
St. Thomas' Rozelle Leasing Ordinance 1954.

No. 22, 1954.

AN ORDINANCE to authorise the surrender of certain leases granted in pursuance of the St. Thomas' Balmain West (Rozelle) Land Leasing Ordinance 1909 and the grant of further leases and the receipt of premiums in respect thereof and for purposes incidental thereto.

WHEREAS:

- (1) The St. Thomas' Balmain West (Rozelle) Land Leasing Ordinance 1909 (hereinafter called "the Principal Ordinance") authorised the leasing of certain land fronting Darling Street and Weston (now Victoria) Road Balmain and more particularly described in the Schedule thereto vested in the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trust") on the trusts in the said Ordinance set forth and declared and provided for the application of the rents income and profits thereof.
- (2) In pursuance of the Principal Ordinance in the year 1910 building leases were granted of five allotments of the said land numbered 1 to 5 inclusive for terms of 50 years from 1st July 1910.
- (3) In pursuance of the leases the respective lessees erected buildings on each lot. The buildings so erected on Lots 3, 4 and 5 are used for business purposes.
- (4) In pursuance of St. Thomas' Rozelle Sale Ordinance 1950 the land therein mentioned including Lot 1 and the greater portion of Lot 2 were sold subject to the leases thereof to the Commissioner for Main Roads for the purpose of widening Victoria Road. The residue of Lot 2 and Lots 3, 4 and 5 are included in the land comprised in Certificate of Title Volume 6634 Folio 13 but subject to the leases thereof particulars whereof are set out in the Schedule hereto.

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- (5) The Commissioner for Main Roads proposes to acquire the unexpired term of the lease of Lot 2.
- (6) Negotiations have taken place with the lessees of Lots 3, 4 and 5 that their leases should be surrendered and renewed for further terms.
- (7) The rents of the premises comprised in such leases are fixed under the Landlord and Tenant (Amendment) Act 1948-1952 but the receipt of a premium in respect of premises used for business purposes is permitted by virtue of a Proclamation under the said Act.
- (8) It is expedient to authorise the surrender of the said leases, the grant of further leases and the receipt of premiums in respect thereof.

The Standing Committee of the Synod of the Diocese of Sydney in the name and place of the Synod ordains and declares as follows:—

1. This Ordinance may be cited as the "St. Thomas' Rozelle Leasing Ordinance 1954" and shall be read and construed with the Principal Ordinance.

2. (1) By reason of circumstances subsequent to the creation of the trusts to which the said residue of Lot 2 and Lots 3, 4 and 5 are now subject:

(a) It is expedient to authorise the Corporate Trust and the Corporate Trust is accordingly authorised subject as hereinafter provided,

(i) to accept surrenders of the leases thereof;

(ii) to grant further leases thereof by way of renewal or otherwise; and

(iii) to receive a premium in respect of any further lease;

(b) it is inexpedient to carry out and observe the said trusts to the extent to which they are hereby varied.

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- (2) A lease or leases of the said land may be granted for a period or periods not exceeding 30 years and shall contain a covenant restricting the use of the leased premises in accordance with clause 2 of the Principal Ordinance.
- (3) A premium in respect of such a lease or leases may be paid in such manner and by such instalments as may be approved.
- (4) The rents and profits (including any premiums) under or in respect of any such lease or leases shall be applied in accordance with clause 3 of the Principal Ordinance.
- (5) The powers hereby conferred are in addition to those conferred by the Principal Ordinance.

THE SCHEDULE.

Part of	Registered Lot.	Lease.	Original Lessee.	Present Lessee.	Present Annual Rent as reduced by Statute.		
					£	s.	d.
			H. J. Bourne and G. Folster	Ada Bourne and Dorothy Annie Magde- lene Paton.	Not apportioned		
	3	572825	James Ryan	H. J. F. Green	22	9	6
	4	572827	H. J. Bourne and G. Folster	F. H. Minnifie	20	3	0
	5	572828	H. J. Bourne and G. Folster	F. H. Minnifie	19	7	6

The said Lots form part of the land in the Parish of Peter-sham County of Cumberland comprised in Certificate of Title Volume 6634 Folio 13, Lots 3, 4 and 5 each have a frontage of 20 feet to Darling Street with varying depths as shown on the

St. Thomas' Rogelle Leasing Ordinance 1954.

The residue of Lot 2 having a frontage to Victoria Road when widened is intended to be leased together with Lot 3.
Leases thereof; the north eastern boundary of Lot 5 is irregular.

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

W. G. HILLIARD, Bishop,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 26th day of July, 1954.

H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,
Archbishop of Sydney.

26/7/1954.