

LG303\*

**CEMETERIES ACT 1986**  
**LOCAL GOVERNMENT ACT 1995**  
*Shire of Derby/West Kimberley*  
**CEMETERIES AMENDMENT LOCAL LAW 2011**

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Derby/West Kimberley resolved on 16th December, 2010 to make the following local law

**1. Citation**

This local law is the *Shire of Derby/West Kimberley Cemeteries Amendment Local Law 2011*.

**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 Derby/West Kimberley Local Law relating to the Derby and Fitzroy Crossing Public Cemeteries* published in the *Government Gazette* on 3 July 2001, is referred to as the principal local law. The principal local law is amended.

**4. Clause 1.2 amended**

In clause 1.2—

- (a) in alphabetical order of the terms being defined, insert the definition—

“Act” means the *Cemeteries Act 1986*;

- (b) in the definition “Board” delete “[insert name of local government]” and insert “Shire of Derby/West Kimberley”.

**5. Redesignation in Part 3**

Redesignate clauses “3.3”, “3.4” and “3.5” as clauses “3.2”, “3.3” and “3.4” respectively.

**6. Clause 3.2 amended**

In clause 3.2—

- (a) delete “clauses 3.1 and 3.2” and insert “clause 3.1”.
- (b) delete “under clause 3.4’ and insert “under clause 3.3”.

**7. Clause 7.8 amended**

Delete clause 7.8 and insert—

**7.8 Use of Wood**

- (1) No wooden fence, railing or other wooden erection shall be allowed on or around any grave, other than as a temporary marker and with the prior written approval of the Board.
- (2) A wooden cross may be erected as a memorial with the prior written approval of the Board.

**8. Redesignations in Part 7**

In Part 7—

- (a) redesignate Division “4” as Division “2”.
- (b) redesignate clauses “7.16” to “7.20” as clauses “7.13” to “7.17” respectively.

**9. Clause 7.14 amended**

In clause 7.14(a) delete “clause 7.20” and insert “clause 7.17”.

**10. Clause 7.15 amended**

In clause 7.15(a) delete “clause 7.16” and insert “clause 7.13”.

**11. Clause 7.17 amended**

In clause 7.17 delete sub-clause (3).

Dated: 31st March, 2011.

The Common Seal of the Shire of Derby/West Kimberley was affixed under the authority of a resolution of Council in the presence of—

E. M. ARCHER, Shire President.  
S. BURGE, Chief Executive Officer.

