

ST. STEPHEN'S, PORT KEMBLA DECLARATION  
OF TRUSTS AND MANAGEMENT ORDINANCE 1975

No. 48 1975

AN ORDINANCE to declare the trusts of certain lands situate at Port Kembla and to provide for the management thereof.

WHEREAS

- A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of the land comprised in Certificate of Title Volume 3235 Folio 233 more particularly described in the Schedule hereto (which land is hereinafter called "the said land").
- B. The said land is church trust property held by the Corporate Trustee for the sole benefit of the Church of England in Australia at Port Kembla but no trusts have been declared in writing concerning the same.
- 10 C. There is erected on the said land a church known as St. Stephen's Church, Port Kembla, a Church Hall and a Rectory.
- D. It is proposed to erect a building on part of the land and to utilise the said building and part of the grounds for the education, recreation, minding or care of children of pre-school or school age and matters incidental thereto.
- 15 E. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient to permit the said building to be used as a Parish Centre and also to be used as a Child Care Centre.
- 20 F. It is expedient that authority be given to the Corporate Trustee to enter into and execute a Deed of Agreement between The Honourable Stephen George Mauger, the Minister for Youth, Ethnic and Community Affairs of the State of New South Wales (hereinafter called "the Minister") for and on behalf of Her Majesty Queen Elizabeth II of the one part and the Corporate Trustee of the other part whereby the said building shall
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be used inter alia as a Child Care Centre in accordance with the requirements of such Deed of Agreement NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS  
 30 DECLARES DIRECTS AND RULES as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent to which they are hereby varied and it is expedient that the said land be used for a church parsonage  
 35 parish hall parish centre and child care centre or partly for one and partly for another or others of such purposes in connection with the Church of England in Australia at Port Kembla in the Parish of St. Stephen at Port Kembla or any parish' provisional parish or provisional district into which it may be subsequently formed.

40 2. The Corporate Trustee is hereby authorised and empowered to enter into and execute a Deed of Agreement with the Minister subject to the incorporation variation or deletion within the terms of the said Deed of Agreement of such provisions as the Standing Committee/shall by  
 resolution require.

45 3. The Church Committee of the church of St. Stephen's Port Kembla shall be responsible

- (a) for keeping order in the said building
- (b) for keeping the said building adequately insured against fire and all other usual risks which are insured against
- 50 (c) for maintaining an adequate public risk policy in respect of the said lands and any buildings erected thereon for an amount which in any event is not less than \$250,000, and
- (d) for adequately repairing and maintaining the said building.

Should the said Committee fail to do all or any of the foregoing to the  
 55 satisfaction of the Corporate Trustee, the Corporate Trustee may take such measures in relation to the said property that it may think fit and all costs and expenses thereby incurred by the Corporate Trustee

shall be payable to it ~~on demand~~ by the said Committee on demand.

4. This Ordinance may be cited as "St. Stephen's Port Kembla Declaration  
60 of Trusts and Management Ordinance 1975".

SCHEDULE

ALL THAT piece or parcel of land situate at Port Kembla in the City of Wollongong Parish of Wollongong and County of Camden being Lots 34, 35 and 36 of Section 3 in Deposited Plan 7804 situate at the corner of Church Street, Military Road and Third Avenue and being the whole of the land in Certificate of Title Volume 3235 Folio 233.

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

J.R.L. Johnstone  
Acting ~~Deputy~~ 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 1975.

W.G.S. Gotley  
Secretary

I ASSENT to this ordinance.

M.L. Loane  
Archbishop of Sydney  
24 /11/1975