

## **Schedule 20 Undertaking regulated activities regarding human remains— (b) burial or disposal of human remains outside a cemetery**

Section 11

### **1 Prescribed activity**

Undertaking regulated activities regarding human remains— (b) burial or disposal of human remains outside a cemetery.

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

*Intentionally left blank*

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

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) details of the location and nature of the burial site or other place in which the remains are to be buried or placed; and
- (c) details of when and how the remains are to be disposed of; and
- (d) if applicable, written consent of the State government; and an explanation of the applicant's relationship to the deceased (if any); and
- (e) a copy of the death certificate or medical certificate of cause of death for the deceased; and
- (f) written consent from the nearest living relative in accordance with Ailan Kastom; and
- (g) any other documentation or materials requested by the local government in writing.

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

The additional criteria for approval are that –

- (a) the grant of the approval is justified by—
  - (i) special family, personal or historical association between the deceased person and the place in which the remains are to be buried or placed; or
  - (ii) some other special reason; and

- (b) the implementation of the proposal—
  - (i) will not create a risk to health or other nuisance; and
  - (ii) will not cause reasonable offence to others.
- (c) consent has been given by the owner of the land and anyone else with a registered interest in the land on which the remains are to be buried or placed; and
- (d) is authorised by the living family of the deceased.

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

*Intentionally left blank.*

## **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) ensure the preparation of a grave and allow an authorised person to inspect the grave before burial of human remains in the grave; and
- (b) dispose of the human remains a particular time or within a particular period; and
- (c) ensure the erection or installation of a memorial or marker to identify a site in which human remains have been buried.

## **7 Term of approval**

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

## **8 Term of renewal of approval**

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