

COONAMBLE CEMETERY ACT.

Act No. 1, 1963.

An Act to dedicate certain land at Coonamble as a public park; to make provision for the appointment of trustees thereof; to confer and impose certain powers, authorities, duties and functions on such trustees; and for purposes connected therewith. [Assented to, 8th March, 1963.]

Elizabeth II,
No. 1, 1963

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Coonamble Cemetery Act, 1963".

Short title.

2. (1) The land described in the Schedule to this Act is hereby dedicated as a public park and the said land shall be deemed to be a public park within the meaning of the Public Parks Act, 1912, as amended by subsequent Acts, and the Council of the Shire of Coonamble (hereinafter referred to as "the Council") shall be trustees of the said land for all purposes of that Act, as so amended, and shall be deemed to have been appointed pursuant to that Act, as so amended, to be the trustees of the said land.

Dedication
of land in
Schedule as
a public
park.

(2) The said park shall be maintained by the Council as a rest park and garden area and, notwithstanding anything in any other Act, the Council shall not use the said park or permit the same to be used for any other purpose.

(3) (a) Any estate or interest in the land described in the Schedule to this Act which, immediately before the commencement of this Act, was vested in or held by any person or body of persons is hereby divested.

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(b) All such persons and bodies are hereby discharged from any duties, liabilities or obligations existing immediately before the commencement of this Act in respect of or in relation to the said land.

(c) Any trusts, conditions, encumbrances, dedications or reservations affecting the said land immediately before the commencement of this Act are hereby revoked and annulled.

Removal of
human
remains,
headstones,
etc.

3. (1) The Council shall, as soon as practicable after the commencement of this Act,—

- (a) compile a register of the names of and other relevant information in respect of persons buried in the said land, so far as such names and information can by reasonable diligence be obtained, and deposit and maintain such register at the offices of the Council at Coonamble so as to be available for inspection by any interested person from time to time;
- (b) furnish a certified copy of such register to the Minister;
- (c) furnish a certified copy of such register to the Mitchell Library, Sydney, where it shall be maintained so as to be available for inspection by any interested person from time to time;
- (d) remove all headstones, grave enclosures and other surface structures on the said land and re-arrange or dispose of the same at the discretion of the Council;
- (e) plant the said land with trees, lawns and flowers and otherwise improve it for a rest park and garden area;
- (f) erect a substantial memorial, of a design to be approved by the Minister, in a suitable position on the said land indicating the sacred nature of the area and that particulars of the interments therein may be inspected at the offices of the Council at Coonamble and at the Mitchell Library, Sydney.

(2)

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(2) At least three months before any headstones, grave enclosures or other surface structures are removed by the Council an advertisement of the intention to remove the same shall be inserted twice at an interval of not less than two weeks in a newspaper or newspapers published and circulating in the locality, and twice at an interval of not less than two weeks in a newspaper or newspapers published in Sydney and circulating widely throughout New South Wales.

(3) At any time after the publication of the first advertisement referred to in subsection two of this section and before the expiration of three months from the publication of the last of such advertisements the representatives or any persons claiming to be the representatives of any person buried in the said land may, at their own expense, and with the permission of the Council, remove the headstone, grave enclosure or other surface structure erected over the grave of such person, and may, at their own expense, and with the permission of the Director-General of Public Health, remove to such cemetery as they desire the remains of such person.

(4) The Council may do all such other things as it may consider necessary to effect the conversion of the said land into a rest park and garden area.

(5) No compensation or damages shall be payable to any person or body of persons in respect of the divesting of any estate or interest by this Act or in respect of the performance of any act authorised by this Act.

No compensation payable.

SCHEDULE.

Sec. 2. 71

All that piece or parcel of land containing by admeasurement 2 acres 12 perches be the same more or less situate in the County of Leichhardt Parish of Moorambilla and Town of Coonamble as shewn in part on plan catalogued C.92-1984 at the Department of Lands, Sydney Commencing on a southern side of Warrena Street at a point bearing 153 degrees 17 minutes 1 chain 68 links from the south-eastern corner of Allotment 16 Section 16 and bounded thence on part of the north by that street bearing west 2 chains 50 links on the west by the eastern sides of Warrena Street and Park Street bearing south 4 chains on the south by the northern side of Park Street bearing east 5 chains 19 links on the east by the western side of a road

4' **Mudgee Cemeteries Act.**

No. 1, 1963 road 1 chain 50 links wide dividing this land from Section 43 of
 2 acres 2 roods 21 perches bearing north 4 chains and on the
remainder of the north by Warrena Street bearing west 2 chains
69 links to the point of commencement.
