



## **Vesting of Land Ordinance 1997**

No 39, 1997

### **Long Title**

An Ordinance to consent to the vesting of certain land in Anglican Church Property Trust Diocese of Sydney.

### **Preamble**

A. The land described in part A of each of the Schedules is church trust property held on the trusts set out in part B.

B. By section 20 of the Anglican Church of Australia Trust Property Act 1917 the land described in part A of each of the Schedules is vested in the Archbishop of Sydney.

C. Under section 19 of the Anglican Church of Australia Trust Property Act 1917 it is expedient to consent to the vesting of the land in Anglican Church Property Trust Diocese of Sydney, the corporate trustee of the Diocese of Sydney.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows -

### **Name of Ordinance**

1. This Ordinance is the Vesting of Land Ordinance 1997.

### **Consent**

2. Under section 19 of the Anglican Church of Australia Trust Property Act 1917, consent is given to the land described in part A of each of the Schedules being vested in Anglican Church Property Trust Diocese of Sydney, the corporate trustee of the Diocese of Sydney.

## **Schedule 1**

### *Part A*

Lot 3 in Deposited Plan 999552, situated at The Oaks.

### *Part B*

By clause 3 of The Oaks Vesting and Variation of Trusts Ordinance 1983 the land is held upon trust for a -

(a) church;

(b) residence for a minister, assistant to the minister or person employed by the churchwardens;

(c) hall or halls;

(d) school or other place of assembly; or partly for one of another or others of those purposes in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the parish or other

ecclesiastical district of The Oaks or any parish or ecclesiastical district into which it may subsequently be formed or of which it may form a part.

## **Schedule 2**

### *Part A*

Lot 6 in Deposited Plan 32 being the land comprised in Certificate of Title Volume 710 Folio 120, situated at Sutton Forest.

### *Part B*

By Declaration of Trust No 612 made by the Bishop of Sydney on 5 June 1880 the land is held upon trust for the erection thereon of a school house, school master's residence and appurtenances in connection with the United Church of England and Ireland and for such other purposes in connection with the said Church as the bishop of the Diocese shall from time to time appoint.

## **Schedule 3**

### *Part A*

Land contained in Volume 339 Folio 112, situated at Dapto.

### *Part B*

By declaration of trust dated 17 April 1888 the land is held upon trust for a church in connection with the Church of England.

## **Schedule 4**

### *Part A*

Lots 26, 27 and 28 of Section 48 in Deposited Plan 3955 being the land comprised in Certificate of Title Volume 1626 Folio 27, situated at Lithgow.

### *Part B*

By declaration of trust dated 15 December 1911 the land is held upon trust to permit to be erected upon the land any or all of the buildings following - that is to say - a church of clergyman's residence, a school or other building or buildings.

## **Schedule 5**

### *Part A*

Lot 1 in Deposited Plan 724064 being the land comprised in Certificate of Title Volume 634 Folio 209, situated at Kangaroo Valley.

### *Part B*

Held on trust for the purpose of the parish of Berry with Kangaroo Valley although there are no written trusts.

## **Schedule 6**

### *Part A*

Lots 21 and 22 of Section 1 in Deposited Plan 38 being the land comprised in Certificate of Title Volume 516 Folio 192, situated at Moss Vale.

### *Part B*

Held on trust for the parish of Berrima cum Moss Vale although there are no written trusts.

#### **Schedule 7**

##### *Part A*

Lot 2 in Deposited Plan 501006 being the land comprised in Certificate of Title Volume 9472 Folio 144, situated at Katoomba.

##### *Part B*

Held on trust for the Parish of Katoomba although there are no written trusts.

#### **Schedule 8**

##### *Part A*

Lot 2 in Deposited Plan 529143 being the land comprised in Certificate of Title Folio Identifier 2/529143, situated at Luddenham.

##### *Part B*

By deed Book 135 No 36 part of the land is held on trust as a site for the erection of a church to be devoted to the worship of Almighty God according to the rites and ceremonies of the Church of England. The remainder of the land is held upon trust to permit the land to be used as a burial ground and a glebe in connection with the said church and as a site for the erection of a dwelling house for the minister for the time being, licensed or otherwise to officiate in the church erected or to be erected as aforesaid.

#### **Schedule 9**

##### *Part A*

Lots 1, 2, 3 and 34 of Section 1 in Deposited Plan 979702, situated at Croydon.

##### *Part B*

By declaration of trust dated 8 March 1881 the land is held upon trust for the erection and maintenance of a church of the United Church of England and Ireland and of a school house in connection therewith and for the erection and maintenance of a parsonage subject to the provisions of the Act 8 William IV No 5 and for other purposes in connection with the said church as the bishop of the Diocese may from time to time direct.

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

##### ***N.M. CAMERON***

*Chairman of Committees*

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 27 October 1997.

##### ***W.G.S. GOTLEY***

*Secretary*

I Assent to this Ordinance.

##### ***R.H. GOODHEW***

*Archbishop of Sydney*

27/10/1997