

# Wollongong Cemetery Transfer Ordinance 2001

No 28, 2001

## Long Title

An Ordinance to authorise the transfer of certain land in Wollongong to Wollongong City Council.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in certificate of title folio identifier 4/38/759704 known as the Anglican Portion of the Wollongong General Cemetery, Kenny Street, Wollongong (the "Land").

B. By Deed of Consent of Trustees dated 29 November 1884, the Land is held upon trust for the interment of the dead, according to the use of the United Church of England and Ireland, as by Law established, in conformity with the provisions of the Acts of the Governor and Legislative Council of New South Wales 7 William IV and 8 William IV.

C. By reason of circumstances which have arisen after the creation of trusts upon which the Land is held inexpedient to carry out or observe those trusts and it is expedient to vary those trusts in order that the Land can be transferred for nominal consideration to Wollongong Shire Council.

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

### 1. Name

This Ordinance is the Wollongong Cemetery Transfer Ordinance 2001.

### 2. Declaration of inexpediency

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

### 3. Power to transfer

The Property Trust may transfer the Land, or such part of the Land as remains church trust property, to Wollongong City 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.

### 4. Consideration

The consideration paid for the transfer of the Land is to be paid to the churchwardens of the parish of Wollongong for the purposes of the parish.

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 13 August 2001.

M A PAYNE  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
14/8/2001