

St. George's Church of England, Hurstville, Cemetery Act 1961 No 63

[1961-63]



New South Wales

Status Information

Currency of version

Repealed version for 2 November 1976 to 7 July 2011 (accessed 21 December 2024 at 17:06)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2011 No 27](#) with effect from 8.7.2011.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 8 July 2011

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St. George's Church of England, Hurstville, Cemetery Act 1961 No 63



New South Wales

An Act to authorise the use of St. George's Church of England Cemetery at Hurstville for purposes other than a cemetery; and for purposes connected therewith.

1 Name of Act

This Act may be cited as the *St. George's Church of England, Hurstville, Cemetery Act 1961*.

2 Use of cemetery for other purposes

- (1) It shall be lawful for the Church of England Property Trust Diocese of Sydney (hereinafter referred to as **the Trust**) or such persons as may be authorised by the Trust to use such part of the land described in the Schedule to this Act as may be owned by the Trust and used as a cemetery (hereinafter referred to as **the said land**) for the purposes of erecting and maintaining a rectory and suitable monument thereon and such other purposes as may be declared by ordinance made under the *Church of England Trust Property Act 1917*, as amended by subsequent Acts, notwithstanding:
 - (a) that the said land comprises a cemetery, and
 - (b) any trusts, conditions, encumbrances or dedications affecting the said land immediately before the commencement of this Act.
- (2) Before any use is made of the said land pursuant to subsection one of this section, the Trust or the persons authorised as aforesaid shall:
 - (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 be obtained, and deposit such register in the Mitchell Library, Sydney, where it shall be maintained so as to be available for inspection by any interested person from time to time,
 - (b) subject as hereinafter provided, cause any headstones, grave enclosures, and other surface structures on the said land to be collected with due care and

disposed of at the discretion of the Trust.

(3), (4) (Repealed)

(5) The Trust shall as soon as practicable after the headstones, grave enclosures and other surface structures are collected under subsection two of this section erect in a suitable position on the said land a substantial monument in memory of those persons buried therein.

3 (Repealed)

Schedule

(Section 2)

ALL THAT piece or parcel of land containing by admeasurement 1 acre 1 rood 29¼ perches be the same more or less situated in the Municipality of Hurstville County of Cumberland Parish of St. George at Hurstville being the whole of the land in Primary Application No 42124 and the whole of the land comprised in Certificate of Title Volume 4019 Folio 126 COMMENCING at the intersection of the north-eastern side of The Avenue and the north-western side of Forest Road and bounded thence on the south-west by the north-western side of Forest Road bearing 79 degrees 6 minutes 30 seconds 188 feet 2¾ inches on the north-east by lines bearing 314 degrees 48 minutes 51 feet 7¼ inches and 314 degrees 49 minutes 20 seconds 400 feet 8¼ inches to the easternmost corner of the land comprised in Certificate of Title Volume 4050 Folio 243 thence on the north-west the south-west and again on the north-west by a south-eastern boundary a north-eastern boundary and another south-eastern boundary of the land comprised in Certificate of Title Volume 4050 Folio 243 bearing 230 degrees 39 minutes 50 seconds 133 feet 6¼ inches 130 degrees 56 minutes 30 feet 2½ inches and 217 degrees 35 minutes 24 feet 6 inches to the aforesaid north-eastern side of The Avenue and thence again on the south-west by that north-eastern side of The Avenue bearing 134 degrees 53 minutes 40 seconds 326 feet 7½ inches to the point of commencement.