

**No. 15. 1928.**

AN ORDINANCE to authorise the sale of certain land situate at Thirroul in the County of Cumberland and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called the said Trust) is registered under the provisions of the Real Property Act 1900 as proprietor of all that piece of land situate in the Shire of Bulli Parish of Southend and County of Cumberland and containing twenty-nine and three quarter perches being the whole of the land comprised in Certificate of Title dated the fifteenth day of June one thousand nine hundred and ten registered Volume 2063 Folio 71. AND WHEREAS by Declaration of Trust dated the eleventh day of November One thousand nine hundred and twenty-seven registered in the Lands Titles Office Sydney Number 15463 it was thereby declared that the said Trust and its Assigns should stand seized of interested in and registered as the proprietor of all and singular the said lands and premises Upon Trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Parish of All Saints' Austinmer with Clifton and Thirroul AND WHEREAS the said Trust has acquired a new church site comprising two roods twenty-one perches being the whole of the land comprised in Certificate of Title dated the twenty-first day of September 1927 Volume 4055 Folio 191 and more particularly described in the second Schedule hereto and the said land is now vested in the said Trust for a Church Parsonage or Parish Hall or partly for one and party for another or others of such purposes in connection with the Church of England in the Parish of Austinmer at Thirroul AND WHEREAS by reason of circumstances subsequent to the creation of the said trust it is expedient to sell the whole of the land comprised in Certificate of Title under the provisions of the Real Property Act 1900 dated the fifteenth day of June one thousand nine hundred and ten Volume 2063 Folio 71 and

more particularly described in the first Schedule hereto Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and the Land Ordinance Procedure and Delegation of Powers Ordinance 1926 and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales or otherwise in the name and in the place of the said Synod declares directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the said trust it is expedient to sell the whole of the land (with the exception of the buildings thereon) comprised in Certificate of Title under the provisions of the Real Property Act 1900 dated the fifteenth day of June one thousand nine hundred and ten Volume 2063 Folio 71 and more particularly described in the first Schedule hereto.

2. The said land may be sold by public auction or private contract either in one lot or in several lots at such time or times at such price or prices and upon such terms and conditions as the said Trust may deem expedient freed from any trusts expressed or implied relating to the said land.

3. The proceeds arising from such sale or sales after payment thereout of all rates taxes and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and the said sale or sales and the transfer of the said land in pursuance thereof and the sum of fifty pounds to the Church Building Loan Fund shall be applied by the said Trust towards payment for the new Church site being described in the second Schedule hereto and the building to be erected thereon.

4. Pending the payment as aforesaid the proceeds of sale or any part thereof may from time to time until otherwise determined by Synod be invested in the following securities:—

- (a) Any public funds or Government stock or Government securities of the Commonwealth of Australia or any State thereof or the Dominion of New Zealand or Fiji.

- (b) Any debentures or securities guaranteed by the Government of New South Wales.
- (c) Any debentures or securities issued by the Municipal Council of Sydney or any Municipal or Shire Council in New South Wales.
- (d) Any public funds or parliamentary stocks or Government securities of the United Kingdom.
- (e) Mortgage of land in New South Wales.
- (f) Deposit in the Commonwealth Bank of Australia or in the Government Savings Bank of New South Wales.
- (g) Any of the stocks funds or securities for the time being authorised for the investment of cash under the control or subject to the order of the Supreme Court of New South Wales.

Provided that such investments shall in all respects be governed by the Trustee Act 1925 or any Act amending or taking the place of the same.

5. The buildings hereinbefore referred to shall be removed to and erected on the site as described in the second Schedule hereto.

6. This Ordinance shall be styled and cited as "All Saints' Austinmer with Clifton and Thirroul Sale Ordinance of 1928."

#### THE FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land containing by admeasurement 29 $\frac{1}{4}$  perches be the same more or less situate in the Shire of Bulli Parish of Southend and County of Cumberland and being Lot 22 on plan deposited in the Lands Titles Office Sydney Number 5544 and being the whole of the land comprised in Certificate of Title dated the fifteenth day of June one thousand nine hundred and ten Volume 2063 Folio 71.

#### THE SECOND SCHEDULE REFERRED TO.

All that piece or parcel of land containing by admeasurement two roods twenty-one perches be the same more or less situate in the Shire of Bulli Parish of Southend and County of Cumberland

and being Lot A on plan deposited in the Land Titles Office Sydney Number B.556534 and being the whole of the land comprised in Certificate of Title dated the twenty-first day of September One thousand nine hundred and twenty-seven Volume 4055 Folio 191.

I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

A. J. GOULD,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this twenty-seventh day of August, 1928.

C. R. WALSH,  
Secretary.

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

29th August, 1928.