
*St. Andrew's Bondi Beach
Further Mortgage Ordinance 1967*

No. 31, 1967

AN ORDINANCE to authorise the mortgaging of certain land at Bondi Beach in the Municipality of Waverley and to provide for the application of the proceeds and matters incidental thereto.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 7621 Folio 114 more particularly described in the first part of the schedule hereto AND WHEREAS the said land is now the subject of a charge of Twenty thousand dollars (\$20,000) pursuant to the provisions of Ordinance No. 19, 1967 AND WHEREAS the Corporate Trustee is the purchaser under a certain Contract for the purchase of the fee simple of the land comprised in Certificate of Title Volume 7350 Folios 53, 54, 55 and 56 more particularly described in the second part of the Schedule hereto for the sole benefit of St. Andrew's Bondi Beach (formerly known as St. Barnabas' North Bondi) a branch church in the Parish of St. Matthew Bondi AND WHEREAS subsequently to the completion of the said purchase it is intended to demolish in due course the buildings and other improvements erected thereon and on completion of such demolition to erect on the said land a Church Church Hall or Parsonage or any one or more of the same and for such purpose it is expedient that on the completion of the said purchase and transfer the lands in the Schedule be mortgaged or charged to secure a sum of Twenty-five thousand five hundred dollars (\$25,500) to be applied in payment of the purchase money and for the other purposes hereinafter mentioned NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND RULES as follows:-

1. (i) Upon completion of the said purchase and transfer the Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is hereby empowered to mortgage the said land by way of first and second mortgages and charge from time to time for the purpose of borrowing the sums, following:-
 - (a) When the power is first exercised a sum or sums not exceeding in the aggregate Twenty five thousand five hundred dollars (\$25,500).
 - (b) When the power is subsequently exercised such sum or sums not exceeding in the aggregate Twenty five

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thousand five hundred dollars (\$25,500) as Standing Committee shall by resolution determine PROVIDED that Five thousand five hundred dollars (\$5,500) of such debt shall be repaid at the rate of Five hundred and sixty dollars (\$560) per annum principal and interest and the balance shall be repaid at the expiration of five (5) years from the date of the advance or advances when first made and interest thereon in the meantime at a rate not exceeding nine dollars (\$9) per centum per annum (but reducing to eight dollars (\$8) per centum per annum for prompt payment) and when the power is subsequently exercised at such rate as Standing Committee shall by resolution determine.

- (ii) Any renewal of the mortgage or mortgages shall be deemed to be a subsequent exercise of the power.
 - (iii) A document purporting to be signed by the Archbishop or Diocesan Secretary as a copy of any such resolution as aforesaid shall in favour of a mortgagee or any person or corporation claiming under the mortgage or charge be conclusive evidence that such resolution was duly passed.
2. The proceeds of any mortgage or charge hereby authorised shall be applied as follows:-
- (i) When the power is first exercised in payment of the costs of and incidental to this Ordinance the costs fees and other outgoings of and incidental to the said purchase and completion of transfer and the costs of and incidental to any mortgage or charge executed in pursuance of the said Ordinance.
 - (ii) When the power is subsequently exercised (other than by a renewal of the original mortgage or mortgages or charge in payment of the principal interest and costs of discharge of any existing mortgage or charge.
 - (iii) Any mortgagee person firm or corporation advancing moneys to the Corporate Trustee pursuant to the provisions of sub-clause (i) of Clause 1 hereof is hereby authorised to pay the same to the Churchwardens for the time being of St. Andrew's Bondi Beach.
3. The Churchwardens of St. Andrew's Bondi Beach shall within seven days of the holding of the Annual Vestry Meeting during such time as any money is owing to any

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mortgagee pursuant to this Ordinance cause an account to be forwarded to the Diocesan Secretary, giving particulars of the amount borrowed the amounts paid off and the balance owing.

4. This Ordinance may be cited as "St. Andrew's Bondi Beach Further Mortgage Ordinance 1967".

SCHEDULE

PART I

All that piece of land in the Municipality of Waverly Parish of Alexandria County of Cumberland being Lot A in plan lodged with Transfer No. G891326 and lot 34 in plan lodged with Transfer No. A693169 having a frontage of 39 feet 9½ inches to Ramsgate Avenue, Bondi Beach with a depth along Wairoa Avenue of 168 feet 6 inches and being the whole of the land comprised in Certificate of Title Volume 7621 Folio 114.

PART II

All that piece or parcel of land situate in the Municipality of Waverly Parish of Alexandria and County of Cumberland being part of Lots 36 and 37 of Section 2 in Deposited Plan No. 786 having a frontage of 40 feet to Brighton Boulevard by a depth of 128 feet 6 inches and having an area of 18½ perches being the whole of the land comprised in Certificates of Title Volume 7350 Folios 53, 54, 55 and 56 and known as 25/27 Brighton Boulevard Bondi Beach.

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

H. G. S. BEGBIE,

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 25th day of September, 1967.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

5/10/1967.