
*St. Matthew's Bondi (St. Andrew's Bondi Beach) Land Sale
Ordinance 1972*

No. 47, 1972

AN ORDINANCE to authorise the sale of land situate at Bondi in the Municipality of Waverley Parish of Alexandria and County of Cumberland and to provide for the application of the proceeds.

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 10807 Folio 177 more particularly described in the Schedule hereto AND WHEREAS the said land is church trust property and is held upon trust for the Parish of St. Matthew Bondi but no trusts in writing have been declared in respect of the same AND WHEREAS by reason of circumstances which have arisen subsequent to the trusts upon which the said land is held it is inexpedient to carry out and observe the same and it is expedient that the said land be subdivided and sold and the proceeds applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY DECLARES ORDAINS RULES AND DIRECTS as follows:—

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

2. The Corporate Trustee is hereby empowered to execute such documents and take any such steps as may be necessary to have the said land subdivided.

3. The Corporate Trustee is hereby authorised and empowered to sell the said land by public auction or private contract either in one lot or separate lots at such price or prices and at such time or times upon such terms and conditions as it shall think fit freed from the trusts upon which it is now held.

4. The proceeds of any such sale or sales as aforesaid shall be applied in the manner following:—

- (a) first in payment of costs charges and expenses of and incidental to this Ordinance and the implementation hereof including the subdivision as aforesaid and of any sale or sales or transfer or transfers in pursuance hereof and in payment of the principal interest and costs of and incidental to the discharge of any then existing mortgage or mortgages on the said land;

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- (b) secondly in payment of the principal interest and costs of and incidental to the discharge of any mortgage charge or other debts then owing against the land upon which the building comprising the Church and Hall of St. Andrew's Bondi Beach is erected;
- (c) thirdly to pay the balance thereof to the Churchwardens of St. Matthew's Church Bondi and applied by them for the following purposes:—
- (i) first in payment of the costs of repairs to the existing buildings within the said Parish.
- (ii) secondly in or towards maintenance from time to time of the existing buildings in the said Parish.

PROVIDED however that the Standing Committee upon the application by resolution of the Parish Council of the said Parish may by resolution vary modify or add to the purposes for which such balance of income as aforesaid may be applied.

5. This Ordinance may be cited as "St. Matthew's Bondi (St. Andrew's Bondi Beach) Land Sale Ordinance 1972".

SCHEDULE

ALL THAT piece or parcel of land situate at Bondi in the Municipality of Waverley Parish of Alexandria County of Cumberland and having a frontage of forty feet to Brighton Boulevard by depth of One hundred and twenty-eight feet six inches being part of Lots 36 and 37 of Section 2 in Deposited Plan 786 and the whole of the land comprised in Certificate of Title Volume 10807 Folio 177.

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 the Synod of the Diocese of Sydney on the 20th day of November, 1972.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

20/11/1972.