

Mittagong (Rowe's Hill Cemetery) Land Transfer Ordinance 2000

No 31, 2000

Long Title

An Ordinance to authorise the transfer of certain land at Mittagong to Wingecarribee Shire Council and for related matters.

Preamble

A. By deed dated 1 December 1871 the land described in the Schedule (the "Land") was conveyed to James Samuel Hassall and his heirs to be held to the use of Thomas Troy, William Hudspeth and Henry William Edwards, their heirs and assigns (the "Trustees") for ever upon trust "for and to use or permit the same to be used as a burial ground in connection with the United Church of England and Ireland in the said Colony of New South Wales".

B. James Samuel Hassall and each of the Trustees are believed to be deceased.

C. It is expedient that the Land, which is church trust property, be vested in Anglican Church Property Trust Diocese of Sydney (the "Property Trust").

D. 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 Wingecarribee Shire Council.

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

1. Name

This Ordinance is the Mittagong (Rowe's Hill Cemetery) Land Transfer Ordinance 2000.

2. Consent to vesting

Consent is given to the Land vesting in the Property Trust.

3. Declarations of inexpediency

By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is expedient to carry out and observe those trusts and it is expedient that the Land be transferred for nominal consideration to Wingecarribee Shire Council.

4. Power of transfer

The Property Trust may transfer the Land, or such part of the Land as remains church trust property, to Wingecarribee Shire Council for a consideration of \$1 within a period of 3 years after the date of assent to this ordinance, and thereafter only with the consent of the Standing Committee by resolution.

Schedule

All that piece or parcel of land situate in the County of Camden in the District of Mittagong commencing at a point on the Old Southern Road at the north western corner of the land belonging to the Council of Education and bounded on the south by the northern boundary of that land bearing south easterly 3 chains 31 links on the east by a line at right angles to east boundary bearing north easterly 1 chain 35 links to GJ Riley's land on the north by line dividing the land from that land bearing north westerly 3 chains 86 links to the Old Southern Road and on the west by that road bearing south westerly 3 chains 33 links to the commencing point.

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

N M CAMERON
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 6 November 2000.

M A PAYNE
Secretary

I Assent to this Ordinance.

R H GOODHEW
Archbishop of Sydney
7/11/2000