

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 31 October, 1957.*

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1957.

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

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "St. Andrew's Church Short title. of England, Mayfield, Cemetery Act, 1957".

St. Andrew's Church of England, Mayfield, Cemetery.

2. (1) It shall be lawful for the Trustees of Church Property for the Diocese of Newcastle (hereinafter referred to as "the Trustees") or such persons as may be authorised by the Trustees to use the land described **5** in the Schedule to this Act for the purposes of erecting and maintaining a hall, suitable monument and columbarium thereon and such other purposes of the Church of England as the Trustees may determine notwithstanding—

Use of
cemetery
for other
purposes.

- 10** (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 **15** pursuant to subsection one of this section, the Trustees or the persons authorised as aforesaid shall—

- 20** (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 and maintain such register at the Diocesan Registry, Diocese of Newcastle, so as to be available for inspection by any interested person from time to time;
- 25** (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 Trustees.

30 (3) At least three months before any headstones, grave enclosures, or other surface structures are collected and disposed of under subsection two of this section, an advertisement of the intention to do so shall be

St. Andrew's Church of England, Mayfield, Cemetery.

be inserted twice at an interval of not less than two weeks in a newspaper or newspapers published and circulating in Newcastle, and twice at an interval of not less than two weeks in a newspaper or newspapers published in Sydney
5 and circulating widely throughout New South Wales.

(4) At any time after the appearance of the first advertisement referred to in subsection three of this section and before the expiration of three months from the appearance of the last of such advertisements, the
10 representatives or any persons claiming to be the representatives of any person buried in the said land may, at their own expense, remove the headstone, grave enclosure, or other surface structure erected over the grave of such person, and may, at their own expense, and with
15 the permission of the Director-General of Public Health, remove to such cemetery as they desire, the remains of such person:

Provided that any such representatives or persons claiming to be such representatives shall give to the
20 Trustees not less than fourteen days' notice of their intention.

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

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

SCHEDULE.

St. Andrew's Church of England, Mayfield, Cemetery.

SCHEDULE.

Sec. 2 (1).

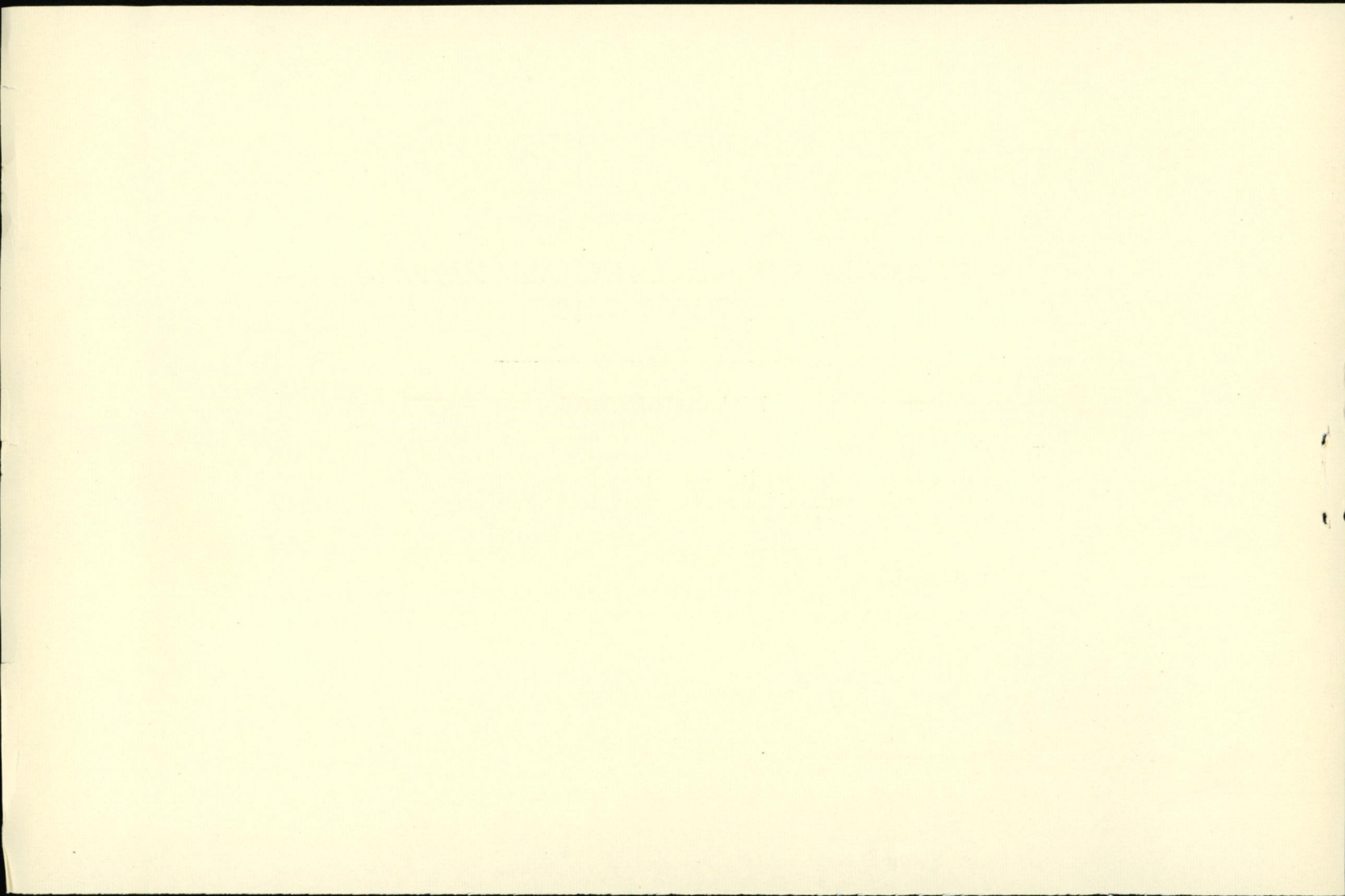
ALL THAT piece or parcel of land containing an area of 1 acre 25 perches more or less situate at Mayfield in the parish of Newcastle county Northumberland being part of portion 126 of 42 acres 3 roods 5 25 perches and being also part of the land in Conveyance No. 80 Book 69 dated 10th August, 1860 Commencing at a point on the Northern boundary of lot 19 in the Charlestown Subdivision bearing Easterly about 120 feet from Church Street and bounded thence on the West by a line bearing Northerly about 146 feet on the North by a 10 line bearing Easterly about 345 feet on the East by part of the West boundary of portion 127 of 36 acres 20 perches bearing Southerly about 146 feet and thence on the South by part of the Northern boundary of lot 19 aforesaid bearing Westerly about 345 feet to the point of commencement subject to Grant of Easement contained in 15 Conveyance Registered Book 1339 No. 423 dated 18th March, 1924 to The Council of the Municipality of Waratah for, inter alia, maintenance of a section of a storm water channel or drain.

[6d.]

**ST. ANDREW'S CHURCH OF ENGLAND, MAYFIELD,
CEMETERY BILL, 1957.**

EXPLANATORY NOTE.

THE object of this Bill is to enable the Trustees of Church Property for the Diocese of Newcastle to remove the headstones, grave enclosures and other surface structures from St. Andrew's Church of England Cemetery at Mayfield, and to erect a hall and columbarium on the land.



PROOF

No. , 1957.

A BILL

To authorise the use of St. Andrew's Church of England Cemetery at Mayfield for purposes other than a cemetery; and for purposes connected therewith.

[MR. NOTT;—23 October, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "St. Andrew's Church Short title. of England, Mayfield, Cemetery Act, 1957".

St. Andrew's Church of England, Mayfield, Cemetery.

2. (1) It shall be lawful for the Trustees of Church Property for the Diocese of Newcastle (hereinafter referred to as "the Trustees") or such persons as may be authorised by the Trustees to use the land described 5 in the Schedule to this Act for the purposes of erecting and maintaining a hall, suitable monument and columbarium thereon and such other purposes of the Church of England as the Trustees may determine notwithstanding—

Use of
cemetery
for other
purposes.

- 10 (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 15 pursuant to subsection one of this section, the Trustees or the persons authorised as aforesaid shall—

- 20 (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 and maintain such register at the Diocesan Registry, Diocese of Newcastle, so as to be available for inspection by any interested person from time to time;
- 25 (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 Trustees.

30 (3) At least three months before any headstones, grave enclosures, or other surface structures are collected and disposed of under subsection two of this section, an advertisement of the intention to do so shall be

St. Andrew's Church of England, Mayfield, Cemetery.

be inserted twice at an interval of not less than two weeks
in a newspaper or newspapers published and circulating
in Newcastle, and twice at an interval of not less than two
weeks in a newspaper or newspapers published in Sydney
5 and circulating widely throughout New South Wales.

(4) At any time after the appearance of the first
advertisement referred to in subsection three of this
section and before the expiration of three months from
the appearance of the last of such advertisements, the
10 representatives or any persons claiming to be the repre-
sentatives of any person buried in the said land may, at
their own expense, remove the headstone, grave en-
closure, or other surface structure erected over the grave
of such person, and may, at their own expense, and with
15 the permission of the Director-General of Public Health,
remove to such cemetery as they desire, the remains of
such person :

Provided that any such representatives or persons
claiming to be such representatives shall give to the
20 Trustees not less than fourteen days' notice of their
intention.

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

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

SCHEDULE.

St. Andrew's Church of England, Mayfield, Cemetery.

SCHEDULE.

Sec. 2 (1).

ALL THAT piece or parcel of land containing an area of 1 acre 25
perches more or less situate at Mayfield in the parish of Newcastle
county Northumberland being part of portion 126 of 42 acres 3 roods
5 25 perches and being also part of the land in Conveyance No. 80
Book 69 dated 10th August, 1860 Commencing at a point on the
Northern boundary of lot 19 in the Charlestown Subdivision bearing
Easterly about 120 feet from Church Street and bounded thence on the
West by a line bearing Northerly about 146 feet on the North by a
10 line bearing Easterly about 345 feet on the East by part of the West
boundary of portion 127 of 36 acres 20 perches bearing Southerly
about 146 feet and thence on the South by part of the Northern
boundary of lot 19 aforesaid bearing Westerly about 345 feet to the
15 point of commencement subject to Grant of Easement contained in
Conveyance Registered Book 1339 No. 423 dated 18th March, 1924
to The Council of the Municipality of Waratah for, inter alia,
maintenance of a section of a storm water channel or drain.

No. , 1957.

A BILL

To authorise the use of St. Andrew's Church of England Cemetery at Mayfield for purposes other than a cemetery; and for purposes connected therewith.

[MR. NOTT;—23 October, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "St. Andrew's Church of England, Mayfield, Cemetery Act, 1957". Short title.

St. Andrew's Church of England, Mayfield, Cemetery.

2. (1) It shall be lawful for the Trustees of Church Property for the Diocese of Newcastle (hereinafter referred to as "the Trustees") or such persons as may be authorised by the Trustees to use the land described in the Schedule to this Act for the purposes of erecting and maintaining a hall, suitable monument and columbarium thereon and such other purposes of the Church of England as the Trustees may determine notwithstanding—

Use of
cemetery
for other
purposes.

- 10 (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 Trustees or the persons authorised as aforesaid shall—
- 15 (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 and maintain such register at the Diocesan Registry, Diocese of Newcastle, so as to be available for inspection by any interested person from time to time;
- 20 (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 Trustees.
- 25 (3) At least three months before any headstones, grave enclosures, or other surface structures are collected and disposed of under subsection two of this section, an advertisement of the intention to do so shall
- 30 be

St. Andrew's Church of England, Mayfield, Cemetery.

be inserted twice at an interval of not less than two weeks in a newspaper or newspapers published and circulating in Newcastle, and twice at an interval of not less than two weeks in a newspaper or newspapers published in Sydney
5 and circulating widely throughout New South Wales.

(4) At any time after the appearance of the first advertisement referred to in subsection three of this section and before the expiration of three months from the appearance of the last of such advertisements, the
10 representatives or any persons claiming to be the representatives of any person buried in the said land may, at their own expense, remove the headstone, grave enclosure, or other surface structure erected over the grave of such person, and may, at their own expense, and with
15 the permission of the Director-General of Public Health, remove to such cemetery as they desire, the remains of such person:

Provided that any such representatives or persons claiming to be such representatives shall give to the
20 Trustees not less than fourteen days' notice of their intention.

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

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

SCHEDULE.

St. Andrew's Church of England, Mayfield, Cemetery.

SCHEDULE.

Sec. 2 (1).

ALL THAT piece or parcel of land containing an area of 1 acre 25
perches more or less situate at Mayfield in the parish of Newcastle
county Northumberland being part of portion 126 of 42 acres 3 roods
5 25 perches and being also part of the land in Conveyance No. 80
Book 69 dated 10th August, 1860 Commencing at a point on the
Northern boundary of lot 19 in the Charlestown Subdivision bearing
Easterly about 120 feet from Church Street and bounded thence on the
West by a line bearing Northerly about 146 feet on the North by a
10 line bearing Easterly about 345 feet on the East by part of the West
boundary of portion 127 of 36 acres 20 perches bearing Southerly
about 146 feet and thence on the South by part of the Northern
boundary of lot 19 aforesaid bearing Westerly about 345 feet to the
15 point of commencement subject to Grant of Easement contained in
Conveyance Registered Book 1339 No. 423 dated 18th March, 1924
to The Council of the Municipality of Waratah for, inter alia,
maintenance of a section of a storm water channel or drain.

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 39, 1957.

An Act to authorise the use of St. Andrew's Church of England Cemetery at Mayfield for purposes other than a cemetery; and for purposes connected therewith. [Assented to, 22nd November, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "St. Andrew's Church of England, Mayfield, Cemetery Act, 1957". Short title.

St. Andrew's Church of England, Mayfield, Cemetery.

Use of
cemetery
for other
purposes.

2. (1) It shall be lawful for the Trustees of Church Property for the Diocese of Newcastle (hereinafter referred to as "the Trustees") or such persons as may be authorised by the Trustees to use the land described in the Schedule to this Act for the purposes of erecting and maintaining a hall, suitable monument and columbarium thereon and such other purposes of the Church of England as the Trustees may determine 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 Trustees 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 and maintain such register at the Diocesan Registry, Diocese of Newcastle, 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 Trustees.

(3) At least three months before any headstones, grave enclosures, or other surface structures are collected and disposed of under subsection two of this section, an advertisement of the intention to do so shall
be

St. Andrew's Church of England, Mayfield, Cemetery.

be inserted twice at an interval of not less than two weeks in a newspaper or newspapers published and circulating in Newcastle, 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.

(4) At any time after the appearance of the first advertisement referred to in subsection three of this section and before the expiration of three months from the appearance of the last of such advertisements, the representatives or any persons claiming to be the representatives of any person buried in the said land may, at their own expense, remove the headstone, grave enclosure, or other surface structure erected over the grave of such 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 such person :

Provided that any such representatives or persons claiming to be such representatives shall give to the Trustees not less than fourteen days' notice of their intention.

(5) The Trustees 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. No compensation shall be payable to any person in respect of the performance of any act authorised by this Act. No compensation payable.

St. Andrew's Church of England, Mayfield, Cemetery.

Sec. 2 (1).

SCHEDULE.

ALL THAT piece or parcel of land containing an area of 1 acre 25 perches more or less situate at Mayfield in the parish of Newcastle county Northumberland being part of portion 126 of 42 acres 3 roods 25 perches and being also part of the land in Conveyance No. 80 Book 69 dated 10th August, 1860 Commencing at a point on the Northern boundary of lot 19 in the Charlestown Subdivision bearing Easterly about 120 feet from Church Street and bounded thence on the West by a line bearing Northerly about 146 feet on the North by a line bearing Easterly about 345 feet on the East by part of the West boundary of portion 127 of 36 acres 20 perches bearing Southerly about 146 feet and thence on the South by part of the Northern boundary of lot 19 aforesaid bearing Westerly about 345 feet to the point of commencement subject to Grant of Easement contained in Conveyance Registered Book 1339 No. 423 dated 18th March, 1924 to The Council of the Municipality of Waratah for, inter alia, maintenance of a section of a storm water channel or drain.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1957.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 19 November, 1957.*

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 39, 1957.

An Act to authorise the use of St. Andrew's Church of England Cemetery at Mayfield for purposes other than a cemetery; and for purposes connected therewith. [Assented to, 22nd November, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "St. Andrew's Church of England, Mayfield, Cemetery Act, 1957". Short title.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

St. Andrew's Church of England, Mayfield, Cemetery.

Use of
cemetery
for other
purposes.

2. (1) It shall be lawful for the Trustees of Church Property for the Diocese of Newcastle (hereinafter referred to as "the Trustees") or such persons as may be authorised by the Trustees to use the land described in the Schedule to this Act for the purposes of erecting and maintaining a hall, suitable monument and columbarium thereon and such other purposes of the Church of England as the Trustees may determine 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 Trustees 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 and maintain such register at the Diocesan Registry, Diocese of Newcastle, 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 Trustees.

(3) At least three months before any headstones, grave enclosures, or other surface structures are collected and disposed of under subsection two of this section, an advertisement of the intention to do so shall be

St. Andrew's Church of England, Mayfield, Cemetery.

be inserted twice at an interval of not less than two weeks in a newspaper or newspapers published and circulating in Newcastle, 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.

(4) At any time after the appearance of the first advertisement referred to in subsection three of this section and before the expiration of three months from the appearance of the last of such advertisements, the representatives or any persons claiming to be the representatives of any person buried in the said land may, at their own expense, remove the headstone, grave enclosure, or other surface structure erected over the grave of such 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 such person:

Provided that any such representatives or persons claiming to be such representatives shall give to the Trustees not less than fourteen days' notice of their intention.

(5) The Trustees 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. No compensation shall be payable to any person in respect of the performance of any act authorised by this Act. No compensation payable.

SCHEDULE.

St. Andrew's Church of England, Mayfield, Cemetery.

Sec. 2 (1).

SCHEDULE.

ALL THAT piece or parcel of land containing an area of 1 acre 25 perches more or less situate at Mayfield in the parish of Newcastle county Northumberland being part of portion 126 of 42 acres 3 roods 25 perches and being also part of the land in Conveyance No. 80 Book 69 dated 10th August, 1860 Commencing at a point on the Northern boundary of lot 19 in the Charlestown Subdivision bearing Easterly about 120 feet from Church Street and bounded thence on the West by a line bearing Northerly about 146 feet on the North by a line bearing Easterly about 345 feet on the East by part of the West boundary of portion 127 of 36 acres 20 perches bearing Southerly about 146 feet and thence on the South by part of the Northern boundary of lot 19 aforesaid bearing Westerly about 345 feet to the point of commencement subject to Grant of Easement contained in Conveyance Registered Book 1339 No. 423 dated 18th March, 1924 to The Council of the Municipality of Waratah for, inter alia, maintenance of a section of a storm water channel or drain.

*In the name and on behalf of Her Majesty I assent to
this Act.*

E. W. WOODWARD,
Governor.

*Government House,
Sydney, 22nd November, 1957.*