

St Ives Easement Ordinance 2000

No 8, 2000

Long Title

An Ordinance to authorise the granting of an easement to Energy Australia over certain lands situate at St Ives such lands being more particularly described in the schedule hereto.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land described in the schedule (the "Land").

B. The Land is church trust property and by Book 1106 No 608 is held upon trust to permit the same to be used for a church, parsonage or parish hall or partly for one and partly for another of such purposes in connection with the Church of England in the district of St Ives Diocese of Sydney for the time being in force and applicable to the Land.

C. The parish of St Ives (the "Parish") wishes that an easement be granted to Energy Australia for an electricity substation over part of the Land (the "Easement").

D. The Easement is required by Energy Australia as a result of the demolition and re-building of part of the church and halls erected on the Land.

E. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Easement be granted over part of the Land and any monies arising from the grant of the Easement be applied in the manner set out in this Ordinance.

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

1. Name

This Ordinance is the St Ives Easement Ordinance 2000.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Easement be granted over part of the Land and any monies arising from the grant of the Easement be applied in the manner set out in this Ordinance.

3. Authority

The Property Trust is hereby authorised to grant to Energy Australia the Easement over the part of the Land shown in the plan prepared by Stanton Dahl Architects entitled Substation Easement Detail signed by Energy Australia on 10 December 1999 and such other part or parts of the Land as Energy Australia may reasonably require for the Easement.

4. Application

The monies (if any) arising from the grant of the Easement under clause 3 must be paid to the churchwardens of Christ Church, St Ives and be applied by them for the purposes consistent with the trusts on which the Land is held.

Schedule

ALL THAT piece or parcel of land situated in the Municipality of Ku-ring-gai Parish of Gordon County of Cumberland situated on the corner of Mona Vale Road (formerly known as Pittwater Road) and Cowan Road St Ives having a frontage of 187 ft. to Mona Vale Road and a frontage of 265 ft. 11 ¼ ins. to Cowan Road with an arc on the corner of the said roads of 78 ft. 1 ¼ ins. and having a rear line of 245 ft. 8 ins. being more particularly described in Conveyance Registered No. 608 Book 1106 excluding from the land contained in such Conveyance certain parts thereof resumed for road widening purposes.

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 3 April 2000.

M A PAYNE
Secretary

I Assent to this Ordinance.

R H GOODHEW
Archbishop of Sydney
6/4/2000