

# St. Andrew's Presbyterian Church, Woonona, Cemetery Act 1966 No 6

[1966-6]



New South Wales

## Status Information

### Currency of version

Repealed version for 18 March 1966 to 7 July 2011 (accessed 21 December 2024 at 16:52)

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The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2011 No 27](#) with effect from 8.7.2011.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. Andrew's Presbyterian Church, Woonona, Cemetery Act 1966 No 6



New South Wales

An Act to authorise the use of St. Andrew's Presbyterian Church Cemetery at Woonona as a rest park or for certain other purposes; and for purposes connected therewith.

## 1 Name of Act

This Act may be cited as the *St. Andrew's Presbyterian Church, Woonona, Cemetery Act 1966*.

## 2 Definitions

In this Act, unless the context or subject-matter otherwise indicates or requires:

**the cemetery land** means such part of the land described in the Schedule to this Act as was, immediately before the commencement of this Act, owned by the Trustees and used as a cemetery.

**the Trustees** means The Presbyterian Church (New South Wales) Property Trust.

## 3 Use of cemetery land for other purposes

It shall be lawful for the Trustees or such persons as may be authorised by them to use the cemetery land as a rest park or for such other purposes of the Presbyterian Church of Australia in the State of New South Wales as the Trustees may determine, notwithstanding:

- (a) that, immediately before the commencement of this Act, the cemetery land comprised a cemetery, and
- (b) any trusts, conditions, encumbrances or dedications affecting the cemetery land immediately before the commencement of this Act.

## 4 Removal of human remains, monuments etc

(1) Before any use is made of the cemetery land pursuant to section three of this Act, the Trustees shall:

- (a) compile a register of the names of and other relevant information in respect of

persons who are buried in or whose ashes have been placed in or on the cemetery land, so far as those names and that information can by reasonable diligence be obtained, and deposit and maintain the register at the offices of the Trustees at Sydney so as to be available for inspection by any interested person from time to time,

- (b) furnish a certified copy of the register to the Minister,
  - (c) furnish a certified copy of the 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, and
  - (d) subject as hereinafter provided, cause such monuments and other surface structures on the cemetery land as the Trustees shall determine to be collected with due care and disposed of at the discretion of the Trustees.
- (2) At least three months before any monuments or other surface structures are collected and disposed of under subsection one of this section, an advertisement of the intention to do so 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 appearance of the first advertisement referred to in subsection two of this section and before the expiration of three months from the appearance of the last of those advertisements, the representatives or any persons claiming to be the representatives of any person who is buried in the cemetery land or whose ashes have been placed in or on that land may, at their own expense, and with the permission of the Trustees, remove any monument or other surface structure that is upon the cemetery land and relates to that 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 that person.
- (4) The Trustees shall as soon as practicable after the monuments and other surface structures are collected under subsection one of this section erect in a suitable position on the cemetery land a substantial monument indicating the sacred nature of the area.

## **5 No compensation payable**

No compensation shall be payable to any person in respect of the performance of any act authorised by this Act.

## **Schedule**

(Section 2)

ALL THAT piece or parcel of land containing 2 roods or thereabout situate in the County of Camden

Parish of Wonona at Woonona being that land bounded on the south by Gray Street on the south-east by Lot 3 and Reserve 12 feet wide Section P in Deposited Plan 2697 on the north by Reserve 12 feet wide aforesaid 16<sup>3</sup>/<sub>4</sub> perches resumed for public school purposes 20 July 1923 and 2 acres resumed for public school site 5 October 1883 on the north-west by 2 acres resumed for public school site 5 October 1883 aforesaid and Gray Street aforesaid.