

ST. MARK'S BRIGHTON-LE-SANDS VARIATION OF  
TRUSTS AND MANAGEMENT ORDINANCE 1975

No. 24 1975

AN ORDINANCE to vary the trusts of certain lands situate at Brighton-le-Sands and to provide for the management thereof.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of the lands comprised in Certificates of Title Volume 2425 Folio 179 and  
5 Volume 2005 Folio 138 more particularly described in the Schedule hereto (which lands are hereinafter called "the said lands").

B. The said lands are church trust property held by the Corporate Trustee for the sole benefit of the Parish of St. Mark Brighton-le-Sands  
10 UPON TRUST to permit the same to be used for a church parsonage parish hall or parish centre or partly for one and partly for another or others of such purposes in connection with the Church of England in Australia at Brighton-le-Sands in the said Parish or any parish provisional parish or provisional district into which it may be subsequently formed.

C. A building for use as a parish centre (which building is hereinafter  
15 called "the said building") is being erected on part of the said lands.

D. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same to the extent to which the same are  
20 hereby varied and it is expedient to permit the said building to be used as a parish centre and also to be used as a child care centre.

E. It is expedient that authority be given to the Corporate Trustee to enter into and execute a Deed of Agreement between The Honourable Stephen George Mager the Minister for Youth, Ethnic and Community Affairs of the State of New South Wales (hereinafter called  
25 "the Minister") for and on behalf of Her Majesty Queen Elizabeth II of the one part and the Corporate Trustee of the other part

whereby

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the said building shall be used inter alia as a child care centre in accordance with the requirements of such Deed of Agreement NOW the  
30 Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is  
35 inexpedient to carry out and observe the same to the extent to which they are hereby varied and it is expedient that the said lands be used for a church parsonage parish hall parish centre and child care centre or partly for one and partly for another or others of such purposes in connection with the Church of England in Australia at Brighton-le-Sands  
40 in the Parish of St. Mark at Brighton-le-Sands or any parish provisional parish or provisional district into which it may be subsequently formed.

2. The Corporate Trustee is hereby authorised and empowered to enter into and execute a Deed of Agreement with the  
Minister subject to the incorporation variation or deletion within the  
45 terms of the said Deed of Agreement of such provisions as the Standing Committee shall by resolution require.

3. The Parish Council of the said Parish shall be responsible

- (a) for keeping order in the said building
- (b) for keeping the said building adequately insured against  
50 fire and all other usual risks which are insured against.
- (c) for maintaining an adequate public risk policy in respect of the said lands and any buildings erected thereon for an amount which in any event is not less than \$250,000 and
- (d) for adequately repairing and maintaining the said building.

55 Should the said Parish Council fail to do all or any of the foregoing to the satisfaction of the Corporate Trustee, the Corporate Trustee may take such measures in relation to the said property that it may think fit and all costs and expenses thereby incurred by the Corporate Trustee shall be payable to it on demand by the said Parish Council.

60 4. This Ordinance may be cited as "St. Mark's Brighton-le-Sands Variation of Trusts and Management Ordinance 1975".

SCHEDULE

ALL THAT piece of land situate at Brighton-le-Sands in the Municipality of Rockdale Parish of St. George and County of Cumberland having a frontage of 20.115 metres to Trafalgar Street with a depth of 41.485 metres being Lot 61 of Section 2 in Deposited Plan No. 5190 and being the whole of the land comprised in Certificate of Title Volume 2425 Folio 179 AND ALL THAT piece of land situate as aforesaid having a frontage of 20.115 metres to Trafalgar Street with a depth of 41.485 metres being Lot 62 of Section 2 in Deposited Plan No. 5190 and being the whole of the land comprised in Certificate of Title Volume 2005 Folio 138.

I CERTIFY that the ordinance as printed is in accordance with the ordinance as reported.

D. Cameron  
Deputy Chairman of Committees

I CERTIFY that this ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28th day of July 1975.

W.G.S. Gotley  
Secretary

I ASSENT to this Ordinance.

M.L. Loane  
Archbishop of Sydney  
28 / 7/1975