

*Hurstville Oatley Land Sale Amendment and Mortdale-Penshurst, &c., Mission District Ordinance.*

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AN ORDINANCE to amend "St. George's Church Oatley Land Sale Ordinance of 1921" to form a Mission District out of the said Parish of St. George known as St. George's Hurstville such Mission District to be known as the Mission District of Mortdale and Penshurst *cum* Oatley and Peakhurst and so far as may be necessary for such purposes to amend the Parishes and Mission Districts Ordinance of 1902.

WHEREAS by an Ordinance passed on the 28th day of November, 1921, known as "The St. George's Church Oatley Land Sale Ordinance of 1921" after reciting that by an Indenture of Conveyance dated the ninth day of August One thousand nine hundred and nine Registered Number 127 Book 889 and made between Frederick Guy Griffiths and Herbert Bowring Greone thereafter described in the one part and the Church of England Property Trust Diocese of Sydney hereinafter called the said Trustee in the other part the land comprised and described in the Schedule hereunto hereto was granted released and conveyed unto the said Trustees and their successors to hold the said land unto the said Trustees and their successors to permit a Church School Rectory Hall to be erected on the said land as might be deemed requisite to be erected on the said land and to be subject to the regulations so far as they might be applicable contained in the "Sydney Church Ordinance" or in any other Ordinance to be passed by the Synod of the said Diocese altering or modifying the first mentioned Ordinance and reciting that the said land was then unoccupied and that certain rates and other Municipal charges imposed upon or in respect of the said land by the Municipality of Hurstville subsequent to the creation of the said Trusts had been paid with moneys borrowed from The Home Mission Society And reciting that certain further rates and charges were then due and owing in respect of the said land And reciting that in order to provide for the repayment of the said moneys and interest thereon it was expedient that the said land should be sold or mortgaged it was ordained declared directed and ruled that the said land might be mortgaged and/or sold as therein provided and that the moneys arising from any such

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mortgage or mortgages sale or sales should be paid to the said Trustees and applied as therein provided and that any part of the said moneys not immediately required to be applied as aforesaid might until such application be invested by the said Trustees or deposited as therein provided. AND WHEREAS no sale has yet been made under the said Ordinance. AND WHEREAS it is expedient to form a Mission District to be known as the Mission District of Mortdale and Penshurst *cum* Oatley and Peakhurst out of the said Parish of St. George Hurstville and by reason of the formation of such Mission District and of other circumstances subsequent to the passing of the before recited Ordinance of the 28th November 1921 it is expedient to amend such Ordinance. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the Church of England Trust Property Act 1917 or otherwise ordains declares directs and rules as follows:—

1. That a Mission District to be known as the Mission District of Mortdale and Penshurst *cum* Oatley and Peakhurst is hereby formed within the boundaries set forth in the First Schedule hereto.

2. The said Mission District shall be a Mission District in all respects the same as if it had been formed in accordance with the provisions of "The Parishes and Mission Districts Ordinance 1902."

3. The remaining area in the Parish of St. George Hurstville is hereby declared to be comprised within the description set out in the Second Schedule hereto.

4. The said Ordinance known as the "St George's Church Oatley Land Sale Ordinance of 1921" is hereby amended by the insertion of the following additional section namely:—

3 (a) The said Trustees may in their discretion postpone action under Sections 2 and 3 for the purpose of giving reasonable opportunity for the satisfaction of the requirements of Section 5 of this Ordinance and the Schedule referred to in the said Section but no purchaser or mort-

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gagor shall be required or concerned to enquire as to whether such action should be postponed nor shall any purchaser or mortgagor be affected by notice that such action should be postponed under this section.

5. This Ordinance shall come into force if and when and not before the Archbishop of Sydney shall certify in writing that he is satisfied that all payments guarantees and other requirements set out in the Fourth Schedule have been satisfactorily made and secured.

6. In case of any dispute as to the said payments guarantees or other requirements the matter shall be referred to the Chancellor and the Registrar of the Diocese for their consideration and determination and their decision certified in writing to the Archbishop shall be final.

7. This Ordinance shall be styled and cited as the "St. George's Church Hurstville Oatley Land Sale Amendment and Mortdale and Penshurst *cum* Oatley and Peakhurst Mission District Formation Ordinance 1923."

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

Commencing at the head of the North-east arm of Oatley bay and bounded thence by that Creek upwards to Hurstville Road thence by that Road North-easterly to Belmore Road, thence by that Road North-Westerly to Broad Arrow Road thence by that Road South-westerly to Bonds Road thence by that Road Northerly to Josephine Road thence by that Road and its Westerly prolongation to Salt Pan Creek and thence by that Creek and the waters of George's River and its inlets downwards to the point of commencement.

THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

Commencing at the head of the North-east Arm of Oatley Bay and bounded thence by that Creek upwards to Hurstville Road thence by that Road Easterly to Belmore Road thence by that Road North-westerly to Broad Arrow Road thence crossing that Road and by Canarys Road North-westerly to the North-western corner of portion 110 thence by Wollie Creek downwards

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to Croydon Road thence by that Road Southerly to Creek Road thence by that Road Westerly and again by Croydon Road aforesaid South-easterly to Forest Road thence by the Southern side of that Road Easterly to Webbers Road thence by that Road South-easterly to Carlton Parade thence by that Parade and the Illawarra Railway Line Westerly to the Bridge over the Railway Line thence crossing that line and by a South-west boundary of the Parish of St. Andrew South-easterly to Tanners Avenue thence by that Avenue South-westerly to Kogarah Bay Creek thence by that Creek downwards to the North-western side of Kogarah Bay Road (excluding the Blakehurst Public School) and by that side of that Road South-westerly to Woniora Road thence by a small Creek forming the South boundary of J. Croft's one hundred and nineteen acres and thence by that Creek downwards to Townson's or Kogarah Bays and by the waters of George's River upwards to the point of commencement.

THE THIRD SCHEDULE HEREINBEFORE REFERRED TO

All that piece or parcel of land situate in the Parish of St. George County of Cumberland State of New South Wales containing an area of one acre or thereabouts being Lots One Two Three and Four of Section Thirteen of Griffiths' Subdivision at Oatley commencing on the West side of Woronora Parade at its intersection with the North side of Wonoona Parade and bounded on the East by Woronora Parade bearing Northerly two hundred and sixty-four feet on the North by a line dividing it from Lot Five bearing Westerly one hundred and sixty-five feet two and one-quarter inches on the West by a line dividing it from Lots Seventeen Eighteen Nineteen and Twenty bearing Southerly two hundred and sixty-four feet and one-quarter inch to Wonoona Parade and on the South by Wonoona Parade bearing Easterly one hundred and sixty-five feet three inches to the point of commencement be the said measurements all a little more or less.

THE FOURTH SCHEDULE HEREINBEFORE  
REFERRED TO.

- (a) The payment of eighty-seven pounds one shilling and one penny from the Church of St. John Penshurst to the Reverend Dixon Hudson.

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- (b) The payment from the District of Oatley of the amount provided for in the Second Section of the "St. George's Church Oatley Land Sale Ordinance of 1921."
- (c) The cancellation of all existing financial obligations of the Reverend Dixon Hudson in respect of guarantees which he has entered into on behalf of those parts of the Parish which are comprised within the proposed Mission District and the payment or the guarantee for the payment of the difference between the estimated market value of Lots Three and Four of the land described in the Third Schedule and the said amounts provided for in the said Second Section of the said Ordinance. Such payment or guarantee to be made or given to the Rector and Churchwardens of the Parish of St. George Hurstville and the amount thereby represented to be held by them upon Trust to apply the same in or towards the erection of the proposed Rectory for the said Parish.

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

A. J. GOULD,  
*Chairman of Committee.*

We certify that this Ordinance was passed this tenth day of October, 1923.

E. CLAYDON } *Secretaries of*  
F. A. BLANE } *the Synod.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

23rd October, 1923.