of the proposed burial site area is to be provided to Council. This will enable Council to determine if the type of soil is suitable to enable burial at an appropriate depth and the provision of the details of the depth to water table of the area which will enable an assessment of the potential to pollute ground waters or surface waters. The cemetery, including all burial sites, should not be located
 - ◆ *below the 1:100 year flood contour; or*
 - ◆ *on slopes greater than 15 ; or*
 - ◆ *on landforms with concave side slopes or foot slopes and should not be located on drainage plains or incised channels; or*
 - ◆ *on soils susceptible to erosion or where signs of erosion are present; or*
 - ◆ *where there is potential for run-on and up slope seepage; or*
 - ◆ *on poorly drained soil, such as clay.*
- 3 A copy of the site layout should be prepared by a registered land surveyor indicating the details of the interment gravesites and the dimensions of the burial area as a whole.
- 4 A Section 88B covenant should be annexed to the Certificate of Title of the property to show the existence of the cemetery. The covenant is to include right-of-carriageway connected to a public road to enable future legal access for relatives' visitation and maintenance purposes, should the property be transferred.
- 5 Suitable fencing of the cemetery area is to be established, using durable materials, to delineate the boundaries and secure the cemetery.
- 6 Each grave is to be permanently marked by a headstone or permanent marker that provides details of the deceased.
- 7 No above ground burial chambers are permitted.
- 8 Access to the property is to be provided to Officers of Council or the NSW Department of Health to obtain water samples, if required.
- 9 A register of burials with the following information is to be established and kept onsite at the property by the family, and copy provided to Council:
 - ◆ *name, age and last address of the deceased;*
 - ◆ *date of person's death;*
 - ◆ *date of burial;*
 - ◆ *exact location (survey of burial);*

- ◆ *name of person (if any) who continues to hold any right of burial in that allotment;*
 - ◆ *name of the undertaker who transported the body to the burial; and*
 - ◆ *name of the person who conducted the burial ceremony.*
- 10 The landholding is to be a minimum of 5ha in area to permit the establishment of a private burial area.
 - 11 The creation of any future interments within any private burial area is to be in accordance with the provisions of the Public Health Regulation 2022.
 - 12 Fees for a development application are set out in Council's fees and charges, which are reviewed annually.
 - 13 Notification of any interment to Council is required to be given within seven (7) days of any interment taking place.
 - 14 Development consent may take up to forty (40) days, requiring any private burial areas to be established prior to any death of persons to be interred in the area.