

## CEMETERIES BY-LAW

GOVERNMENT GAZETTE, W.A  
1st November, 1940.pg 1959  
Amended 10th December, 1976 pg 4953  
Amended 21st January, 1977  
Amended 9th August, 1996 pg 3955

THE CEMETERIES ACT, 1897.

By-laws Wandering Public Cemetery.

Department of Lands and Surveys,

Corres. No. 701/33. Perth, 30th October, 1940.

HIS Excellency the Lieutenant-Governor in Executive Council has been pleased to approve, under the provisions of the above Act, of the following by-laws for the control and management of the Wandering Public Cemetery.

G. L. NEEDHAM,  
Under Secretary for Lands.

By virtue of all powers in that behalf vested in the Trustees of the Wandering General Cemetery, the said Trustees make the following by-laws.

1. All fees and charges payable to the Council shall be as adopted by resolution of the Council from time to time pursuant to Section 53 of the Cemeteries Act, 1986.
2. Any person desiring to inter a dead body in the Cemetery shall make an application in the form contained in the Schedule B. Upon such application being approved by the Trustees and upon payment of the Prescribed fees, they shall cause to be issued to the person so applying an "Order for Burial," in the form contained in the Schedule C.
3. All applications for interment shall be made at the office of the secretary in such time as to allow at least eight working hours' notice being given to the superintendent at the Cemetery prior to the time fixed for burial. An extra charge shall be made for applications within such time. No free interment shall be allowed, unless the application, together with the Magistrate's order therefor, be handed in at the office in such time as to allow of at least eight working hours' notice being given as above.
4. The Trustees shall cause all graves to be dug, and vaults, brick graves, or graves to be reopened as and when required.
5. Before any interment is allowed, the Order for Burial shall be handed to and retained by the superintendent.
6. Every coffin shall have upon the lid an approved metal plate, bearing the name of the deceased stamped or otherwise indelibly inscribed in legible characters thereon. No coffin not complying with this by-law shall be admitted to or be interned in the Cemetery.

7. Every grave shall be at least 1.8m. deep, and no interment shall be allowed in any grave with a less depth than 4 ft. 6 in. from the top of the coffin to the original surface of the surrounding ground.
8. In the case of an application for interment in any private grave or vault to which the deceased had no, claim during life, the written and verified consent of the grantee shall be handed in with the application.
9. Unless otherwise ordered, the principal entrance to the Cemetery shall be open daily between the hours of 7 a.m. and 6 p.m. from 1st September to 30th April and between 7 a.m. and 5 p.m. during the remaining months of the year.
10. The hours for burial shall be as follows:-1st September to 30th April-week days from 8 a.m. to 5 p.m.; Sundays, from 2 p.m. to 5 p.m.; 1st May to 31st August-week days, from 8 a.m. to 4.30 p.m.; Sundays, from 2 p.m. to 4.30 p.m., and no burial shall be allowed to take place, nor any coffin allowed to enter the Cemetery at any other hour, except by written permission of the Trustees.
11. The time fixed for any burial shall be the time at which the funeral is to arrive at the Cemetery gates, and such time shall be rigidly and punctually observed.
12. No hearse, mourning coach, or other vehicle shall enter the Cemetery or proceed except at and by such roads as directed by the superintendent or other officer of the Trustees from time to time. Any driver or other person failing or neglecting to observe such directions may be forthwith expelled from the Cemetery.
13. Children under the age of ten years entering the Cemetery shall be in charge of some responsible person.
14. Smoking shall not be allowed within the Cemetery, nor shall any fireworks be discharged therein.
15. No dogs shall be admitted into the Cemetery, any found there shall be liable to be destroyed.
16. Any person violating the rules of propriety and decorum, or committing any nuisance or trespass, or injuring any tree, shrub, flower, border, or any erection, or in any way infringing these by-laws shall be expelled from the Cemetery.
17. No person shall promote or advertise, or carry on within the Cemetery any trade, business, or calling, either by solicitations, distribution of circulars, by cards or otherwise, or by any other system of advertisement whatsoever, and any person infringing this by-law shall be expelled from the Cemetery.
18. No person employed by or under the Trustees shall be permitted to accept any gratuity whatever, nor shall he be pecuniarily interested in any work in the Cemetery other than the remuneration he receives from the Trustees, and any such person proved guilty of accepting any gratuity or being pecuniarily interested in any such work. shall be liable to summary dismissal.
19. Subject to the by-laws, the superintendent shall exercise a general supervision and control over all matters pertaining to the Cemetery, including the conduct of all funerals and interments within the Cemetery.

20. Any person wanting an Exclusive Right of Burial in any part of the Cemetery shall apply to the Trustees in writing, specifying the location of the grave or vault, and whether it is proposed to erect a brick grave or vault, and in such case submitting plans and specifications of the proposed work. Such applications shall also state the names of any already deceased persons whose remains it is proposed to inter therein.
21. Upon being satisfied of the matters aforesaid and of the suitability of the said work, plans, and specifications, the Trustees may authorise the construction and erection thereof; or, if no work is to be done, may issue a grant in the Form E in the Schedule.
22. Upon the completion of the work aforesaid the Trustees may, if and when such work is done to their complete satisfaction, issue a Grant in the Form E in the Schedule.
23. Every such Grant shall be subject to the bylaws for the time being, and no interment in any such grave or vault shall be allowed unless on production of the Order for Burial aforesaid, nor shall any such grave or vault be opened, unless with the written consent of the Trustees.
24. Every coffin placed in any such bricked grave or vault shall be bricked in, cemented, and covered with a slab of stone, slate or iron, unless special-exemption be obtainable, in writing, from the Trustees.
25. If application be made for an Order for Burial in any grave or vault of the remains of any person other than the person to whom the grant was issued, or his registered assign, the written and verified consent of such grantee or assignee shall be produced.
26. Any person desiring to place or erect any monument, tombstone or enclosure in any part of the Cemetery must first obtain the written consent and approval of the Trustees, and otherwise comply with section 23 of the Cemeteries Act, 1897.
27. Every tombstone, monument, or enclosure in any part of the Cemetery shall be placed on proper and substantial foundations, which, if required by the Trustees or their officers, shall extend to the bottom of the grave.
28. The materials used in every such erection shall be subject to the approval of the superintendent or other officer appointed by the Trustees, and any material rejected shall be immediately removed from the Cemetery by the contractor for the erection.
29. All refuse and other rubbish remaining after any work is completed shall be immediately removed from the Cemetery by the person causing same.
30. Monumental masons and other tradesmen shall, before commencing any work within the Cemetery, deposit with the secretary to the Trustees the sum of 10s., which shall be forfeited if the provisions of either of the two preceding by-laws are not complied with to the satisfaction of the superintendent.
31. All materials required in the erection and completion of any such work shall, as far as possible, be prepared before being taken to the Cemetery, and all materials required by tradesmen shall be admitted at such entrance as the superintendent shall direct, and no vehicle conveying any such materials with wheels less than 4 inches broad shall be permitted to enter the Cemetery.
32. No catacomb shall be allowed.

33. Subject to the approval of the Trustees, each applicant for an Order for Burial shall, within three months from the date of the application, cause to be placed upon the grave mentioned- in the application a number-plate bearing the number of the grave or vault.
34. No wooden fence, railing, cross, or other wooden erection shall be allowed on or around any grave or vault.
35. No trees or shrubs shall be planted on any grave, except such as shall be approved by the superintendent.
36. All workmen, whether employed by the Trustees or by any other person, shall at all times, whilst working within the ouidaries of the Cemetery, be subject to the supervision of the superintendent, and shall obey such directions aa that officer may find it necessary to give; and any workman permitting any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the said superintendent, shall be liable to expulsion from the Cemetery.
37. Licenses for grave dressing or decorating may be issued by the Trustees in the form contained in Schedule F; such license to be renewed annually in the month of January.
38. Any person taking part in dressing or attending to any grave shall comply with the following rules:
  - (a) No rubbish, soil, sand or other material removed in dressing a grave shall be placed on any other grave, and if placed on any adjoining ground, shall be removed immediately the work is completed;
  - (b) no sand, soil, or loam shall be taken from any portion of the Cemetery for the purpose of dressing any grave, except with the permission of the superintendent;
  - (c) the dressing of all graves and the wheeling and carting of any such material shall be subject to the supervision of the superintendent.
  - (d) work in all cases to be carried on with due dispatch, and only during regulation hours.

The foregoing by-laws, with the accompanying Schedules, were duly framed and presented to a meeting of the Board of Trustees held at their offices on Saturday, 2nd March, 1940, and adopted.

E. H. WATTS,  
Chairman  
W. C. ROBINSON,  
Secretary.

**LOCAL GOVERNMENT**

LG101

**CORRECTION  
LOCAL GOVERNMENT ACT 1960***Shire of Mukinbudin*  
**NOTICE OF INTENTION TO BORROW**

Notice is hereby given that the Advertisement of Proposed Loan No. 100 \$290 000 which was published in the *Government Gazette* on the 23rd April 1996 (page 1790) which referred to the interest rate to be fixed for a 4 year period should read 5 year period.

E. R. VENTRIS, President.  
W. M. FENSOME, Chief Executive Officer.

LG302

**CEMETERIES ACT 1986***Shire of Wandering*  
**Wandering Public Cemetery**

In pursuance of the powers conferred by the abovementioned Act, the Council of the Municipality of the Shire of Wandering hereby records having resolved on the 21st December, 1995 to make and submit for confirmation by the Governor the amendments as hereunder set out to the above By-laws made under the Act and published in the *Government Gazette* on the 1st November, 1940 and amendments published in the *Government Gazette* on 10th December, 1976 and 21st January, 1977.

1. By-law 1 is deleted and the following substituted—  
“1. All fees and charges payable to the Council shall be as adopted by resolution of the Council from time to time pursuant to Section 53 of the Cemeteries Act 1986.”
2. By-law 7 is amended by deleting “2.1 metres” and substituting “1.8 metres”.
3. Schedule A is deleted.

Dated this 21st day of December, 1995.

The Common Seal of the Shire of Wandering was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

K. J. PRICE, President.  
M. G. OLIVER, Shire Clerk.

Recommended—

PAUL. D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 4th day of June 1996.

J. PRITCHARD, Clerk of the Council.

LG301

**LOCAL GOVERNMENT ACT 1960***The Municipality of the Shire of East Pilbara***By-laws Relating to Fencing and Obstructions at Intersections**

The pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of December 1995, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment—

1. By-law 4 is amended by deleting the words “sheet metal or” in line one of By-law 4 (a).

23/7/96  
J

