

Albion Park Licensing Ordinance 1992

No 30, 1992

An Ordinance to authorise the grant of a licence to Tongarra Christian School Association (Parent Controlled) Inc. for the use of certain land and buildings situated at Tongarra Road, Albion Park.

Whereas

A. The Property Trust is the owner in fee simple of the land described in the First Schedule ("the Land").

B. The Land is church trust property held upon the following trusts -

(1) That part of the Land contained in Conveyance Registered No. 186 Book 1633 is held to permit the same to be used in such manner as the Rector and Churchwardens for the time being of the Church of All Saints Albion Park may deem expedient in connection with the Church of England at Albion Park in the Parish of Dapto subject however to the provisions of the Sydney Church Ordinance 1912 or any other ordinance amending or taking the place of the same.

(2) That part of the Land contained in Conveyance Registered No. 738 Book 145 is held to permit and suffer a church or building to be erected on the said land such church or building to be set apart for the celebration of divine worship according to the usages of the Church of England and is subject to the regulations contained in Schedule B to such Conveyance.

C. 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 such trusts be varied so as to enable a licence be granted to Tongarra Christian School Association (Parent Controlled) Inc. ("the Association") for the purpose of conducting a school on part 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 "Albion Park Licensing Ordinance 1992".

2. 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 to vary such trusts so as to enable the Land to be dealt with as provided in clause 3.

3. The Property Trust is authorised to grant a licence to the Association for a term of not more than five (5) years calculated from 1 January 1992 either party having the right to terminate the licence on the 31st December of any year upon giving three (3) months' prior notice of its intention to do so. The licence shall be for the purpose of conducting a school on the Land. The licence shall be in respect of the wooden building with metal roof previously used as a hall and the adjacent fenced area and the maintenance on the Land of the existing demountable building. The licence shall be upon such other terms and conditions as to the Property Trust may seem appropriate.

4. The licence fee payable by the Association shall be determined according to the formula set out in the Second Schedule. Licence fees arising from or incidental to a licence granted under this ordinance and all other moneys accruing to or payable to the Property Trust arising from or incidental to such licence shall be paid by the Property Trust to the Churchwardens of the All Saints Anglican Church Albion Park to be applied in or towards either both of the support of ministry and maintenance of buildings within the Parish of Albion Park.

First Schedule

All That piece or parcel of land situated in the Municipality of Shellharbour Parish of Jamberoo County of Camden State at the corner of Tongarra Road and Church Street, Albion Park being part of the land contained in Conveyance Registered No. 186 Book 1633 and Conveyance Registered No. 738 Book 146 and being Lot 2 on a Plan of Subdivision of Surveyor Robert Dovers and approved by the Council of the Municipality of Shellharbour under Subdivision No. 32/1962.

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Second Schedule

The Licence fee shall be such amount as is agreed upon by the Association and the Property Trust but failing such agreement shall be Two dollars (\$2.00) per pupil per school week until the 31st December, 1992. Commencing on 1st January, 1992 and on the same day in each subsequent year of the licence the licence fee shall be reviewed and failing any other agreement shall be varied for the ensuing year in accordance with the Consumer Price Index.

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

E.D. Cameron
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 28th day of September 1992.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

Donald Robinson
Archbishop of Sydney
28/9/1992