

Macarthur Cemetery Transfer Ordinance 2000

No 3, 2000

Long Title

An Ordinance to authorise the conveyance of the Macarthur Family Cemetery at Camden to the Minister of Agriculture.

Preamble

A. Under section 20 of the Anglican Church of Australia Trust Property Act 1917 the following land (the "Land") is vested in the Archbishop -

"All that parcel of land containing 2 perches referred to in the Deed of Feoffment dated 8 May 1841 (Registered Book V. No. 938) made between James Macarthur and William Macarthur, of the one part, and the Bishop of Australia, of the other part, being the land designated (A) in the title diagram shown in DP658458, and being shown more particularly in the plan prepared by Ian David Collier of Moriarty Stapley & Co dated 13 January 1994."

B. The Land is church trust property and is held by the Archbishop upon trust for the erection thereon of a church or chapel for the performance of divine worship according to the rites of the Anglican Church of Australia and also for the erection of a residence for a clergyman in Holy Orders and for a burial ground according to the use of the Anglican Church of Australia or for all or any of those objects as the Archbishop shall from time to time determine.

C. Constructed on the Land is the cemetery of the Late John Macarthur Esq and the vault and cemetery of the family of the Late John Macarthur Esq.

D. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out the same, and it is expedient that the Land be conveyed to the Minister of Agriculture.

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

1. Name

This Ordinance is the Macarthur Cemetery Transfer Ordinance 2000.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be conveyed to the Minister of Agriculture.

3. Authority to Transfer

(1) The Archbishop is authorised to convey the Land to Her Majesty Queen Elizabeth II (Minister of Agriculture) for consideration of \$1.

(2) The conveyance shall be on such other terms as the Archbishop considers appropriate.

4. Application of Proceeds

The consideration shall be applied by the Archbishop for such purposes of the Anglican Church of Australia in the Diocese of Sydney as he considers appropriate.

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 28 February 2000.

M A PAYNE
Secretary

I Assent to this Ordinance.

R H GOODHEW
Archbishop of Sydney
2/3/2000