

SCATTERING OF ASHES – CREMATED REMAINS AND SEA BURIALS - GENERAL INFORMATION

Cremated Remains (Ashes)

There are no restrictions on scattering ashes in the ocean at least three nautical miles from the coast. Limitations regarding scattering of ashes into the sea within the state jurisdiction (usually mean high water mark and up to three nautical miles to sea) vary state to state.

SCATTERING OF ASHES - SHOALHAVEN CITY COUNCIL

There is no specific policy for management of scattering of ashes outside of Cemetery grounds in the Shoalhaven City Council area.

Shoalhaven City Council guidelines for scattering of ashes:

- Be mindful of any other people in attendance in the vicinity in which the scattering is to take place
- Be aware of the wind direction
- If placing the ashes on land, consider creating a furrow into which the ashes can be scattered. Fold the furrow earth over the ashes to protect them and limit disquiet that others may experience when visiting the area should they see the ashes in the open.
- No permanent markers are to be left. Application for seats with plaques or other permitted memorials in public areas throughout Shoalhaven City Council, may be lodged with Council for consideration.
- To open a standard, plastic cremation urn you will need a large, flatheaded screwdriver. Place the urn upright with stopper at the top on a firm surface. Place screwdriver head close to the stopper on the urn and press down firmly until you can move the screwdriver head under the stopper. Rotate the screwdriver to lever the stopper open.

NSW Department of the Environment and Heritage advise that scattering of ashes at a beach in a **National Park** can take place below the mean high water mark unless the water is within a Marine Park. Scattering of ashes on land in **National Parks** is not permitted. Scattering of ashes in a **Marine Park** is not permitted.

SCATTERING OF ASHES – NSW HEALTH GUIDELINES

Permission

It is important to get permission from the owners of private land or the Trust of Parks and reserves, or from local council for parks, beaches and playing fields as scattering of ashes may contravene the provisions of the Protection of the

Environment Operations Act 1997 in terms of air or water pollution. Councils and other Government Authorities may set a time and place when these activities can be undertaken and can impose other conditions (see Shoalhaven City Council information above).

Disposal of ashes without consent from appropriate authorities may result in legal proceedings to be initiated against the person disposing the ashes.

Things you need to consider when you scatter the ashes

It is important to carefully choose the place where you scatter the ashes of your loved ones. For example, when the ashes are scattered or placed in parks or a public place, access to the area may be restricted for some reason in the future, undeveloped land may be developed, or many other conditions may arise that could make it difficult for you to visit the site to remember the deceased. Even if ashes are scattered in the backyard, what happens if you sell sometime in the future? Once scattered, the ashes cannot be collected.

Scattering at Sea by Boat

You must get permission from the master of the vessel or boat before scattering the ashes. Vessels can be chartered specifically to scatter ashes. Some precautions should be observed:

- Scattering of ashes at sea does not constitute burial at sea and does not require a permit under the Sea Dumping Act.
- Pre loosen the lid of the ashes container or pre-drill large holes to make it easier to remove the lid or scatter the ashes when on board.
- Be aware of the wind direction and scatter close to the water
- Never just throw the ashes container overboard as it will float. Always empty the container into the sea.

NOTES:

- Biodegradable ash urns are available for water disbursement of ashes (as well as interment - burial).
- NSW Health states that because the body is cremated at such a high temperature all micro-organisms are destroyed. The remaining ashes are inert and therefore, there are no contaminative public health risks associated with the handling of ashes. Care should be taken to address health risks associated with inhalation of dust particles during the processing or handling of ashes.

Further information and advice are available from Shoalhaven Bereavement Services on 02 4429 5788 or by email smglc@shoalhaven.nsw.gov.au.

BURIAL AT SEA

In Australia burials at sea are regulated under the [Environment Protection \(Sea Dumping\) Act 1981](#), administered by the Department of Agriculture, Water and the Environment.

Burials at sea—loaded in Australia or conducted on an Australian vessel—require a permit. The [permit application form](#) must be completed and sent with a copy of the death certificate and the application fee. The permit approval process usually takes 3-4 working days, although the statutory timeframe allows longer for processing if required. Additional approvals may be required under the relevant state or territory law. Check your state's environment website to see if additional approvals are required in your jurisdiction.

<https://www.awe.gov.au/environment/marine/marine-pollution/sea-dumping/burial-sea>