

**CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995**

SHIRE OF TRAYNING

CEMETERIES AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Cemeteries Act 1986*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Trayning resolved on _____ 2026 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Trayning Cemeteries Amendment Local Law 2026*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Trayning Cemeteries Local Law 2025* as published in the *Government Gazette* on 27 October 2025.

4. Clause 1.1 amended

In clause 1.1 italicise the words “*Shire of Trayning Cemeteries Local Law 2025*”.

5. Clause 1.4 amended

In clause 1.4 in the definition of “Funeral Director” replace the word ‘directors’ with the word ‘director’s’.

6. Clause 4.1 amended

In the title of clause 4.1 replace the word ‘Directors’ with the word ‘Director’s’.

7. Clause 5.7 amended

In clause 5.7(3)(b) after the words ‘by the Board.’ delete the words ‘accordance with Board approval, provided the person requesting the placement of the ashes has the written permission of the Board and the approval of the holder of the right of burial of the grave.’

8. Clause 6.1 amended

In clause 6.1(1)(a) delete ‘(9b)’ and replace with ‘(b)’.

9. Clause 6.2 amended

In clause 6.2(1) delete the word ‘grace’ and replace with ‘grave’.

10. Clause 7.17 amended

Delete clause 7.17(3).

11. Clause 8.1 amended

Delete clause 8.1 and replace with –

8.1 Animals

A person shall not bring an animal into or allow an animal to enter or remain in a cemetery, other than –

- (a) an *assistance animal* as defined in section 9(2) of the *Disability Discrimination Act 1992* (Commonwealth); or
- (b) with the approval of the Board or an authorised person.

12. Clause 8.2 deleted

Delete clause 8.2.

13. Part 8A inserted

After Part 7, insert the following –

PART 8A - OBJECTIONS AND REVIEW

8A.1 Objections and review

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to –

- (a) refuse an application for a permit;
- (b) impose or vary a condition of a permit; or
- (c) revoke a permit.

14. Monumental masons

In the following clauses replace the word “masons” with the word ‘mason’s’ –

- (a) in clause 1.4 in the definition of “monumental masonry”;
- (b) in clause 7.13 –
 - (i) in the title of the clause; and
 - (ii) in subclause (1);
- (c) in clause 7.14;
- (d) in clause 7.15(a);
- (e) in clause 7.16 –
 - (i) in the title of the clause; and
 - (ii) in the first line of the clause;
- (f) in clause 7.17 –
 - (i) in the title of the clause; and
 - (ii) in subclause(1); and
 - (iii) in subclause (2).

Dated _____ 2026

The Common Seal of the Shire of Trayning was affixed by authority of a resolution of Council in the presence of –

Melanie BROWN, President

Peter NAYLOR, Chief Executive Officer