

Mudgee Cemeteries Act 1963 No 2

[1963-2]



New South Wales

Status Information

Currency of version

Repealed version for 2 November 1976 to 5 January 2012 (accessed 21 December 2024 at 15:55)

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The Act was repealed by Sch 5 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2011 No 62](#) with effect from 6.1.2012.

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 6 January 2012

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Mudgee Cemeteries Act 1963 No 2



New South Wales

An Act to dedicate certain lands at Mudgee as public parks; 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.

1 Name of Act

This Act may be cited as the *Mudgee Cemeteries Act 1963*.

2 Dedication of lands in Schedule as public parks

(1) The lands described in Parts 1, 2 and 3 of the Schedule to this Act are hereby dedicated as public parks and the said lands shall be deemed to be public parks within the meaning of the *Public Parks Act 1912*, as amended by subsequent Acts, and the Council of the Municipality of Mudgee (hereinafter referred to as **the Council**) shall be trustees of the said lands 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 lands.

(2) The said parks shall be maintained by the Council for any one or more of the following purposes:

- (a) rest park,
- (b) garden area,
- (c) children's playground,

and notwithstanding anything in any other Act, the Council shall not use the said parks or permit the same to be used for any other purpose.

(3) (Repealed)

3 Removal of human remains, headstones etc

(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 lands, so far as such names and information can be

reasonable diligence be obtained, and deposit and maintain such register at the offices of the Council at Mudgee so as to be available for inspection by any interested person from time to time,

(b) (Repealed)

(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) (Repealed)

(e) plant the said lands with trees, lawns and flowers and otherwise improve the said lands for any of the purposes referred to in subsection two of section two of this Act,

(f) erect substantial memorials, of a design and in positions to be approved by the Minister indicating the sacred nature of the areas and that particulars of the interments therein may be inspected at the offices of the Council at Mudgee and at the Mitchell Library, Sydney.

(2), (3) (Repealed)

(4) The Council may do all such other things as it may consider necessary to effect the conversion of the said lands for use for any of the purposes referred to in subsection two of section two of this Act.

(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.

Schedule

(Section 2)

Part 1

All that piece or parcel of land containing by admeasurement 1 acre 1 rood 23 perches be the same more or less situate at Mudgee in the County of Wellington Parish of Mudgee being part of portion 181 Commencing at the intersection of a south-western side of Mortimer Street with the eastern boundary line of the aforesaid portion 181 of 995 acres and bounded thence on the north-east by that street bearing 305 degrees 35 minutes 30 seconds 129 feet 1³/₄ inches on the north the west and the south by lines bearing 267 degrees 8 minutes 150 feet 6¹/₄ inches 179 degrees 17 minutes 255 feet 4³/₄ inches and thence 87 degrees 26 minutes 30 seconds 251 feet 5¹/₂ inches and on the east by part of the aforesaid eastern boundary line of portion 181 bearing 22 minutes 40 seconds 176 feet 9¹/₄ inches to the point of commencement.

Part 2

All that piece or parcel of land containing by admeasurement 1 acre 2 roods 7 perches be the same more or less situate at Mudgee in the County of Wellington Parish of Mudgee being part of portion 181 Commencing at the intersection of a north-eastern side of Gladstone Street with the eastern boundary line of the aforesaid portion 181 of 995 acres and bounded thence on the south-west by that street bearing 304 degrees 59 minutes 50 seconds 262 feet 3 inches on the west the north and the north-east by lines bearing 358 degrees 3 minutes 241 feet 7¼ inches 90 degrees 2 minutes 123 feet 1 inch and thence 121 degrees 33 minutes 127 feet ¼ inch and on the east by part of the aforesaid eastern boundary line of portion 181 bearing 181 degrees 28 minutes 325 feet 4½ inches to the point of commencement.

Part 3

All that piece or parcel of land containing by admeasurement 1 acre be the same more or less situate in the County of Wellington Parish of Mudgee being allotments 19 and 20 section 8 in the Town of Mudgee Commencing on the northern side of Mortimer Street at the south-eastern corner of allotment 18 of 2 roods and bounded thence on the south by that street bearing east 2 chains to the intersection of the northern side of Mortimer Street with the western side of Douro Street on the east by Douro Street bearing north 5 chains on the north by the southern boundary of allotments 1 and 2 each of 2 roods bearing west 2 chains and on the west by the eastern boundary of allotment 18 of 2 roods bearing south 5 chains to the point of commencement.