
St. Andrew's Warrawong Land Sale Ordinance 1969

No. 50, 1969

AN ORDINANCE to authorise the sale of certain land situate at the corner of Cowper Street and First Avenue at Warrawong in the City of Greater Wollongong and to provide for the application-of proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 7277 Folio 185 more particularly described in the Schedule hereto AND WHEREAS by a certain Declaration of Trust dated the 21st day of June, One thousand nine hundred and fifty-seven the Corporate Trustee declared that it held the said land upon trust to permit the same to be used for a church parsonage or parish hall or partly for one or partly for another or others of such purposes in connection with the Church of England at Warrawong in the Parish of Port Kembla AND WHEREAS the Warrawong area and surrounding areas are largely populated by European migrants who are not of the Church of England faith AND WHEREAS more and more of the said European migrants are taking up residence in the said areas AND WHEREAS there is in existence an adequate church building and church hall at St. Andrew's Warrawong and also sufficient vacant land to accommodate any foreseeable expansion of existing premises AND WHEREAS the Corporate Trustee has acquired property Lot 564 in Deposited Plan 36794 situate in the City of Greater Wollongong Parish of Kembla County of Camden being the whole of the land in Certificate of Title Volume 1088 Folio 127 situated in Kelly Street Berkeley not far removed from the said land for the erection of any future minister's residence AND WHEREAS by reason of the circumstances hereinbefore recited which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold and the net proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient that the land be sold.

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2. The Corporate Trustee is hereby authorised and empowered to sell the said land at such time and for such sum and upon such other terms and conditions as it shall think fit freed from the trusts upon which it is now held provided that any contract of sale shall include a covenant that the land be used for residential purposes only.

3. The proceeds arising from the sale shall after paying there-out the costs of and incidental to this Ordinance and the sale and transfer pursuant thereto and all outgoings to which the land is subject be paid as follows:—

- (a) As to the sum of One thousand five hundred dollars (\$1,500) to the Churchwardens for the time being of St. Stephen's Church Port Kembla to be expended upon such renovation and improvement of the rectory situated in Military Road, Port Kembla as the Parish Council may determine.
- (b) As to the balance (hereinafter called "capital") to be paid to the Churchwardens for the time being of St. Andrew's Church Warrawong to be invested by them in accordance with the Investment of Church Trust Property Ordinance 1944 as amended and the income from such investments paid to the Churchwardens for the time being of St. Stephen's Church Port Kembla to be applied by them towards payment of stipend or stipends payable to Clergy, Deaconesses or Parish Sisters licensed or employed in the said Parish provided however that should the said capital or part thereof be required from time to time for the improvement replacement or extension of the church church hall and out-buildings thereto at St. Andrew's Church Warrawong then such capital may be so applied in such manner as the Parish Council may determine.

4. This Ordinance may be cited as "St. Andrew's Warrawong Land Sale Ordinance 1969".

SCHEDULE

All that piece or parcel of land situate in the City of Greater Wollongong Parish of Wollongong and County of Camden being Lot 1 in Deposited Plan 25133 having a frontage of 26' 11" to Cowper Street with a splay corner of 31' 3" and a depth along First Avenue of 108' 5" and a depth on the other side of 127' 5" with a rear line measurement of 50' be the said several dimensions all a little more or less and containing by admeasurement 22½ perches and being the whole of the land in Certificate of Title Volume 7277 Folio 185.

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

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of Synod of the Diocese of Sydney on the 27th day of October, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

27/10/1969.