

MITTAGONG (ROWES HILL CEMETERY) SALE ORDINANCE 1986

No. 55, 1986

AN ORDINANCE to authorise the transfer of certain land at Mittagong to the Wingecarribee Shire Council.

WHEREAS

A. Robert Snowdon, William Bragenall, Joseph Wallis, John Mealing and Thomas Troy Junior (hereinafter called "the Trustees") are the registered proprietors of the land described in the Schedule hereto (hereinafter called the land").

B. The trustees were nominated and appointed pursuant to an Act entitled "An Act to Regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales."

C. The land was originally granted to the Trustees for the express purpose of being a site "for the Interment of the Dead" and has been so used as a cemetery since the time of the grant.

D. Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is entitled, by virtue of Section 19 and Section 21 of the Anglican Church of Australia Trust Property Act 1917, as amended, to become vested as trustee of the land.

E. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied and that the land be transferred for nominal consideration to the Wingecarribee Shire Council for the express purpose that the Wingecarribee Shire Council shall be responsible for the care, control and management of the land.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:

1. This Ordinance may be cited as the "Mittagong (Rowes Hill Cemetery) Sale Ordinance 1986.
2. The land being church trust property is hereby vested in the Corporate Trustee and consent is hereby given to such vesting.
3. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied and that the land be transferred for nominal consideration to the Wingecarribee Shire Council.
4. The Corporate trustee is hereby empowered to transfer the land as a single parcel within a period of three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee for a nominal consideration to the Wingecarribee Shire Council on the terms and conditions that the Council shall continue to have control and manage the land as a site for the interment of the dead only.

SCHEDULE

ALL THAT piece or parcel of land situate in the Shire of Wingecarribee County of Camden Parish of Jellore Village of Fitzroy and being the whole of the land in Certificate of Title Volume 619 Folio 152.

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

E.D. CAMERON  
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 24th day of November 1986.

W.G.S. GOTLEY  
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON  
Archbishop of Sydney  
24/11/1986