

**CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995**

SHIRE OF CUNDERDIN

CEMETERY AMENDMENT LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cunderdin resolved on 18 February 2016 to adopt the following local law.

1. Citation

This local law is cited as the *Shire of Cunderdin Cemetery Amendment Local Law 2016*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3 Principal local law

In this local law, the *Shire of Cunderdin Cemetery Local Law 2015* as published in the *Government Gazette* on 28 April 2015 is referred to as the principal local law. The principal local law is amended as follows.

4. Clause 1.6 amended

Clause 1.6(1) is amended-

- (a) by inserting the following definitions in alphabetical order-
Assistance dog has the same meaning as is given to that expression in the *Dog Act 1976*;
Board means the Shire of Cunderdin;
- (b) by deleting the definition **guide dog**;
- (c) in the definition for **authorised officer**, by deleting 'local government' and replacing with 'Board';
- (d) in the definition for **grant**, by deleting 'local government' and replacing with 'Board';
- (e) in paragraphs (a) and (b) of the definition **holder**, deleting the words 'local government' and replacing with 'Board';
- (f) in the definition for **memorial**, deleting 'local government' and replacing with 'Board';
- (g) in the definition **set fee**, by deleting 'local government' and replacing with 'Board'; and
- (h) in the definition **single funeral permit**, by deleting 'local government' and replacing with 'Board'.

5. Clause 2.1 amended

In clause 2.1, delete 'local government' and replace with 'Board'.

6. Clause 3.1 amended

In clause 3.1, delete 'local government' and replace with 'Board'.

7. Clause 3.2(1) amended

In subclause (1), delete 'local government' and replace with 'Board'.

8. Clause 3.4 amended

Clause 3.4 is amended as follows-

- (a) In subclause (1), delete 'local government' and replace with 'Board'; and
- (b) In subclause (2), delete 'local government' and replace with 'Board'.

18. Clause 6.1 amended

Clause 6.1 is amended as follows-

- (a) In paragraph (a) of subclause (1), delete 'local government' and replace with 'Board'; and
- (b) In subclause (2), delete 'local government' and replace with 'Board' in the two instances it appears.

19. Clause 6.2 amended

Clause 6.2 is amended by deleting subclause (1) and (2) and replace with the following-

If for the purpose of re-opening a grave in the cemetery, the Board finds it necessary to remove plants, grass, shrubs or other like matter from the grave, then the person ordering the re-opening of that grave shall bear the cost of the removal and any necessary reinstatement.

20. Clause 6.3 amended

In subclause (3), delete 'local government' and replace with 'Board'.

21. Clause 6.4 amended

In subclause (1), delete paragraph (b) and replace with the following-

- (b) that person has produced to the Board an order signed by the Commissioner of Police and the Board has approved the opening of that coffin.

22. Clause 7.1 amended

Clause 7.1 is amended by deleting 'local government' and replacing with 'Board'.

23. Clause 7.2 amended

Clause 7.2 is amended by deleting 'local government' and replacing with 'Board'.

24. Clause 7.5 amended

Clause 7.5 is amended by deleting 'local government' and replacing with 'Board'.

25. Clause 7.6 amended

Clause 7.6 is amended by deleting 'local government' and replacing with 'Board'.

26. Clause 7.8 amended

Clause 7.8 is amended by deleting 'local government' and replacing with 'Board'.

27. Clause 7.10 amended

Clause 7.10 is amended by deleting 'local government' and replacing with 'Board'.

28. Clause 7.11 amended

Clause 7.11 is amended by deleting 'local government' and replacing with 'Board'.

29. Clause 7.14 amended

Clause 7.14 is amended by deleting 'local government' and replacing with 'Board' in the two instances it appears.

30. Clause 7.15 amended

Clause 7.15 is amended as follows-

- (a) In subclause (1), delete 'local government' and replace with 'Board'; and
- (b) In subclause (2), delete 'local government' and replace with 'Board'.

31. Clause 7.17 amended

Clause 7.17 is amended as follows-

- (a) In paragraph (b), delete 'local government' and replace with 'Board'; and
- (b) In paragraph (c), delete 'local government' and replace with 'Board'.

Dated this 4th day of March 2016.

The Common Seal of the Shire of Cunderdin was affixed by authority of a resolution of the Council in the presence of:



A handwritten signature in black ink, appearing to read "RC GIBSONE". The signature is fluid and cursive, with a long horizontal stroke at the end.

RC GIBSONE, Shire President

A handwritten signature in black ink, appearing to read "PT NAYLOR". The signature is cursive and somewhat stylized.

PT NAYLOR, Chief Executive Officer