

Castlereagh with Cranebrook Cemetery Transfer Ordinance 2019

No 8, 2019

Long Title

An Ordinance to authorise the transfer of certain land to Penrith City Council and for other related matters.

Preamble

A. By Crown Grant executed on 20 January 1883, the land in folio identifier 281/752021 known as Pioneer Cemetery at Castlereagh (the Land) was vested in Joseph Dangar Single, William Landers, William Greenhalgh, Robert Hatley and Edwin Wilshire (the original private trustees) for the Interment of the Dead, according to the use of the United Church of England and Ireland.

B. The Land is church trust property and is held in the names of the original private trustees, now long deceased.

C. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is expedient that the Land be transferred for nominal consideration to Penrith City Council.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Castlereagh with Cranebrook Cemetery Transfer Ordinance 2019.

2. Consent to vesting

Under section 19 of the Anglican Church of Australia Trust Property Act 1917, consent is given to the Land being vested in the Anglican Church Property Trust Diocese of Sydney, the corporate trustee of the Diocese of Sydney.

3. Declarations of inexpediency

By reason of circumstances which have arisen after the creation of the trusts upon which the Land are held it is inexpedient to carry out and observe those trusts and it is expedient that such land be transferred for nominal consideration to Penrith City Council.

4. Power of Sale

The ACPT is authorised to transfer the Land or such part of the Land as remains church trust property, to the Penrith City Council for nominal consideration, subject to such terms and conditions as it may think fit, within 3 years after the date of assent to this Ordinance, and thereafter only with the consent of the Standing Committee by Resolution.

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

R TONG
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 16 April 2019.

D GLYNN
Secretary

Castlereagh with Cranebrook Cemetery Transfer Ordinance 2019

I Assent to this Ordinance.

Archbishop of Sydney

15/14/2019